Task Force | Fall 2018

Agenda

Point of Contact per County
ODE Restructuring of SST Work
New Forms-Clarifications
Early Learning
Transition
Critical Updates
How Can We Provide Support?

Special Education
Point of Contact:
- Butler County- Mona Burts-Beatty
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- Warren County- Christine Knestict
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The State Board of Education and State Superintendent of Public Instruction Paolo DeMaria joined key partners to unveil Each Child, Our Future, Ohio’s five-year strategic plan for education last week during a day-long school bus tour.

Co-designed over the last year by parents, educators, employers, philanthropic leaders, policymakers and students, the plan seeks to lift aspirations, guide development of state-level policies and promote quality education practices across the state.
How: Putting It Altogether

**Universal Tier 1**
- Inclusive Instructional Leadership
- Broad access to SST products and on-demand services and resources
  Examples: webinars, ESC collaborations, social media

**Targeted Tier 2**
- Inclusive Instructional Leadership
  - Capacity Building through Human Capital Management
- Specialized; provided virtually and on-site, requiring an ongoing relationship
  Examples: facilitating communities of practice, shorter term events

**Comprehensive Tier 3**
- Inclusive Instructional Leadership
  - Capacity Building through Human Capital Management
  - Inclusive Instructional Practice
- Individualized; provided on-site; requiring a stable, ongoing relationship; involving a negotiated series of activities, longer term coaching to build district capacity

**New Forms: Questions?**
Clarifications:

ETR
- Observation
- Part 1 ETR
- Part 2 ETR
- Eligibility & Signatures
- Adding/Removing Related Service
- Medical Model vs Education Model

IEP
- SDI/Related Service Time
- Support for School Personnel
- RIMP (see next slide)
- Progress Reports (see next slides)

RIMP Information in Profile

- The guidance manual language will be revised to match the new IEP form. Student reading deficiency data should be included in both the RIMP and IEP. The highlighted language listed in your message will be replaced with the following:

The state requires IEPs specify reading deficiency data that may be found within Components 1-5 in the table's reading improvement and monitoring plan columns.
LRE Guidance


Guiding Questions –

- Is the child already in a regular education preschool program?
- Can the child receive their special education services in that preschool program? Why/Why not?
- If child is not already in a regular education preschool program, what is the IEP team's decision on LRE?
- When considering service provider LRE, think about how the child will access general education.
- Bottom line, serve children where they are. If not possible, what is the least restrictive option.
Proposed Preschool Operating Standards:

As of today – they are still in committee.

We have not heard the status of the proposed standards.

The Office of Early Learning and School Readiness has advised that programs continue to operate under the current Operating Standards. If the proposed standards are approved during this school year, we have been told that they will not go into effect until the 19-20 school year.

Kindergarten Readiness Assessment (KRA)

• KRA and Senate Bill 216:
  • Public districts and schools will continue to administer the current KRA. Senate Bill 216 did not eliminate or require changing the KRA.
  • The bill, in Section 5, does require the Early Childhood Comprehensive Assessment Advisory Group, by September 1st, 2019, to study and make recommendations on ways to improve the use and administration of the assessment.
  • The administration is open now and will close Nov. 1st.
  • If still have teachers that need to be trained, contact Vikki Miller or Jean Apfelbeck at SST13.org

Early Learning Assessment (ELA)

1. Fall Assessment Window: The ELA assessment window opened on August 15th and will run through November 14th. It is important to complete the assessment window at this time in order to meet the submission deadlines.

2. If teachers or data managers are experiencing technical issues or need to request an account for ELA, please contact Vikki Miller or call 614-212-5560 to submit a request for technical assistance.

3. ELA reporting and the Autism Scholarship: After collaboration with the Office of Nonpublic Educational Options, it was decided that preschool students receiving the Autism Scholarship are exempt from reporting ELA scores.
Newly Released OSEP Letters:

- July 27, 2018: Letter to Mason addresses which factors school staff should consider in determining whether shortened school days are factored into a change of placement decision.
- Aug. 2, 2018: Letter to Siegel addresses whether a local educational agency (LEA) has a duty to notify parents of their rights under IDEA prior to their child being referred for an evaluation and identified as a child with a disability.
- Aug. 2, 2018: Letter to McDowell addresses whether IEP Teams may consider interveners an appropriate related service for children who are deaf-blind, even though interveners are not specifically identified in the list of examples of related services in IDEA.
- Aug. 2, 2018: Letter to Anonymous addresses children with disabilities who transfer to new states within the same school year, and whether the new LEA must evaluate them if they already meet the new state's eligibility criteria. It also addresses whether a formal review of the child's existing evaluation data by a school psychologist is required or if an IEP Team discussion and decision would be sufficient.
- Aug. 23, 2018: Letter to Anonymous addresses whether a public agency may limit the amount of time an independent evaluator is allotted to observe a child in the child's educational setting when the evaluator is paid by the parent and not by the public agency.
- Aug. 23, 2018: Letter to Fletcher addresses how expedited due process hearings should be scheduled when there are fewer than 20 school days left in the school year (SY), and whether holding such a hearing within the last 20 days of the SY would be consistent with IDEA.

H.B. 318 Highlights

House Bill 318 enacts a new section of the Revised Code, R.C. 3313.951, to cover SRO responsibilities:

- SROs are required to complete a basic training program approved by the Ohio Peace Officer Training Commission and to complete 40 hours of SRO training within one year after appointment.
- SROs serving as SROs before the effective date of the bill would be exempt from this requirement.
- House Finance Committee appropriated $10 million to be used for school safety training grants. The use of the grants includes support of SRO certification training, any type of active shooter and school safety training, all grade level type educational resources, training to identify and assist students with mental health issues, and any other training related to school safety.
- Schools will be required to work or contract with the county sheriff's office or local police department to develop programs and training.
- The SAFE Act (Supporting Alternatives for Education Act) act revises procedures for emergency removals, prohibits out-of-school suspensions and expulsions of K–3 students for relatively minor offenses, and includes a tiered implementation phase.
- Districts will be required (rather than permitted) to permit students to complete classroom assignments missed during in-school and out-of-school suspensions. Each school district and school will be required to implement a positive behavior intervention and supports framework.
- An appropriation of $2 million from lottery profits in FY 2019 was provided in the Senate Finance Committee for competitive grants for this purpose, which increases the total appropriation for this bill to $12 million.
Graduation Rates for SWD and Report Cards

ESSA requires that students who do not meet the state requirements for a regular diploma are not to be counted as on-time graduates in the cohort graduation rate.

2017-18 Report Card will continue previous reporting rules and include Ohio students in the Class of 2017 as on-time graduates for state Report Card purposes.

Separately, for federal reporting and ESSA identification purposes (Priority and Focus schools), Ohio will report a separate rate which will not include these students as on-time graduates.

The transition will likely take place no earlier than the class of 2021.

ODE will be providing resources and data to support the transition which coincides with the implementation of Ohio’s Strategic Plan: Each Child, Our Future: The 21st Century Education Blueprint for Quality Graduation.

Graduation Pathways

• Temporary Ohio law provided additional graduation options for students in the class of 2018, specifically, students who entered grade 9 between July 1, 2014, and June 30, 2015.

• State law does not provide these options to students in the classes of 2019 and beyond.

• Students in the classes of 2019 and beyond will be expected to satisfy one of the original three pathways to graduation.

Three Graduation Pathways

• **Ohio’s State Tests** - Earn at least 18 points on seven end-of-course state tests. Each test score earns you up to five graduation points. You must have a minimum of four points in math, four points in English and six points across science and social studies.

• **Industry credential and workforce readiness** - Earn a minimum of 12 points by receiving a State Board of Education-approved, industry-recognized credential or group of credentials in a single career field and earn the required score on WorkKeys, a work-readiness test. The state of Ohio will pay one time for you to take the WorkKeys test.

• **College and career readiness tests** - Earn remediation-free scores in mathematics and English language arts on either the ACT or SAT.
L.H. vs Hamilton County Department of Education
August 20, 2018

Family lives in Chattanooga, Tennessee but case went to Sixth Circuit Court of Appeals includes Michigan, Ohio, Kentucky, & Tennessee

District believed a student with Down's syndrome would make more progress in different school in a self-contained classroom

Parents refused as they wanted son to have access to standard curriculum and typical peers

Parents enrolled son at a Montessori school and filed due process and asked for tuition reimbursement

Different courts (one in favor or district, one in favor of parents) until ended up with Sixth Circuit Court

The Sixth Circuit determined that mainstreaming provides enough benefit when a student makes "some progress" toward his IEP goals in the general education setting in light of his circumstances.

Deciding a child's least restrictive environment, the court explained, is not a decision that requires as much educational expertise as selecting a particular instructional methodology.

In certain situations, the court emphasized, a placement which would be preferable for academic reasons should be rejected if it fails to provide for mainstreaming.

The court also critically reviewed the curriculum that the district used in the self-contained setting, noting that it was not peer-reviewed as required by the Individuals with Disabilities Education Act (IDEA).

Finally, the Sixth Circuit found that the Montessori placement offered an education reasonably calculated to enable this child to make progress, and required the district to reimburse the parents for tuition costs.

Kathryn Perrico & Miriam Pearlmutter, at Walter Haverfield

In light of this decision, school district IEP teams should:
- Consider any outstanding parent requests for mainstreaming in line with the above analysis;
- Review the continuum of services offered by teams to ensure compliance with legal preference for mainstreaming;
- Consider additional push-in and pull-out services instead of a self-contained setting when appropriate;
- Determine whether the curricula offered to students with special education needs are peer reviewed and tied to Ohio's standards.

Kathryn Perrico & Miriam Pearlmutter, at Walter Haverfield
Formal Complaints:

From May 1, 2017 through May 1, 2018, 147 formal state complaints were filed with the OEC. As of May 2, 2018:

Out of the 147 complaints, there were 60 Letters of Findings issued, or 41% of complaints filed had Letters of Finding.

Of the 60 Letters of Findings issued, 47 of the letters, or 78% were found to be in violation.

The 47 letters of findings covered approximately 149 State or Federal laws. Of the 149 State or Federal laws, 76 or 51% were found to be noncompliant.

Non-Compliant Findings:

Some of the non-compliant issues covered in the Letter of Findings were as follows:

- When IEPs are in effect (26)
- Development, review and revision of IEP (16)
- Prior written notice (10)
- Evaluation procedures (14)
- Parent participation (12)
- FAPE (5)
- Placements (4)

Complaints in Our Region 2017-2018

- RETR timeline
- When IEPs must be in effect:
  - Accessibility
  - Progress monitoring
  - No ETR
  - 2 IEPs dated same time
  - IEP team
  - Prior Written Notice
  - Definition of IEP
  - Parent participation
From May 1, 2017 through May 1, 2018, 162 due process requests were filed with the OEC. As of May 1, 2018, out of the 162 due process requests, 2 decisions were rendered. Of the 2 decisions, neither are pending State Level Review. Some of the issues covered in the decisions are as followed:

- Evaluation Issues (2)
- When IEPs are in effect (2)
- FAPE (1)
- Transition Support (1)
- Discipline (1)
- ESY (1)

**SPP-new indicators for achievement & release data**

- Be aware of deadlines
- Who is your OEDS person?
- Link to SAFE account: [https://compliance.ode.state.oh.us/Compliance](https://compliance.ode.state.oh.us/Compliance)

**New Results for Students with Disabilities/Ohio's Special Education Ratings**

**Rating Criteria:** The 2018 rating assesses districts performance on the following measures:

**Results Indicators:**

- Math proficiency rate for students with disabilities (across all grades)
- Reading proficiency rate for students with disabilities (across all grade levels) and
- Third grade reading proficiency rate for students with disabilities.
Additional Measures:

Data for three additional measures are provided, which will be included in future ratings:

- The percent of students with disabilities graduating by meeting the same requirements as students without disabilities;
- The percent of students participating in the Alternate Assessment for Students with Significant Cognitive Disabilities in math; and
- The percent of students participating in the Alternate Assessment for Students with Significant Cognitive Disabilities in English language arts.

Onsite Monitoring Region 13

3 Districts
2 Hamilton County
1 Warren County
Start 2019

Four County Task Force

Possible Date: January 23, 2019
Possible Topics??
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Early Learning:
- Clermont and Hamilton: Vikki Miller vikki.miller@hcesc.org (674-4218)
- Butler and Warren: Jean Apfelbeck jean.apfelbeck@hcesc.org (674-4235)

Parent/Community Support:
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