

Connections from Jerr!

Is Special Education Really Responsible for 504 Now?

Yes, this summer the Special Education Division took over Section 504 Compliance as well. No, that doesn't mean that every special education teacher just received a new job description. In this district, secondary 504 plans and procedures are handled by 504 Coordinators from each building level. In the elementary schools, principals remain responsible for 504 compliance.

The good news is we have a new 504 Compliance Coordinator, Burl Oliver. He comes to the district with significant compliance experience and is ready to help 504 Coordinators lead 504 teams through the 504 procedures! A new 504 website has been created, <http://www.asdk12.org/depts/sped/504>, and Burl is hard at work setting up trainings and gathering information for technical assistance 504 Bulletin electronic newsletters. In the meantime, he can also be reached by email, oliver_burl@asdk12.org or by phone at 742-4236.

NEW ASD GUIDANCE ON SPECIAL EDUCATION

Have you been wondering if you missed any memo's from the Special Education Division? You never have to worry about whether you are up to date!



The Anchorage Special Education Handbook is online at: <http://www.asdk12.org/depts/sped/policy/index.asp>. All changes to the handbook that were made this school year are located in the Section entitled "Newest Guidance" at: <http://www.asdk12.org/depts/sped/policy/changes/index.asp>.

The following list is an overview of the changes we've made to our procedural guidance in the past few months of this school year. Please be sure that you have reviewed this guidance and sought clarification from teacher consultants or other special education administration as appropriate.

Staying in Touch



Please be sure to read all email coming from [sped_connect](#) email box. This special email account is set up specifically to connect all special education professionals. It notifies you of training opportunities and new additions to our Online Special Education Handbook.

If you have missed any of our latest updates, take a look at the Special Education Handbook section that includes all items posted this year: <http://www.asdk12.org/depts/sped/policy/changes/index.asp>

Independent Educational Evaluation Procedures

http://www.asdk12.org/depts/sped/policy/part7/IEE_Procedures.pdf

This guidance memo is a Question and Answer format about how to assist parents to access IEE's.

Notification of Child Find Coordinators

<http://www.asdk12.org/depts/sped/policy/part2/ChildFindCoord.pdf>

Unlike other Alaska school districts, Anchorage has more than one Child Find Coordinator. This memo is designed to assist parents who wish to refer students for special education locate the ASD personnel who can provide information about referral and evaluation for special education services.

Attorney Presence at IEP Meetings

http://www.asdk12.org/depts/sped/policy/part4/Attorney_Presence_atIEP.pdf

This memo includes key changes to procedural guidance issued last school year for building level special education teams who receive notification that a parent will be bringing an attorney to a special education meeting.

Referrals to ASSDHH Program and Coordination with Student's LEA

http://www.asdk12.org/depts/sped/policy/part2/Referrals_ASSDHH.pdf

ASD coordinates the educational services provided to Alaska students who attend the state boarding school program entitled Alaska State School for the Deaf and Hard of Hearing. Referrals to this program must be coordinated with the student's home district.

Important Considerations When Preparing for a Re-Evaluation

http://www.asdk12.org/depts/sped/policy/part3/Preparing_ReEval.pdf

Important information for teams preparing to conduct a re-evaluation for a special education student.

ASD Surrogate Parent Handbook

http://www.asdk12.org/depts/sped/policy/part7/SP_Handbook.pdf

Big changes in the ASD Surrogate Parents Handbook and forms for requesting the appointment of surrogate parents. This is a memo you should not miss!

Progress Reports -We're Still Monitoring!

General Information: Parents of children with disabilities must be informed of progress at least as often as parents of children without disabilities. The IEP must include a statement of how parents will be informed of their child's progress toward the annual goals and the extent to which that progress is sufficient to enable the child to achieve the goals by the end of the IEP time period.

ASD Internal Audit of Compliance: Progress reporting requirements reflect both state and federal mandates. Because progress reporting has been noted as a compliance issue by the DEED over the past three years of state audit, the following expectations should be clear to all special education staff, including all related service providers:

1. Progress reports will be done quarterly, unless otherwise indicated in a student's IEP. Any special education teacher or related service provider who needs assistance with progress report writing or planning should consult with the Teacher Consultant;

2. I have directed Early Childhood and Elementary Special Education, Secondary Special Education, Related Services Directors and Supervisors, DSHHH Supervisor and Special Programs Supervisors as well as the Director of State and Federal Compliance to randomly audit the district's efforts to accurately provide progress reports in a timely manner;

3. If a student's file (either in Records Department or IEP Program) indicates missing progress reports, the following steps will be taken:

a. A notice requesting explanation will be sent to the special education teacher or related service provider requiring a timely response and explanation with 5 days of receipt;

b. A random audit will be conducted of other student's files assigned to this services provider. At least 10 files, if applicable, will be audited to determine whether the compliance issue is limited to an individual student;

c. In the event that there is evidence of repeated non-compliance, a meeting will be scheduled with the special education department administration, building level administration and the special education teacher or related service provider to determine corrective action; and

d. A Prior Written Notice will be provided to all parents who have not received timely progress reports, documenting the reasons for the non-compliance.



Early to Bus for Special Education Students...

Maybe Not the Best Idea under IDEA!

Shortening a sped student's day can constitute a denial of FAPE. Districts must provide special education and related services to eligible children with disabilities beginning at age 3 and continuing through age 21 (a student who is age 21 on the first day of the school year is entitled to Free Appropriate Public Education (FAPE) for the entire year even if his/her 22nd birthday occurs during the school year).



The concept of FAPE means regular and special education and related services that:

are provided without charge to the parent - FREE;

are provided in conformity with an appropriately developed Individualized Education Program (IEP) - APPROPRIATE;

are provided at public expense, under public supervision and direction - PUBLIC; and include pre-school, elementary school, and secondary school education that meet the education standards, regulations, and administrative policies and procedures issued by the State Education Agency - EDUCATION.

From a practical standpoint, a student's IEP may indicate the number of hours of instruction required to provide the student with FAPE – so an elementary student eligible for 32.5 of special and general education services could not have his or her day shortened because, 20 minutes less of instructional time each day equates to a loss of 1 hour per week and therefore means that the district is not providing FAPE. If the district is failing to provide FAPE, a parent may chose to file a request for a due process hearing to enforce compliance with the IEP provisions.

Options for Students Who Need Interim Alternative Education Services During Periods of Suspension

Can you just offer home instruction or send work home for a special education student who has been suspended or expelled more than ten days in one school year?

The easy answer is “no” but the more difficult answer is what can teams do when offering these services? Here are some specific tips on how to address this procedural issue:

Be familiar with the ASD Student Handbook for your division (elementary, middle or high school) as well as the Alaska Notice of Procedural Safeguards.



Talk with Special Education Coordinators and Directors to identify possible IAES home instruction, others may have instruction at Continuation Program, Outreach, or at locations in the community such as a public library.

Offer the parent a copy of the Alaska Notice of Procedural Safeguards.

Document the offer of services and the arrangements made with the parent of the student using a prior written notice.

Maintain records that indicate IAES services have been provided, including but not limited to addendum hours for the staff providing services, receipts for transportation, etc.