



## ASEC Alert

**January 3, 2008**

Welcome back! Have you been looking for some light winter reading?

Attached are the Frequently Asked Questions/Answers submitted during our last ASEC training. If you have further questions or would like clarification on these or other subjects please contact Gary, Colleen or Julie.

### **IEP General**

Do you have to have a date listed in the goal? In the objective?

Annual IEP goals are to be written with the understanding that they are calculated for one year's growth. So you may or may not have an actual date listed. The objectives are to be benchmarks that help gauge the progress towards the annual goal.

You talked about documentation of Progress 4 times per year. If you have missed a documentation period, can you go back and add it, or "Clean" it up?

If you did not specify when the progress would be completed there is not a rule for the dates of the progress reports.

For program modifications rather than "will" can you substitute or rewrite "May"?

The program modifications are intended to be followed so the word "will" gives the teacher clear direction. When you use the word "may" it is left open to interpretation. Make sure that the parents understand what they are agreeing with during the meeting and when reviewing the plan for approval.

How do you choose the IEP written date when everyone puts their info in on different dates?

Be consistent; choose either the date of the IEP meeting or the date you mail the plan to the parent. Work to use the same system for all of your IEP's.

Do they have Learning Locator for students taking the MTAS?

There are not Learning Locator numbers for students taking the MTAS. You could look at some of the lower level numbers and possibly find useful activities.

How often do you need CPI training?

At least every two years you need a refresher. If you are using physical restraint, you should have a refresher on that every year.

Who is eligible for social security disability (SSI)? Is this for all students with IEPs?

Parents apply for SSI benefits for their children based on a Significant Diagnosed Disability. They will often ask the school for documentation. Qualifying for special education at school does not assure eligibility for SSI.

I am under the assumption that “desk drawer” notes must be purged every 365 days. How would this rule apply to “keeping email back to the preschool years”? Is it now ok to keep anecdotal notes longer?

The due process paperwork should provide a summary of “desk drawer” notes through present levels and progress reports.

## Meetings:

What do we do if a parent is unwilling or unable to meet before the annual IEP date?

Parents are to be given the opportunity to participate in the meeting and the planning of the IEP. Give the parent at least two options for a meeting date and then meet as a team and propose an IEP. If they do not take advantage of the opportunity you must still move ahead and propose an IEP within the timeline- allowing them 14 days for approval. That means that you should be beginning the process at least six weeks to two months prior to the date of the annual IEP.

For Severely Multiply Impaired do all of the category people have to be present? If the say PHD consult can't be there do I need to have parents sign the written agreement for not attending?

We continue to wait for clarification on the Parents Written Agreement for not attending a meeting. At this time we believe this refers primarily to the four people who must attend and anyone else that you stated on the meeting notice would be attending. Do not include them on the meeting notice if they are not able to attend. The parent then has the opportunity to request specific people be in attendance if they desire.

If you call the parent to invite them to an evaluation planning meeting and they do not want to attend do you have to wait a certain number of days before completing the eval plan?

There is no longer a requirement for Evaluation Planning Meetings- the requirement is that parents should have the opportunity for input and discussion in the evaluation planning process. If the parents give the go ahead for the staff to make the plan there is no need to wait.

## Transportation:

Define 03 or 06? Transportation code on MARSS- if summer programmings do we do 03 for all kids even if they ride the regular bus during the school year? Clarify what code.

**03 – Disabled.** All students in this category must have an IEP, IFSP, IIP, 504 Accommodation Plan or be assigned STATE AID CATEGORY 27 (Care and Treatment). These students must receive special transportation or special accommodation, such as an aide on the bus route. There is no minimum distance requirement for students with disabilities.

**06 - Special Transportation** Used for students who require special transportation and: are on a 504 Plan or Care/Treatment or Non-Public School without an IEP and require special transportation or accommodations or Care/Treatment or Non-Public and have an IEP and no special transportation or accommodations written in the students IEP or Homeless.

Students within the ASEC who receive special education and special transportation will almost always be 03. Special Education students that receive special transportation for Extended School Year would be coded 03 for that record.

Are districts able to access more \$\$\$ if their student is bused to High School Transition school (I have heard districts say the bussing will cost too much)

The student would be coded in MARSS as Transportation code 03 or 06. School funding is based on the student data entered in MARSS. If the state aide formula includes funding for Transportation 03-disabled students or 06 Special Transportation then the district will receive additional dollars.

Does the transportation category code pertain to students receiving ESY services in their own district (if no other regular ed student requires services or transportation)? If they get special transportation during summer only, when do I put in the code 03:Disabled – at IEP or before summer school starts?

Your responsibility would be to inform your MARSS entry person that ESY and special transportation will be provided. Your MARSS entry person should be creating a separate record for those students that receive ESY services. That ESY dated record should reflect the 03 Transportation code. The need for transportation also needs to be written in under the transportation section of the IEP stating special transportation is needed in order to attend ESY programming.

Do we use transportation code 03 for open enrolled students who are disabled that ride the regular bus but we go further to pick them up?

If your district had to create or add to a route in order to provide transportation to a student receiving special education services and the IEP states the need for transportation- the student is allowed to be coded with an 03 for Transportation Indicator.

Students (DCD, ASD) who ride to school with parent or para- should I code special transportation? (parent works in district- students would need separate transportation if they didn't bring them)

If your district is reimbursing the parent to transport the student then code 03- You should probably determine if the student truly has a need for special transportation and document that on the IEP. If the parent or para was not available what would the school responsibility be? Then note in the IEP that at the present time the parent transports the student to and from school. Likewise if the para is reimbursed for transporting the student it would also be an 03.

Is it appropriate to have bus drivers attending the IEP meeting?

Case managers should be in contact with the bus driver if the student's disability impacts transportation. Some drivers have attended portions of the meeting to discuss specific concerns of the parents, this would not be the norm.

**MARRS:**

When do you change the Federal Setting when a child turns from 5 to 6 years? At the IEP or when it's his birthday?

Your MARSS person creates a new record dated the date of their birthday. Some MARSS people update records only at certain times of the year but they still use the date of the students birthday. Use the current Federal Setting at the time of the writing of the IEP. If it will change during the year because of a change of services you should note the change of setting in the Least Restrictive Environment statement.

At what point are students considered moved or inactive?

After 15 days of non-attendance in a row the student is no longer considered enrolled in your district. The MARSS person will automatically remove them from the school enrollment. You only need to exit them in SPED to keep your active records accurate.

We had a lot of problems this fall with incorrect settings popping up for MARRS- due to preschoolers moving into regular ed- current IEP had old setting. Do we need to change in the fall?

Keep your MARSS person informed of the correct settings for the students age group. They are responsible then to update and submit that data throughout the school year.

**Paraprofessionals/PCA's:**

Could you clarify what PCA entails- what is the difference between para and PCA- can they intermingle? It would be helpful to have some more individual school training for PCA's and medical billing.

PCA stands for Personal Care Assistant they are required when a student has a medical diagnosis and during their school day requires services that are above and beyond education- such as

- Activities of Daily Living (ADL's)- Eating, Toileting, Grooming, Dressing, Bathing, Transferring, Mobility, Positioning, Redirection, Monitoring, Observation
- Activities related and essential to ADL's
- Health related functions
- Redirection and intervention for behavior- medically necessary and related to the diagnosis

Para-professional services are required when a student requires assistance with learning the educational standards.

Staying on task to complete schoolwork is considered a para-professional service. Staying on task to not hit or kick another student is PCA. We supplied some sample statements to help clarify the wording for IEP's please inquire if you need this resource.

If a student has a PCA but also works with them academically do we break into PCA and Para for academics or leave as all PCA time?

You should report the total time and then clarify the duties. It doesn't matter what they are called it is what they are doing that makes a difference. It would be difficult to say on any one day how much time a para is delivering PCA services and Para services. That would be broken out if recording for medical billing is completed but would not need to be specified on the IEP.

**Services:**

In figuring school day, do you include lunch minutes or just the number of minutes of classes?

When calculating the Federal Setting use the actual minutes of General Education Instruction students in your district receive. That typically does not include lunch. As an example one district reports 366 minutes of instructional time per day.

If special ed service is in both the classroom and the resource room, should the SLD services be listed separately or is it OK to X both boxes under location?

If the parent or team has made a specific plan that includes specific amounts of time in or out of the classroom then that should be reported separately. If the team decided that either place delivering the service is agreeable then you could record it on one line. You can use the Least Restrictive Environment Statement to clarify which part of General Ed the student will be removed from.

Is direct contact with special ed students in regular ed classroom direct services?

Yes, if the student receives specially designed instruction from the special education teacher within the General Education classroom it is considered direct service.

Significant Change form- do we list team member present when we decided the change? Such as change in # of direct service minutes or more direct para service. What pages do we send out? Is parent permission needed?

When doing a significant change be sure you have parent agreement before moving ahead without a formal meeting. List the people you have discussed the change with. Do not go ahead with the change until you have the Parental Consent Form returned or 14 calendar days have passed- You need to send to the parent:

Significant Change Form

Pages of the IEP that have changed

Prior Written Notice Form

Parental Consent and Objection Form

If our family service specialist sees one of my students 15 minutes per week during my direct service time- how should that be listed?

The Family Service Specialist needs to be listed as a service provider. You can use the Least Restrictive Environment Statement to clarify that the Family Service Specialist time will be taken out of the Special Education time.

Do we use service “counseling” for school social workers?

If counseling is the correct descriptor and it is required for the student to make progress on their educational goals, then counseling may be selected. Mental Health services are typically not a school district responsibility and may be delivered by another agency but would not be a special education service. Districts that have Mental Health services provided in their buildings need to be clear about the lines of responsibility.

What about the School Social Worker? Can we include her if Child is seen in a large group setting?

Services that are normally provided to all students as a part of a school employee’s duties, cannot be claimed as a special education or related service regardless of whether they are listed on the IEP/IFSP/IIIP. If the instruction to the large group is designed to specially meet the needs of the special education student it may be included.

### **SPED Web:**

Should our ESL teacher have access to SPED forms?

Within the ASEC we do not provide the ESL services for our member school districts. Including the ESL teachers on SPED forms would create longer lists than already required for our providers etc.

Are you going to update the Sped Web goal bank? Checking them over to make sure they are written correctly? Adding more?

That is not currently on the to do list. You are able to customize and add goal to the goal bank for your specific needs.

If we finalize a spring IEP can we change the service provider # in the fall and still save it without writing a new IEP?

Yes, the service provider is not part of the IEP document that a parent receives and approves of so you may change that number.

On charting progress it would be nice to have a way to document 4/5 trials instead of just a score.

We continue to work with the developer on the use of the progress charting. If you have used this part of SPED please send any comments to Colleen.

How do I delete a duplicate record? I clicked on duplicate record but it still shows up on my list.

If a duplicate record continues to show up on your list give Dave Campbell the information so that he can help you delete the duplicate.

**Evaluation:**

What about required interventions when parent request an eval?

The rule is that you cannot delay the evaluation that a parent has requested. It is still important to document interventions that the teacher has implemented.

Do we need to evaluate for DAPE- for aged 3-5 or can it be a related service like Speech, OT etc.?

There is no requirement for providing DAPE to 3-5 year olds. Some districts do provide physical education for this age group. DAPE has eligibility criteria and should not be provided unless the student has been determined eligible for DAPE. DAPE is different than OT and Speech as far as eligibility.