

OPERATOR: The broadcast is now starting. All attendees are in the listen only mode.

DR. JACQUELINE KELLEHER: Ready? Hello Connecticut. This is Dr. Jacqueline Kelleher, Education Consultant with the Bureau of Special Ed in the Connecticut State Department of Education broadcasting live from the beautiful SERC Roscommon Building. Thank you for taking time out of your busy schedules to spend the next hour with me to go over indicator eleven evaluation time lines. As you listen to this broadcast and find you have specific questions given individual cases or you have a further need for clarity, please email them to me at [jacqueline.kelleher@ct.gov](mailto:jacqueline.kelleher@ct.gov)

This morning we're going to talk about indicator eleven and the law, identify ways to clean up your indicator eleven data and discuss what we're doing at the state department of education to assist you. This is the first of many upcoming technical assisting offerings concerning this indicator. We are dedicated to strengthening our partnerships with LEA's because it's not enough to ensure compliance although that is a focal point of our work but we must enable compliance.

So for today, we'll be discussing child Find, we're going to talk about some of the exception categories that are a little bit different from some of the other data collection, exceptions that we've had in the past. Some of the common errors that we're seeing in reporting your data and the data collection process which will be opening July 1<sup>st</sup>, 2009. Finally, we will be talking about some training recommendations and we'll be looking at some of the questions that you're sending in as a result of listening into this broadcast.

OSF has made part of the state performance plan indicator eleven to reflect the criticality and the importance of looking at child find. Child find, the state must have an effect policies and procedures to ensure that all children with disabilities residing in the state including children with disabilities who are homeless, children who are at wards at the state and children with disabilities attending private schools regardless of the severity of their disability who are in need of special education and related services are identified, located and evaluated.

OSF requires states to include indicator eleven in the state performance plan as a way to monitor child find. I want to remind listeners at this time that parentally place private students are entitled the child find by the LEA where the private school is located even if the student is from out of state. Each state is required by IDEA to identify, locate and evaluate all children with disabilities in the state who needs special Ed related services. To do so, state conduct what are known as child find activities.

What are these? To locate, identify, determine eligibility, to follow timelines and the complete and conduct tracking. The bureau of special education is required to monitor LEA's or these child find components and maybe required to collect evidence that these operations are in place of a district levels in terms of location, what type of outreach is an LEA providing to schools within its district areas? Are there TV ads, brochures, media pieces? What type of evidence is on file that re-reflect that this outreach is in place?

Identification; When the BSC comes and conducts file reviews or desk audits and is looking at student, student files for information? We're looking for evidence that referral and screening documented intervention and evaluation activities are being conducted as

required by law. For your eligibility terminations, what was included to determine eligibility? What type of assessments? What type of evaluations and decisions were made and what type of multiple measures were used to come to your conclusions?

These are the child find expectations and although indicator eleven just taps into the timeline where all of these activities occurred, we don't want to lose the fact that as part of other monitoring systems within the bureau of special education, we are required to look at the actual evidence that these practices and policies are in place. These are some of the expectations as you know from the initial evaluations, reviewing consideration. Bureau of special education is required to look at documentation along these areas. These areas need to be considered upon referral. How are your districts taking these variables into consideration?

Parent Consent; Parent is fully informed of proposed actions and agrees in writing to the proposal. With parent consent, a referral is made, factors are considered and assessment plan is developed, signed written consent is obtained. When the assessment plan and prior written notice is presented, a time clock stops at the moment that you are waiting for parent consent. This is one of the first areas that our districts across the state are struggling with in terms of reporting their data for indicator eleven. We're going to get into the difference between the federal expectations with this indicator and what our state law requires with respect to parent consent?

Parent consent is necessary and assessment plans and evaluations should not be moving forward unless that written consent is obtained and districts need to be keeping this information on file. Now, the state performance plan which is required by OSF. Connecticut has a state performance plan as you're well aware and it's, the foundation is compliance and performance indicators. Indicator eleven is one of the compliance indicators, it joins other indicators such as nine, ten, twelve, thirteen, fifteen and twenty. Either compliance indicators would targets, they're used to make state determinations just as we do LEA determinations.

Connecticut is held to the same type of standard and has the same type of sanctions and enforcement actions at the state level. If that's look at our performance across the indicator as much as we do with our states and we are also subjected to or monitored by the same type of enforcements that we are, have the LEA's that remind through the LEA's with. Indicator eleven which is part B for ITEA 2004, the percent of children with parent parental consent to evaluate who are evaluated an eligibility determined within 60 days or state established timeframe.

As noted, Connecticut has a 45 school day rule. Here's an area of caution, the measure reported to the fed requires LEA's to report on a number of children with parent consent with eligibility determined within 45 school days. With our state law, our state law requires yet the timeframe from referral through evaluation, through eligibility determination and the implementation of the IEP occur within 45 school days. So what you are reporting under this indicator is a little bit different from the state law which can be a cause for confusion. We will get to this in just a moment.

There are many reasons why. Some of our districts are going beyond the 45 school days while the fed expect that none of the cases go beyond the timeline. There are times when there are circumstances beyond the district's control or occur based on family need. Or at the request of the family. OSF in Connecticut have several

categories that allow for exceptions that have been approved by policy makers. Exception categories are in place to allow the districts to report the cases going beyond the time frame in a way that is not penalized against the LEA or their 100% target.

In the past two years, we've had four categories but for this upcoming data collection, beginning July 1<sup>st</sup> 2009, we will be expanding to six categories. We are expanding these categories based on your feedback over the past two years and based on looking at themes that have come from the exceptions you have been providing for us. We don't want you to think that another change is being made just for the sake of changing things around. This particular change is being made to accommodate the complexities and the challenges that are being reported with the exceptions are concerned over the past year and a half and looking at your data and your exception categories is that in some cases, districts are unfairly penalizing themselves.

There may be a misunderstanding around certain cases in whether or not they fit into a justifiable exception categories. I'm going to spend the next several minutes discussing what exception categories are justifiable and some of the differences in our reporting for this year. You're going to be reporting your data in the same way that you have the past two years that web-based structured that we will review shortly. One of the last sections of the data collection include these exception category. The first, you'll see six categories. The first category you will see is documented delay or cancellation made by parent.

The parent cancels or request delay of the PPT meeting after agreeing to attend at a particular time and date. Documentation and taking that word documented delay or cancellation. Documentation, think of this as, think of that with audit lenses. If a state department was coming in to review your files and was looking for documentation of this delay, this documentation might look like a phone law, a tracking sheet meeting minutes, a Xerox calendar, etcetera. What type of documentation are you keeping on file that shows the date, the person who recorded the information, the parties involved, next step, so forth.

Keeping the file or wherever you maintain your record system in case you are audited or are required to produce this part of a corrective action, this type of documentation. Now, districts, you own the 45 school day clock. The clock is your responsibility as part of the state and federal law. Districts, you set the date. Make every effort to get an agreement. Some districts will send the date directly and will have this part of the paper work a list of their question or concern about this date, please contact us or they documented in their minutes that they have try to find a negotiable bait for all parties at the table and working with parents.

But the bottom line is that the parent can't attend and other methods are being made with sure participation, you're getting input and information from the parent and you've explained the time clock. If the parent then request the delay or cancels, the days are still counted and reported but will not count against you. This is the section where you would put the number of cases where that documented delay or cancellations have occurred. So it will show in your data collection that these cases went beyond the 45 school days but won't count against that 100% target.

Sometimes, a parent or a family member or caregiver might cancel at the last, at the last hour before the meeting occurs. This is another example of if you are having the, if you

have the PPT at another time, that it is a justifiable exception because that cancellation was not made by you but was made by the family. One of the second exceptions, parent repeatedly fails or refuses to produce the child. OSF's guidance on this exception is very broad. Some might say that, let's say broad because truly, the meaning varies by case. And looking all at your cases, it really is important to case by case tease out exactly what happened and to see if it, in your opinion it falls in any of these exceptions but with this one, there is a lot of variability to it. Parent repeatedly fails or refuses, thus the parent repeatedly fail to keep the appointment.

After it's been scheduled and rescheduled in the cases of evaluation. The word "repeat" is more than once. Be prepared to document the number of times more than once that this might have, that this might have occurred. We have a lot of districts that are looking at their cases and sending them forward to the bureau of special education to help kind of sort through whether or not a given situation fits this particular category and that technical system is still available to help you understand and to look at the different variables of your cases to see if that right we falls in, failing or refusing to produce the child.

Student hospitalization and extended student absence. Some of the key words here have to do with medical documentation and the credentials of those who are making that decision or able to document that there's a medical situation that is preventing the student from attending the evaluation. A health care provider is a licensed clinical health provider your student, I mean your school nursing staff, hospitalization is certainly one justifiable exception but there are cases where strap or Armano other conditions that as long as the explanation is coming from a licensed clinical health care provider, you want to have that documented as an explanation for a while when beyond the school days.

Student placed in a diagnostic placement, this exception remains the same. PPT cancel due to increment weather or emergency closing, emergency closing is another, another part of this exception that has been added. If there has been a water main break, if there are other reasons why a school has closed and no students are in session during that time, this is another, this is another time where you can write in that the student went beyond those days but just have in your documentation the dates and the reasons for those emergency closings or those weather related closing information.

A child enrolls in a school of another state agency after the 45 school day time frame has begun but prior to an eligibility termination made by the child's previous public agency. When a child enrolls in a school of another district after the timeframe has begun, the sending district ends the count after sending materials and connecting with the receiving district, they have documented that they've made a referral. The new district must document efforts to ensure evaluation completion and agree to a specific time when the evaluation will be completed with that parent family or caregiver.

The district receiving the student continues the count where it left off but will not have extra days counted against their target as long as these pieces are in place that they are able to document that they are making substantial progress towards completing that evaluation and all the efforts that are being made as part of that transfer. Again, this is an area where the, where transfers is not well understood but according to OSF, transfers are district to district or agency to agency. This does not include individual public school building within one particular district.

So a transfer from elementary to elementary, elementary to middle, it's got to be a district to district, LEA to LEA. We're concerned that some of our LEA's maybe unfairly penalizing themselves in their reporting and would like to highlight a few areas for your consideration as you're preparing your cases and preparing your data for the upcoming submission. Some of these are reminders and are not really errors but just maybe districts not paying attention to some of the parts of the law and reporting against themselves without needing to do so.

If parent fails to provide consent to evaluate within ten school days and there is no parent request for delay, the LEA may consider this refusal of consent. The LEA would not include the student and their indicator eleven data submission. There was no parent consent to evaluate. This indicator eleven data collection concerns only the number of students with parental consent to evaluate. We are still getting districts that are riding in the exception category that they were out of, they were beyond the timelines because they were waiting for parent consent.

So some of our questions are well, it really come down to, you're not, why are you include that, are the students, without parent consent in this count. So this might be looking at your own policies and practices and making sure that you were have an understanding around, about our regulations about ten school days in waiting for a parent consent to evaluate. Many LEA's report that they went beyond the timeline because it was decided that more testing was needed. Well some of our questions are as follows.

Was a PPT held to decide if more testing is needed or if findings are conclusive at the PPT to determine the child's eligibility and was this documented? Was there an agreement on a delay or a request for delay for more testing? Or was it the side of the child is ineligible at this point in time that more testing is needed? There are times when more information is needed absolutely. A general practice is to hold the PPT to review the data today and determine eligibility. Some districts are finding that determine in eligibility at that time, pending further testing is necessary.

They are holding, they're making those decisions within the 45 school day period and then having additional testing as part of the next steps and then going to reconsider or to consider the determination again upon completion of the additional testing. This goes back a little bit to the parent consent piece and the delays due to waiting for parent consent. The timestamp date, when ED625 is sent to parent, that timestamp and date stops the clock. So at the point of referral is when your clock starts towards those 45 school days.

Some parents may decide not to sign the consent at the PPT when the referral is discussed or the parent might not be present at the PPT. Often this happens at the PPT and the parent signs but sometimes this can take a day, this can take five days. This can take, this can take a while and it will be sent to and will need to be reviewed by the parent and you might be waiting for the signature. If a parent request a delay for giving the consent to evaluate, since the 45 school day clock had stopped, these school days are not counted as part of the 45 school days.

Do not start the count until the consent is received. If the district does not receive the consent within ten school days, the LEA may consider this as refusal of consent. Now under child find, you may wish to apply the due process system at this time that this is a

choice of district but this is another consideration and again why some of our districts are reporting themselves beyond the timeline and may not be needing to do so. This error again, not an error but just rethinking about what is required under the state of collection, the date of collection expectations, the state of collection does not include the actual IEP implementation.

Although the state regulation specify that the IEP shall be implemented within 45 school days of referral or notice. This is the difference between the federal data collection and state law. Some districts are completing through eligibility within the 45 school days and the reporting up to the 45 school days as part of their count. Others are writing in their exception box that they completed at that time that when beyond because of the implementation maybe taking another day or two. Here's that caution again. For the federal reporting, it is only asking you in this federal reporting to or for students with parent consent, eligibility will determine within 45 school days.

It is possible to be in compliance with this indicator and with the federal expectations for this indicator and be out of compliance with state law, just a caution. Please remember that days or calculations on school days, school days. Do not count holidays. Subtract the holidays from your clock when your school is not and that all students are not required to be in session. Emergency closing is already an exception part of our data system so you're not supposed to be counting. You'll find those in the exception categories.

Vacations when school is not in session with your February vacation, your March vacation, your winter vacations, do not, you can subtract those days from the clock that's counting towards your 45 school day time lines. This slide has to do with some clarification. There has been, there have been lot of questions over the past year or so or emails as that there's around the thinking that working without of the district or private schools might illicit extra days who are reporting under this indicator. Here's what the regulation states.

In the case of a child who's IEP calls for out of district or private placement, the IEP shall be implemented within 60 days of referral or notice exclusive of the time required to obtain parental consent. If difficulty of placement is such as to occasion of delay beyond this period, the board of education shall submit the state or the education written documentation of its efforts to obtain placement in a timely manner. Well indicator eleven primarily targets all the information that is obtained on eligibility of determination and not IEP implementation.

Direct interpretation of this requirement, we're still talking about 45 school days. In this case, there's an additional 15 for implementing the IEP if it's determine a child who'll best be served in a private or out of the district placement but these children are still part of a 45 school day count in terms of their eligibility determination. It's understood that some students are referred for evaluation at the end of the school year in which there are less than 45 school days left to evaluate and thus the evaluation and eligibility determination takes place the following school year.

Those students who were referred in the '07-'08 school year with less than 45 school days left and had evaluations conducted during the '08-'09 school year must be included with this year's data collection opening July 1<sup>st</sup>. Simply wherever you are in the process, the clock stops on the last school day, the last day that all students are required to be in

school. School is in session and all students are required to be there. The count resumes where it left off. On the first school day that students are required to attend the following school year. Summer school days do not count. Summer school is not required for all students.

Children who are referred to special education by the Connecticut birth to three system are included in the data collection of evaluation timelines. I wanted to point out that in this particular situation in working with children with the early childhood years, there are two indicators. There's an indicator twelve, birth to three and then indicator eleven, evaluation timelines. I do say within, in terms of early childhood in preschool related questions about indicator twelve, please contact Maria Scenode at the Connecticut State Department of Education. For indicator eleven birth to three referrals are considered new referrals with this particular indicator eleven data collection at the point of referral from the birth to three, the 45 school day timeline count applies the same way as it does for other children in terms of the eligibility determination.

State three is a different indicator and this is what this slide is addressing here. And in terms of implementation by the third birthday, these is a state law and you could be in violation with indicator twelve but not necessarily with indicator eleven which cares about the 45 school days where you completely had consent, completed the evaluation and determines eligibility for children coming from birth to three. I wanted to point out some of the errors that we have seen over the past year. When you are, of filling you in your exception categories, we want to make sure that you are being as clear and concise as possible in submitting those exceptions.

We do read them very carefully and we get back in touch with our districts to make sure that it, you know whether some cases fit in a particular exception category or not and I wanted to give you some examples of some of the categories that are still coming in to protect the, to protect our districts, we've made up some fictitious names but I wanted to show you that some of these categories, it doesn't matter if it's coming from suburb and urban world, magnet school choice settings, they're all about the same.

So, here's some example of, here are some listings of reasons for students going beyond the 45 school days that we're still getting in. Now for example from Lakeside, two students were beyond the timeline because the new director thought the count stop on the date of the PPT, not the implementation date. Some of the questions that we asked right away in reading an exception like this is which PPT, we often don't get enough information to help you, you work through your cases or to see or from our end to see if this fit into an exception category that we can justify, so your clarity is critical so and we're asking, which PPT?

What happened at this PPT? If eligibility was determined, then it could be that this, in this case that there is compliance with federal requirements, since federal reporting does not look at the implementation date as we were just talking. So we would be able to give more guidance and we had more details or information. Another case, two students out of school on a family trip during the time when meetings were initially scheduled, the meeting was postponed at the parent's request.

Well, yes I am asking about well which meeting? At what point in the process from the point of referral? The eligibility determination, which meeting was affected? But more importantly, I am, I am saying if the parent requested delay, why is the district counting it

against themselves? This is an exception, if the parents has requested delay and the district has documented that information, then that would be a justifiable exception under our categories. Two students with recommendations of the PPT with parent agreement to delay testing until the fall. Their summer schedule was too hectic. The family was too busy, the family was asking for an extension and to be able to pick this back up in the fall.

Well, if the district had gone and scheduled these meetings, had scheduled the evaluations and the parent is requesting this delay or it's an agreement to this, extension, we're asking districts not to penalize themselves. Don't count this against yourself. You're still reporting the days beyond in the exception categories but you are so going to be indicating how many students actually fit that particular categories who doesn't count against your targets.

In the case of Wilson, three cases went, three student cases went beyond the 45 school days because the parent denied consent. Well, one case it was due to a delay in the parent consent. So my question is, why are these cases in your count? Parent consent, if parent consent was not given, things should not have moved forward. These numbers should not be in your count and should not be counting against your particular target. We have many, many cases that we are going to be sharing with you. We are preparing an informative paper which will be out within a next few weeks about technical assistants that's out there to address your needs under indicator eleven but we're also going to be highlighting some of the cases and we are going to be describing the extent to which they fit into particular categories or not.

So you may be contacted in the very near future for permission perhaps to use some of your cases without your names of course. We project confidentiality but we would like to be able to let other districts maybe learn from the challenges you've encountered in reporting your exceptions. To the exception categories, we are also seeing you know seeing different practice considerations that will also be included in this white paper that would be forth coming but scheduling PPT's are very, are often an exception category in trying to involve parents being additional testing working with outside evaluators and trying to get all of this done within the 45 school days.

It's for many districts, it's an opportunity to look at practice and to look in what the law says and to be reflective of how the law is here to protect you as well as to the children who are entitled to its benefits. Let's talk about the data collection itself. We're going to show you the screenshots in just a few moments but I wanted to show you that the categories are still the same. The, your 2008-2009 data collected from, on cases from July 1<sup>st</sup> '09 through June 30<sup>th</sup> 2009 will be reported using the same format, using our web based system as we have used the past couple of years.

You have the five different categories. In the terms of your data, the number of students per whom parental consent to evaluate was received so that's your total. Remember that your reporting on public schools in your districts and private schools in your districts, so two categories with each variable. Number of students who are eligible within the 45 school days, number who are determined eligible beyond, number of students evaluated in term and not eligible within, and those determined not eligible beyond broken out by private school and public, I am sorry, public and private pay students in those areas. And then the explanation category for why an evaluation reported in number three, the beyond found eligible beyond and then a number five. Found not eligible beyond.

We really hope that this time that there will be a lot more details that will help us understand your situation when you write in that explanation. We are not asking dissertation, we know you've got more important things to do with your time but we, we hope we understand through this broadcast the need for clarity in your reporting. You're going to be logging on to the department site. Please note that you need a password to logon. This password is used by your district to access the department website, a series of screens will follow shortly which will help you understanding the uploading process more clearly to begin with when you are entering your data beginning July 1st on your '08-'09 cases, you're going to go to [www.cste.state.ct.us](http://www.cste.state.ct.us) and click on the enter button.

A box will appear requesting your username, three letters and password case sensitive. I'll get to figure one in a moment. In order to enter the system, you will need to log on using the district's login id and password which you can get it from the superintendent's office. After several attempts with incorrect passwords, you will be locked out. I know that feeling well. All the passwords that we have but this one is, can be very inconvenient when you are trying to get your data in by the deadline, so get your password information as soon as possible.

You enter your name and password and get a blank page with the message "page cannot be displayed" you may be locked out. You can call the office of information systems at 860-713-6610 so you're log in, and logon can be reset. So here is the screen shot. Hopefully this is familiar to you. We have here as noted this is where the screen shot where you login your information with your username and password and a reminder that it should be already assigned and available at your superintendent's office.

Here is the screenshot of the manual selection of the department website, scroll down it's in the same place that it was last year, special education evaluation timelines compliance and you do select it. Finally, with your data collection, verify that your correct districts name is listed at the top of the page. Enter the requested data for both public school and the private pay students. Additionally indicate the number of students in corresponding explanation for all evaluations which were completed beyond the 45 school day timeline.

If the provided explanations are not appropriate, please provide your own in a text box provided. You must also indicate the number of days beyond the 45 school days in which the evaluation was completed and eligibility determined. Click on the "submit button. " After you've hit "submit," you will receive a message that the files were successfully saved to the department website. Print this page. I will repeat that bullet, print this page. This page provides confirmation of the district submission and states calculation. The submitted information is what will be used by the state to determine compliance with this indicator.

This is your proof of purchase, this is your receipt, that I'm encouraging you to keep it based on a couple of cases this past year where we were able to resolve but too much of time will lapse that would have been saved had the district printed that page and had that particular proof of what they had submitted. If you need to submit another extract, log back into the department website and update the information. A timestamp will let us know that you have updated the information. Real quickly, we have been covering some of the date of submission tips along the way and talking about some of the errors or misunderstandings or challenges we have seen.

When in doubt, you are submitting your data, really use the phone a friend card at the bureau of special education you, I'll go over the contact information at the end of this presentation but take the opportunity to email or phone in about your individual cases. Save your print out sheets as I have just said. Check your calculations, your calculations that you have going on at your end versus what comes back to you on your print out sheet. Make sure you write clear justifications for cases beyond the timelines that don't fit into a particular exception categories.

Now, indicator 15 is one of the other compliance indicators as part of the state performance plan that it's, the district's had, when there is findings of non-compliance with indicator eleven. If you are in below the 95% target, the district will have one year to correct non-compliance with this indicator. This might be corrective actions that are completed. This might entail getting your data above that 95% level more towards that 100% target but if this is not fixed or verified by the bureau of special education within one year from when that finding is made then you could also be in violation of indicator 15, another compliance indicator.

When we have the information going out to you about the indicator eleven, we will explain what that looks like in some of the sanctions and enforcements that might be a part of this type of violation as part of that indicator eleven package. Indicator 20 is another indicator where it has to do with timely and accurate reporting of your data. We're doing everything that we can to ensure that the data you are submitting under this indicator truly reflects what is going on with your districts with respect to evaluation timelines. We want your data to be clean, we want your data to really show any barriers to non-compliance rather than to be a misunderstanding about what the data questions or asking? Or whether or not your cases are justifiable, may justifiable exception categories.

Really, I just wanted to highlight that based on 2007-2008 results, all in all is a state, we were over 95% in compliance for the OSF state performance plan reporting. We had 44 districts with non-compliance being below that 95% and you know what, there were several that were 94. 7%, 94. 89% and no, I have great empathy but we cannot curve, we cannot curve. That was a, that was a was a great question but a lot of districts were really working hard to get above that 95% level. But what interesting to us is that this past October, we opened the window again and after explaining to districts what the exception categories meant, allow the window in that last October 2008 we allowed that window to open and for districts to go in and to fix their data.

There were about two thirds of the districts following below 95% did not respond to the data verification opportunity. They had not gone in, in October to make those changes and for whatever reasons but as people are now going in and understanding more about the exceptions that are working with us with their cases to understand where they might fall, we are seeing a lot of dramatic changes in the cases that are being reported. Eighteen districts went from non-compliance to substantial compliance that 95% to 100% upon verifying and correcting data. So we are again asking you to work with us and that we are here to help and support you in understanding your data as well as reporting accurate and timely information.

In brief, when we have our technical assistance paper coming out to districts, we're going to be tackling some of the areas, some of the barriers to compliance that we have

discovered looking at '06-'07, '07-'08 and '08-'09 data submission questions. In general, these are some of the themes for non-compliance. Districts who are working with independent and outside evaluators who are not meeting the timeline, they are contracting with people outside of districts who are not working, not producing the information needed well within the 45 school day time limit .

Some of our guidance that's coming out reflects work in the fields about and working and contracting with outside evaluators, language that can go into contractual agreements or in certain policies that clearly state the 45 school day rule and what needs and the timelines that districts are required to follow and why. Clerical and tracking errors, we will be able to give guidance on some of the data systems that are out there. Some of the existing systems you might be using that have modules or have different components to them or you can build in some tools into this particular infrastructure to avoid clerical and tracking errors.

Bilingual evaluation stays, I want to say multilingual evaluation studies locating qualified staff who speak the native language of the student with the suspected disability, appropriate tools that are available in the language of the student who is being evaluated or with the family that you are working with. These are also, this was another area that districts fell out of compliance. Student absenteeism and truancy, scheduling conflicts, lack of cooperation with non-public schools and that varied everything from with just, communication was one big piece and a lack of understanding about the rules under OSF with state regulations around child find with having a very, very different schedules and difficulties with coming to consensus of how to get together, we'll be addressing this as well in our guidance.

School personnel shortage in special education and related services, we have here to some initial thoughts, causes for non compliance, what was leading to those particular non-compliance. In conversations with districts and from what's being reported, it came down to some of the following and you might consider if this affects you as a district as well, in effective tracking systems and training of those monitoring the 45 school days. Different interpretations of federal and state child find requirements in reporting data for the APR. This is what this technical system is one as I said, the beginning of many that's helping you understand how to interpret the data collection submission variables and looking at your cases and to see where they fit.

In consisting guidelines for working with independent evaluators. I am clear on parent's rights to an independent evaluators at a public expense. Limited access to qualified evaluators locally or regionally this was particularly around our rural regions in our districts had did not have the same type of access to qualified experts to assist with the evaluation, to assist with the decision making, to serve on teams and so forth. Supervisors are unclear on how to set up monitor and provide internal training on a system aligned with federal and state requirements, yet reflective of the needs of the district. Many new administrators in special Ed, not only new to administration duties but new to special education in general.

And then finally, our smaller districts have fewer staff available to complete child find requirements and our unprepared and staff are unavailable expectedly and here were cases of illness, jury duty, personal emergency and so forth. As mentioned a paper is forth coming shortly with funding ideas you may look to your ITEA-ARRA funding sources. We are required as a state department to advise on technical systems under

indicator eleven for those who are experiencing non-compliance. We will be, we will have this paper for those districts that will be making available to all of our LEA's who are interested in how they can be improving and sustaining strong systems to ensure future compliance with indicator eleven.

We have been speaking with SERC about customized TA support around this indicator will be providing information about what's available with your regional education service centers that are risks and other technical systems. CPAT for example is one agency that has a very thorough and comprehensive set of child find tools available on its website, so we'll be highlighting. The bureau of special education. Get in touch with the bureau via email. I can get your hands on some of the following outside evaluator, contracts, models written policy models, staff training models and so forth.

We wish to help you develop competencies in your school personnel. Staff development on the law and child find. These are all the things we wanted to connect you with, should you find that these are critical for sustaining your success in ensuring future compliance. You wanted to end by highlighting some significant signs of progress that are occurring across the state in this indicator over the past two years. With our recent resubmissions of districts, we are seeing districts that are working extremely hard and are getting up and above that 95% by not only changing practices but looking at their data differently.

They're taking a closer examination of tracking overall alignment with federal and state requirements which is very exciting from the BSE perspective. Districts are creating their own internal audits, individual cases initiated by administrators. We are hearing countless changes in district level practices, consistent procedures and how in documentation, understanding tracking systems. And then there had been many, many training requests. In conclusion, here is the next steps, July 1<sup>st</sup> through August 31<sup>st</sup> 2009 is the data collection season for evaluation timelines indicator eleven.

I want you to note the extension. Previously, we have had its been early August where we have closed the window. Many of the districts have said "Jackie, you're on special education, we just don't have staff in July. " We don't have staff in the summer to attend to this. We can't open the window earlier. The data collection is on data, that's July 1<sup>st</sup> 2008 through June 30<sup>th</sup> 2009, we cannot open the window until after that time period has gone by. However, we had extended window knowing that you are coming back may be, hopefully in August to attend to your administrative duties.

So what we are doing is, with the windows open through August 31<sup>st</sup> this year, to be considered timely in your reporting. Your data need to be submitted by August 15<sup>th</sup> and then you will have between August 15<sup>th</sup> and August 31<sup>st</sup> to go in and clean up your data. Make sure your data are accurate and error free. All of us in the bureau of special education will be in high alert at that time waiting for your calls, waiting to be able to assist you and looking at your cases and making sure those numbers really reflect the number in nature of cases and exceptions and situations that you are all experiencing.

Some of you are emailing individual cases or concerns and we hope that you will continue this particular, this particular practice beyond this broadcast. We do have some of our, we do have some of our emails that are coming in at this time, once coming in about looking for advise on evaluation time line reporting, the referral for evaluation has been made consent obtained that the eight grader won't come to evaluation sessions or

to school and now the 45 days is over with justification, can she use when she reports this particular district?

We would need more information because there is these things about practice here as well. Some districts in this situation are holding the PPT within that 45 school days and are making decisions based on the data that's available at this point. And if the student wasn't cooperative or there wasn't information coming in through the evaluation sessions, this was noted but they still had, they still had that opportunity.

In some cases, districts are asking, is this an exception that the parent refuses to produce the student? And that's something that would have to be answered on a case by case basis but overall if it was the student that have not been cooperating and you can't make and form decisions based on data, it's time to look at some of those practices. Is a diagnostic placement necessary at this time if your data are inconclusive? Do you make a determination and its ineligible or eligible at this point based on what you already have but these are things that to be thinking about as part of your practice and to have in your policies and procedures in moving forward.

We have questions about outside evaluations. When we recommend an outside evaluation, are we accountable for the same 45 school day timeline? And that's correct. I mean, this is also that the law is very clear that the district is entitled to conduct an internal evaluation before going and making that type of decision or recommendation but with that, when you are working with outside evaluators, yes, it is the 45 school day timeline for these initial evaluations that we have got to be still holding them too.

Some districts are you know this will apply to either changing policies and procedures around the evaluators that they are working with to ensure this 45 day timeline. Some districts are working with our school psychologist and other qualified examiners who will travel to them, to their districts conducting as on sight. Those types of opportunities are possible and I encourage you to contact me to learn more about that and this will also be addressed in our upcoming white paper.

What can we do to remain in compliance when we are relying on the timelines of outside evaluators? It's still another of the same question which it is looking at policies and procedures. This is, this is very, all of your cases are extremely complicated and we understand that. With the bureau of special education, we understand the layers of complexity that come with each one. Most of us have been in districts or have been teachers and administrators and have been on the other side and we understand. That's why we are here to help you to tease out each case and ask you to come to us early and often rather than right at the eleventh hour even though we know that the tensions and finding the balance between everything you juggle during the day and contacting the special Ed, that balance is very difficult to have.

But we do appreciate your work in this area and again I want you to state again that the progress being made with this particular indicator where we were two years ago, where we were last year, where we are now. This progress is just been tremendous and it is thanks to your efforts and for those of you who are willing to be partners with us in the process. We are at the 9:30 hour, we are approaching the hour I want to end with some contact information for you. This is me, Dr. Jacqueline Kelleher, please contact us with your cases, more about the data collection. Please frequent our website with the bureau

bulletin, since we would, the new edition coming out for this month with also feature information about indicator eleven evaluation timelines.

For your, for data collection assistance, please contact John Watson or Diane Murphy. If you need password or online submission information, Kevin Grant at the state department of education is your contact. This has been a jam-packed hour of information and we really appreciate you to tuning in with us and I also piloting our first webinar coming from indicator eleven. Thank you for your time your cooperation and patience, we look forward to hearing from you.