

Indicator 11: Evaluation Timelines

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June 11 & 12, 2009
Technical Assistance Presentation



Overview



- OSEP & Child Find
- Review of federal and state regulations specific to this indicator
- Overview of Exceptions categories
- Common Errors & Case Studies
- Data collection process
- Recommendations on technical assistance and staff development considerations which may improve compliance
- Indicator 11 Work Group Overview & Findings
- Training recommendations
- Q & A
- Contact Information

Child Find & Indicator 11

- OSEP expectations for Indicator 11 as part of Child Find and making determinations based on compliance indicators
- Under the Individuals with Disabilities Education Act (IDEA), “the State must have in effect policies and procedures to ensure the locating, identification, and evaluation of children who have or may have disabilities”.



Child Find Purpose

§ 300.111 Child find.

- (a) *General.* (1) The State must have in effect policies and procedures to ensure that—
 - (i) All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated; and
 - (ii) A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.

Child Find Bottom Line

Each state is required by IDEA to identify, locate, and evaluate all children with disabilities in the state who need special education and related services. To do so, states conduct what are known as Child Find activities.



Child Find Expectations

- Locate - public awareness activities, target population, private school, homeschool
- Identify - referral, screening, documented interventions, and evaluation activities
- Eligibility Determination
- Timelines and Requirements (Federal/State and Indicator 11)
- Tracking

Expectations

- Initial Evaluation
 - Referral from Child Study Team
 - Parent request
- Review and Considerations
 - Interventions done in general education
 - Language, Cultural factors
 - Environmental, Economic, Educational Disadvantage
 - Health & medical factors

Expectations

- Parental Consent:
 - Informed parent consent required before the initial evaluation or providing special education and related services
- Timeline:
 - Once parental consent is obtained the evaluation must be conducted within 45 school days.

Indicator 11 Overview

- State Performance Plan
- Compliance versus Performance Indicators
- Part B – Indicator 11
 - *Percent of children with parental consent to evaluate who were evaluated and eligibility determined within 60 days (or State established timeframe). [20 U.S.C. 1416(a)(3)(B)]*

Justifiable Exceptions

- Overview of Exceptions categories
- Descriptions of common errors districts are making in reporting their data using actual case studies from 2007-08

Justifiable Exceptions

- Exceptions – when calculating percent timely and accurate justifiable exceptions count as on time
- Description of Available Options (Exceptions)
 - Documented delay or cancellation made by parent: parent cancels or requests delay of PPT meeting after agreeing to attend at a particular time and date (includes referral and initial eligibility determination)
 - Parent repeatedly fails or refuses to produce the child for evaluation.
 - Student Hospitalized/Extended student absence with medical documentation that the student is not available for evaluation.
 - Student placed in diagnostic placement
 - PPT Cancelled Due to Inclement Weather/ Emergency closing.
 - A child enrolls in a school of another state agency after the 45 school day timeframe has begun, but prior to an eligibility determination made by the child's previous public agency.

Common Errors

- If parent fails to provide consent to evaluate within 10 school days *and* there is no parent request for delay, the LEA may consider this refusal of consent. The LEA would not include this student in their Indicator 11 data submission – there was no parent consent to evaluate. This data collection concerns only the number of students with parental consent to evaluate.

Common Errors

- Was a PPT held to decide if more testing is needed or if findings are inconclusive at the PPT to determine the child's eligibility? Was this documented?
- Was there agreement on a delay for more testing?
- Or was it decided the child is ineligible at this point in time but that more testing is needed?

Common Errors

- Time stamp date when ED 625 is sent to parent stops the clock. Parent may decide not to sign consent at PPT when referral is discussed or parent may not be present at PPT and will be sent ED 625 for review and signature.
- If parent requests a delay for giving consent to evaluate, since the 45-school day clock has stopped, these school days are not counted as part of the 45 school days. Do not start the count until consent is received – if the district does not receive consent within 10 school days the LEA may consider this as refusal of consent.

Common Errors

- This data collection does not include the actual IEP implementation, although the state regulations specify that the IEP shall be implemented within 45 school days of referral or notice.
- Please remember to base your calculations on school days – do not count holidays, emergency closings, and vacations when school is not in session.

Common Errors

- In the case of a child whose IEP calls for out-of-district or private placement, the IEP shall be implemented within sixty days of referral or notice, exclusive of the time required to obtain parental consent. If difficulty of placement is such as to occasion a delay beyond this period, the board of education shall submit to the state board of education written documentation of its efforts to obtain placement in a timely manner.

Common Errors

- It is 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.

Common Errors

- Children who are referred to special education by the Connecticut Birth to Three System are included in the data collection of evaluation timelines.
- Two major differences districts need to be aware of in the reporting process.
 - Calendar Days
 - Implementation expectations
- If the evaluation was completed and program was implemented by the child's third birthday, the Department considers you to have met the federal requirements. For these children, submit data indicating that the district *met the requirement* for the 45-school day timeline. In the event that a child was referred from the Connecticut Birth to Three System with fewer than 45-school days left before they turned three, from a compliance standpoint, the district has the 45-school days to complete the evaluation and should report their data using this time frame.

Common Error Cases

- Lakeside Public Schools
 - Description: Suburban
- Wilson Public Schools
 - Description: Urban
- Mountain Grove Public Schools
 - Description: Rural
- Jay City Public Schools
 - Description: Urban
- Child Power Inter-district Magnet Schools
 - Description: Magnet in rural setting

District-Level Practice Considerations

- Scheduling the PPT
- Involvement of parents
- Additional testing
- Outside evaluators
- Diagnostic placements
- Documentation, documentation, documentation...

2008-09 Data Collection

- Data are collected and reported for all children for whom parental consent to conduct an initial evaluation was received, for both public and private pay students, in the following areas:
 - Number of students for whom parental consent to evaluate was received;
 - Number of students evaluated and determined **eligible** whose evaluations and eligibility determinations were completed *within* the 45-school-day guideline;
 - Number of students evaluated and determined **eligible** whose evaluations and eligibility determinations were completed *beyond* the 45-school-day guideline;
 - Number of students evaluated and determined **not eligible** whose evaluations and eligibility determinations were completed *within* the 45-school-day guideline;
 - Number of students evaluated and determined **not eligible** whose evaluations and eligibility determinations were completed *beyond* the 45-school-day guideline; and
 - **An explanation for why any evaluation reported in number three and number five were not completed within the state guidelines and the number of days in excess of the 45-day timeline.**

2008-09 Data Collection

- Logging on to the Department Site and Passwords
- Please note that you need a password to log on. This password is used by your district to access the Department website. A series of screens follow which will help you understand the uploading process more clearly.
- To begin, go to www.csde.state.ct.us and click on the enter button. A box will appear requesting your user name (three letters) and password (case sensitive) (See figure 1). In order to enter the system, you will need to log on using the district's Login ID and password, which you can get from your superintendent's office. After several attempts with incorrect passwords, you will be locked out. If you enter your name and password and get a blank page with a message "page cannot be displayed", you may be locked out. Call the Office of Information Systems at (860) 713-6610 so your logon can be reset.

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Connecticut State Department of Education

State of Connecticut Department of Education

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Done Trusted SDE sites zone

- Enter your district's three-letter user name and password, which are already assigned and available at your superintendent's office, and select OK.



Enter Network Password

 Please type your user name and password.

Site: www.csde.state.ct.us

Realm: www.csde.state.ct.us

User Name

Password

Save this password in your password list

OK Cancel

- Menu Selection on the Department website. Scroll down until you see **Special Education: Evaluation Timeline Compliance** and select it.



2008-09 Data Collection

- Finally...
 - Verify that your correct district name is listed at the top of the page.
 - Enter the requested data for both public school and private pay students.
 - Additionally, indicate the number of students and 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 the 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 have hit "Submit," you will receive a message that the files were successfully saved to the Department website.
 - Print this page. This page provides a confirmation of the district's submission and state's calculation. This submitted information is what will be used by the state to determine compliance with this indicator.
 - 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.

2008-09 Data Collection

- Data Submission Tips
- Indicator 15
- Indicator 20
- Timely and Accurate Data Collection for Next Year

2007-08 Results

- 95.2% Substantial compliance for OSEP SPP reporting
- 44 districts with noncompliance
- 18 districts in Year 2
 - Note: 2/3 of districts falling below 95% did not respond to the data verification opportunity – date of access unchanged.
 - Note: 18 districts went from noncompliance to substantial compliance upon verifying and correcting data.

Noncompliance Themes: 2007-08

- Independent/outside evaluators not meeting timeline
- Clerical/tracking errors
- Bilingual evaluation studies - locating qualified staff and appropriate tools
- Student absenteeism/truancy
- Scheduling conflicts - parents, teachers, and staff
- Lack of cooperation with nonpublic schools
- School personnel shortage in special education and related services

Root Causes?

- Initial thoughts...Causes of Noncompliance
 - Ineffective tracking systems and training of those monitoring the 45 school days
 - Different interpretations of federal/state Child Find requirements (timelines) and reporting data for the APR.
 - Inconsistent guidelines for working with independent evaluators
 - Unclear on parent rights to an IEE at public expense – district must first have the opportunity to conduct an evaluation
 - Limited access to qualified evaluators locally (regionally?)
 - 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 education – not only new to administration duties but new to special education.

Root Causes?

- Initial thoughts...Causes of Noncompliance
 - Smaller districts have fewer staff available to complete Child Find requirements and are unprepared when staff are unavailable unexpectedly (illness, jury duty, personal emergency)

Technical Assistance Considerations

- IDEA-ARRA Funding Ideas
- Bureau of Special Education
- SERC
- RESC
- Other technical assistance considerations and suggestions from the field
- 2009-10 Outlook on Opportunities



Signs of Progress

Reports from the Field

- Recent resubmission of districts with noncompliance
- Closer examination of tracking and overall alignment with federal and state requirements.
- District-level audits of individual cases initiated by administrators.
- Change in district-level practices: consistent procedures in documentation.
- Training requests

Conclusion: Next Steps

- July 1 – August 31, 2009 Data Collection is open
 - Timely (August 15th deadline)
 - Data are accurate and error free (August 31st deadline)

Questions?

- E-mail individual cases or concerns

Contact Information

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Bureau Bulletin site:
<http://www.sde.ct.gov/sde/cwp/view.asp?a=2678&q=320720#Bulletins>

Other Contacts

- Evaluation Timeline Data Collection, data requirements, and SEDAC submission assistance
 - John Watson or Diane Murphy:
John.watson@ct.gov Diane.murphy@ct.gov
- **Password or online submission log in assistance**
 - Kevin Graham: Kevin.graham@ct.gov