

ESE & Charter Schools 101

How to Become an ESE Expert

Liliana L. Salazar

Academica

National Director for Special Education & Student Support

Exceptional Student Education (ESE)

Individuals with Disabilities Education Act (IDEA)

Know the Law

- In the United States, IDEA is a special education law that mandates regulation for students with disabilities in order to protect their rights as students and the rights of their parents.
- Under this act, it is required that all students receive a Free and Appropriate Public Education (FAPE), and includes that these students should be educated in the Least Restrictive Environment (LRE).
- https://sites.ed.gov/idea/
- Click Law and Policy
- Scroll Down
- Search Box IDEA Statute





"Starting with the Basics" Activity

- ✓ Title your index card 13 IDEA Categories
- ✓ Write numbers 1-13 on your card
- ✓ You have 1 minute to write the 13 categories covered by IDEA

✓ The participant with the most answers will win a prize.

13 IDEA CATEGORIES



1. Specific Learning Disability (SLD)

- The umbrella term "SLD" covers a specific group of learning issues. The conditions in this group affect a child's ability to read, write, listen, speak, reason or do math. Here are some of the issues that could fall in this group:
 - Dyslexia
 Dysgraphia
 Dyscalculia
 Auditory Processing Disorder
 Nonverbal Learning Disability

2. Other Health Impairment

 The umbrella term "Other Health Impairment" covers conditions that limit a child's strength, energy or alertness. One example is an attention issue like ADHD.

3. Autism Spectrum Disorder (ASD)

 ASD is a developmental disability. It covers a wide range of symptoms and skills, but mainly affects a child's social and communication skills. It can also impact behavior.

4. Emotional Disturbance

 Children covered under the term "Emotional Disturbance" can have a number of mental disorders. They include anxiety disorder, schizophrenia, bipolar disorder, obsessive-compulsive disorder and depression.

13 IDEA CATEGORIES



5. Speech or Language Impairment

 The umbrella term "speech or language impairment" covers a number of communication problems. Those include stuttering, impaired articulation, language impairment or voice impairment.

6. Visual Impairment, including Blindness

 A child who has vision problems is considered to have a visual impairment. This condition includes both partial sight and blindness. If eyewear can correct a vision problem, then it doesn't qualify.

7. Deafness

 Children with a diagnosis of deafness have a severe hearing impairment. They aren't able to process language through hearing.

8. Hearing Impairment

 The term "hearing impairment" refers to a hearing loss not covered by the definition of deafness. This type of loss can change or fluctuate over time. Remember that being hard of hearing is not the same thing as having auditory processing disorder.

9. Deaf-Blindness

 Children with a diagnosis of deaf-blindness have both hearing and visual impairments. Their communication and other needs are so great that programs for the deaf or blind can't meet them.

13 IDEA CATEGORIES



10. Orthopedic Impairment

 Any impairment to a child's body, no matter what the cause, is considered an orthopedic impairment. One example is cerebral palsy. This condition is caused by damage to areas of the brain that control the body.

11. Intellectual Disability

Children with this type of disability have below-average intellectual ability. They may
also have poor communication, self-care and social skills. Down syndrome is one
example of an intellectual disability.

• 12. Traumatic Brain Injury

This is a brain injury is caused by an accident or some kind of physical force.

13. Multiple Disabilities

 A child with multiple disabilities has more than one condition covered by IDEA. Having multiple issues creates educational needs that can't be met in a program for any one condition.

Individualized Education Plan (IEP)

- An IEP is a written statement of the educational program designed to meet a child's individual needs.
- Every child who receives special education services must have an IEP.
- That's why the process of developing this vital document is of great interest and importance to educators, administrators, and families alike.
- Main components include:
 - Eligible Disability (Primary, Secondary, etc.)
 - Student's Present Level of Performance in school (PLOP)
 - Specialized instruction
 - Service Delivery
 - Related services, such as speech therapy
 - Supports like accommodations and assistive technology

- The IEP has two general purposes:
 - to set reasonable learning goals for a child, and
 - to state the services that the school will provide for the child.
- The annual goals set for the student are a key element of the IEP. The IEP gives a target for improvement in the skills the student struggles with.
- IEP goals set the bar for your each student's level of improvement for the year.
- The purpose is to chart how much progress the student is making with the services and supports being provided.
- IEP goals should be SMART—
 Specific, Measurable, Attainable, Results-oriented and Time-bound.
- Remember timelines (LEA expectations)
- Remember FTE
- Remember Progress Checks to parents every 9 weeks





- The U.S. Supreme Court recently issued a unanimous opinion in Endrew v.
 Douglas County School District Re-1 interpreting the scope of the free
 appropriate public education requirements (FAPE) set forth in the Individuals
 with Disabilities Education Act (IDEA).
- Endrew F. is an autistic fifth grade student who was placed in private school because his parents believed his public school education was inadequate. Endrew was placed in Firefly Autism House and his parents sued for reimbursement of Endrew's private school tuition and related expenses pursuant to the Individuals with Disabilities Act (IDEA). IDEA provides that if a free public school cannot meet the educational needs of a disabled student, the student's parents may enroll their child in a private school and seek reimbursement for tuition and related expenses.
- This case first went to an Administrative Law Judge (ALJ) for review. The ALJ rejected Endrew's parent's request for reimbursement concluding that Endrew's public school had provided him with "free appropriate public education" (FAPE) as required by the IDEA. The district court affirmed the ALJ's ruling and held that Endrew's parents failed to meet their burden to prove that Endrew was not provided with FAPE. The U.S. Court of Appeals for the Tenth Circuit affirmed. Parents filed with Supreme Court and it was heard.

- The Supreme Court sided with the family (3/22/17), overturning a lower court ruling in the school district's favor.
- In the unanimous Endrew F. decision, the Supreme Court held that a school must offer an IEP that is "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." It also said students should have the chance to "meet challenging objectives."
- IDEA guarantees a "free appropriate public education" to all students with disabilities. Their opinion held that "appropriate" goes further than what the lower courts had held.
- "It cannot be right that the IDEA generally contemplates grade-level advancement for children with disabilities who are fully integrated in the regular classroom, but is satisfied with barely more than de minimis progress for children who are not," read the opinion, signed by Chief Justice John Roberts.





EndrewCase

- Endrew F. v. Douglas Current Status
- Schools Still Winning Most Special Ed Disputes, Even After Endrew F.
- School districts continued to win most disputes over individualized education programs in the year since a U.S. Supreme Court decision affirmed a more ambitious standard for setting goals for students with disabilities, according to a new analysis.
- Perry Zirkel, professor emeritus of education and law at Lehigh University in Pennsylvania, analyzed 49 appeals of hearing officer decisions, which were predominantly in favor of school districts, to see if Endrew F. v. Douglas County School District had changed legal outcomes.

Charter Contract

- Know it well because this is what the District can enforce
 - Highlight it
 - Memorize it
 - Put it under your pillow
- This will also be reviewed during renewals so if something has not been working have facts/data to discuss and try to negotiate it for the renewal
- Why should you know it front to back?
 - IEPs you can not implement? Procedures when you can't.....
 - Related Services you are responsible for?
 - Service delivery models you can offer?
 - Dispute Resolutions with Parents?
 - Assistive Technology Costs?



Know Your District & Their Contacts

- Link for directors
 - DistrictSpecialEdDirectors
- Send them an introductory email
- Be nice to them, win them over





SPP For Your District



- Section 1003.57(1)(b)4., Florida Statutes (F.S.), requires that district school boards submit to the Department of Education (DOE) proposed procedures for the provision of special instruction and services for exceptional students once every three years. Approval of this document by DOE is required by Rule 6A-6.03411, Florida Administrative Code (F.A.C.), as a prerequisite for district's use of weighted cost factors under the Florida Education Finance Program (FEFP). This document also serves as the basis for the identification, evaluation, eligibility determination, and placement of students to receive exceptional education services, and is a component of the district's application for funds available under the Individuals with Disabilities Education Act (IDEA).
 - FLDOEDistrictSP&Ps

LEA Profile From Your County

The LEA profile is intended to provide districts with a tool for use in planning for systemic improvement in exceptional education programs. The profile contains a series of data indicators that describe measures of educational benefit, educational environment, prevalence, parent involvement and provides information about district performance as compared to state level targets in Florida's State Performance Plan/ Annual Performance Report (SPP/APR). Required under the Individuals with Disabilities Education Act (IDEA), the SPP/APR for 2013-2018 contains historical data and targets for 16 indicators along with a State Systemic Improvement Plan (SSIP). During the six-year period, Florida will annually submit progress reports for each indicator as well as the SSIP. As part of the process, Florida publicly reports data for both the state and each local education agency.

Data

Information

• **LEAProfiles**

- Know the indicators your District did not meet
 - Address them as goals (SIP?)
 - Demonstrate to District you are well informed and a team player

Best Practices For Inclusive Education (BPIE) Florida Inclusion Network

- §1003.57(1)(a)4(f), Florida Statutes "Once every 3 years, each school district and school shall complete a Best Practices for Inclusive Education (BPIE) assessment with a Florida Inclusion Network facilitator and include the results of the BPIE assessment and all planned short-term and long-term improvement efforts in the school district's exceptional student education policies and procedures. BPIE is an internal assessment process designed to facilitate the analysis, implementation, and improvement of inclusive educational practices at the district and school team levels."
- BestPracticesInInclusiveEducation(BPIE)
- FloridalnclusionNetwork
 - Meet the FINS, Fin Region, Select District

Teacher Recertification ESE Course

- On January 21, 2014, The Florida State Board of Education (SBOE) clarified the changes to the requirement for teacher certification as outline in in the 2013 passage of Senate bill 1108. The new law requires all teachers who recertify after July 1, 2014 to complete one college credit or 20 inservice points in ESE.
- Florida-certified educators may access live or virtual professional development (PD) through FDLRS Centers. Many of the inservice points that can be earned via a FDLRS Center's PD offerings will count toward the 20 inservice hours in methods/strategies for teaching students with disabilities which are required in every validity period. There is never a charge for participating in any FDLRS PD offering.

KEEP CALM

THANK A

TEACHER

- FDLRS Professional Development Alternatives (PDA)
 - http://www.fl-pda.org/

IEP Management Systems

- Assign at least 2 employees
- Access all of your District's PD
- Ensure your teachers get a copy and understand it (don't just put in their mailboxes)
- Make sure you are on their email list for any updates regarding the system
 - M-DCPS uses Acellify
 - Broward uses SPED EMS
- State IEP system Portal to Exceptional Educational Resources (PEER)
 - PEERSManual



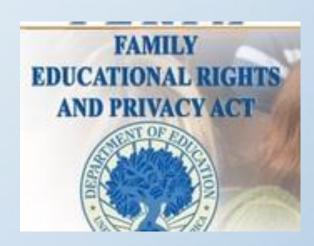
Writing Quality IEPs

- Adhere to all of the compliance paperwork (Districts differ)
- Do not let an IEP expire! Notify in a timely manner so you don't find yourself in a situation where it might expire.
- Make sure all of the required members for IEP team are present
 - LEA, General Education Teacher, Special Education Teacher, Parent, & Student (14 years or older)
- Ensure reevaluations are being conducted
- Developing Quality IEPs
 - DevelopingQualityIEPsManual
 - FDLRS offers free training
- Facilitated IEPs
 - DisputeResolutionsFLDOEWebsite
 - FDLRS offers free training



Family Educational Rights and Privacy Act (FERPA)

- Make sure you know it well and enforce it
- <u>USDepartmentofEducationFERPA</u>
 - Advocates asking for info?
 - Outside counselors coming to offer services in your school?
 - Divorced parents?



Multi-Tiered Systems of Support (M-TSS) & Response to Intervention (RtI)

- FloridaRtIUSFWebsite
- Ask your District for their manual
- Use their forms remember we need to adhere to their procedures and forms when opening cases so there are no issues during eligibility
- Train your staff they need to understand the Tiers and how to COLLECT THE DATA
- Rtl is not a special education initiative so your counselor or AP should be managing – not an ESE teacher/specialist
- Tier III ESE teacher/specialist

Behavioral Issues

- Behavioral Issues may also cause learning issues/problems
- Students with behavioral issues can also go through the Rtl process
- Functional Behavioral Assessment and Behavioral Intervention Plans FLDOE Technical Assistance Paper
 - FBA&BIP
- Make sure you attend your District's Functional Behavioral Assessment/Behavior Intervention Plan training
- Make sure you have their manual readily available
- Update BIPs at least annually
- IEP goals must mirror BIP
- Track data, monitor, track data, monitor.....

FLDOE Data on Students with Disabilities

- Include ESE students in data chats
- Don't forget them just because they are in special education already
- Check grades every 9 weeks
- Ensure ESE students are learning
- Revisit IEP goals if not
- Ensure accommodations are being implemented and that they really work
- Good Cause 3rd grade retention (Good Causes #2 & #5)
 - PromotionToGrade4TechnicalAssistancePaper
- Remember FSA & EOC waivers available
- Accommodations for Florida Students on Statewide Assessments
 - FloridaAccommodationsManualStatewideAssessments

Section 504

- Section 504 of the Rehabilitation Act of 1973 protects students with disabilities and defines a person with a disability as any person
 - who has a physical or mental impairment that substantially limits one or more major life activity (Prong 1),
 - has a record of such impairment (Prong 2),
 - or is regarded as having an impairment (Prong 3).
- As applied to public schools, Section 504 broadly prohibits discrimination of students with disabilities by guaranteeing their right of full participation and access to a free appropriate public education. Schools are required to provide services that will "level the playing field" to allow students with disabilities full participation and opportunity for benefit.
- No funding
- You are still responsible for implementing
- Check grades every 9 weeks make sure it's working
- If not, initiate Rtl process
- Provide a copy and a training to your teachers (Don't just place in teacher's mailbox)
- Ask District for their manual and who can write them.
- District Implementation Guide for Section 504 (FLDOE)
 - District504ManualfromFLDOE



IDEA Funds (Supplemental)

Treatment of Charter Schools 20 U.S.C. 1413 (a)(5) and 34 CFR 300.209

- School districts shall ensure that children with disabilities attending charter schools are served in the same manner as it serves children with disabilities in its other schools, including providing supplementary and related services onsite at the charter school to the same extent at which the district has a policy or practice of providing such services onsite to its other public schools.
- School districts shall provide IDEA funds to charter schools on the same basis as it provides funds to the district's other public schools, including proportional distribution based on relative enrollment of children with disabilities, and at the same time other federal funds are distributed to the district's other public schools, consistent with the state's charter school law.

IDEA Funds (Supplemental)

- Funds under this program are combined with state and local funds to provide FAPE to children with disabilities. Permitted expenditures include the salaries of special education teachers and costs associated with related services personnel, such as speech therapists and psychologists. States may use funds reserved for other state-level activities for a variety of specified activities, including:
 - support and direct services;
 - technical assistance and personnel preparation;
 - assisting LEAs in providing positive behavioral interventions and supports; and
 - improving the use of technology in the classroom.
- Inquire what services you get
- Make sure you get them
 - EX: Orange County sends notification how you would like to use
 - EX: Osceola County provides staffing and compliance assistance





- IDEAGrantPublicComment
- In order to receive a grant under Part B of the Individuals with Disabilities Education Act (IDEA), states must submit an application annually.
- The public participation requirements relevant to Part B are set forth in the Part B regulations at 34 CFR 300.165 and in section 441(b)(7) of the General Education Provisions Act (GEPA).
- States are required to make the Part B Application available to the public for a period of 60 days, and accept comments for a period of at least 30 days.
- Florida's Part B Application for the Fiscal Year 2018-2019 will be available from March 5, 2018 to May 3, 2018.
- Comments will be accepted between March 5, 2018 and April 3, 2018. "Please ensure charter school students receive their proportionate share."
- For the benefit of the public interest, the application is still be available for public viewing after the posted end dates.
- Any questions regarding the application may be submitted in writing to the IDEA Program
 Manager, Bureau of Exceptional Education and Student Services, 325 West Gaines Street,
 Suite 614, Tallahassee, Florida 32399; via email to the IDEA grant
 mailbox IDEAGrant@fldoe.org or via fax at 850-245-0953.

Contracted Related Services

- OT, PT, SLP, etc.
- Be Careful
- Have your attorney review contract
- Observe & Monitor
- Shop
- Negotiate
- Have a copy of their license in your files
- Make sure they keep log/therapy notes (ask District what they want for compliance/audit review)
- Ensure if they are not at IEP meeting, that they at least provide progress notes, data, and a goal (maybe conference call them in)



Audits



- Review student folders/cums as soon as they come in
- Memo to file if documents are missing/emails to track down
- Ask your District what document they will be using when they conduct compliance reviews
 - M-DCPS Special Education Program Standards Review
 - http://forms.dadeschools.net/webpdf/7069.pdf
- Some districts do not only look at the paperwork, they look at how well the IEP was written
- Be careful can be used against you during renewals
- ESE Compliance Manual http://www.fldoe.org/core/fileparse.php/7673/urlt/ESEComManual1617.pdf
 - http://www.fldoe.org/academics/exceptional-student-edu/monitoring/
 - Go to your county and read about the last State Compliance review conducted at your district

Advocates & Attorneys

- Remember Consent for Mutual Exchange
- If parent brings in an attorney, I strongly recommend you come in with one as well

"Better Call Saul!"

- In fact, let them communicate with each other
- Prep do not DETERMINE just review and prep
- Never lose your cool
- Stop meeting if you need to everyone must act professional
- Be careful with the use of Acronyms (IEP, OT, PT, SLP, etc.)
- Follow Facilitated IEP process (Get the training)

Important IDEA Terms

Match the Term with its Definition Group Activity

- √ Child Find
- ✓ Multi-Tiered Systems of Support (M-TSS), Response to Intervention (RtI), Positive Behavioral Intervention and Supports (PBIS) frameworks
- ✓ Procedural Safeguards
- ✓ Parental Consent
- ✓ Parent Participation
- √ Local Educational Agency (LEA)
- √ Individualized Education Plan (IEP)
- Free and Appropriate Public Education (FAPE)

- ✓ Least Restrictive Environment (LRE)
- ✓ Continuum of Placement Options
- ✓ Related Services
- ✓ Accommodations and Modifications
- ✓ Extended School Year (ESY)
- ✓ Transportation
- ✓ Transition Planning
- √ FAB/BIP

STAY INFORMED TOOLS TO HELP



"So what do you do if you do not have a Lilly Salazar?"



Identify Greatest Challenges

- Enrollment of SWD
- Creating a program for SWD in your start up year
- Serving students with behavioral and emotional needs
- Serving students on Autism Spectrum
- Discipline for SWD
- Building parent partnerships



LRP Publications

- Webinars
 - Thursday, May 17, 2018
 How to Avoid Reinforcing and Effectively Address Challenging Behaviors in Students With Disabilities
 Presented by Lori Ernsperger, Ph.D., BCBA-D
 - http://www.lrp.com/edwebinars/

- Newsletters, Books, & Pamphlets
 - http://www.shoplrp.com/Education_s/1819.htm



Join Your Local Council for Administrators of Special Education (CASE) & Florida Association for Gifted (FLAG) Chapters

- CASE
 - http://flocase.org
 - Florida CASE Leadership Summer Institute (June 11-13, 2018 in Bonita Springs, FL)
 - https://events.r20.constantcontact.com/register/eventReg?oeidk=a07ef2q7xf6 356400a8&oseq=&c=767ee610-9b7e-11e4-9fef-d4ae5292bb50&ch=7682b6a0-9b7e-11e4-9fef-d4ae5292bb50
- FLAG
 - www.flagifted.org/

Conferences - FLAG, CEC, & LRP

- Florida Association for the Gifted (FLAG) Oct. 5-6, 2018 in Orlando
 - http://www.flagifted.org/ConferenceNews

- Council for Exceptional Children (CEC) Jan. 29 Feb. 2, 2019 in Indianapolis
 - https://cecconvention.org/
- LRP's National Institute on Legal Issues of Educating Individuals With Disabilities – May 5-8, 2019 in Orlando
 - http://www.lrpinstitute.com/

Monthly Updates from FLDOE





- BEEES
 - http://www.fldoe.org/academics/exceptional-student-edu/beessresources/presentations-pubs/weekly-memo.stml
- Gifted
 - http://fldoe.org/academics/exceptional-student-edu/gifted-edu.stml

National Center for Special Education in Charter Schools (NCSECS)

- Our goal is to advocate for students with diverse learning needs to ensure that if they are interested in attending charter schools, they are able to access and thrive in schools designed to enable all students to succeed.
- http://www.ncsecs.org/
- Sign Up and Stay Informed

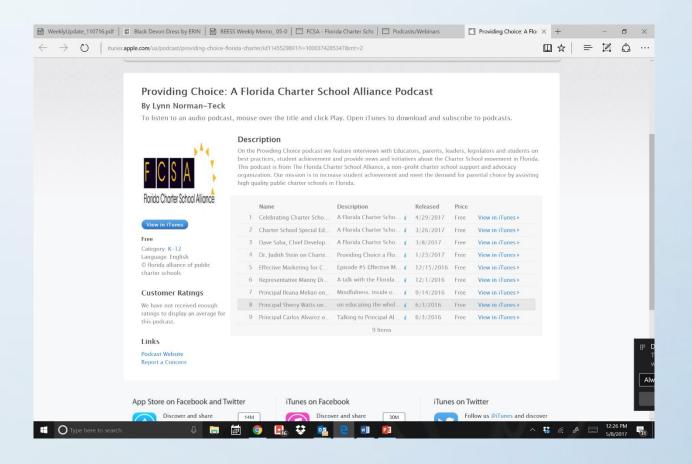


NCSECS SWD Resources Compilation

- "As public schools, charter schools have an obligation to serve students with disabilities (SWD); as self-governing, mission-oriented, and nimble schools, charter schools have a corresponding opportunity to provide innovative, student-centered opportunities to meet those obligations. This compilation from the National Charter School Resource Center (NCSRC) is designed to provide the charter school community with access to useful information (such as research, case studies, and toolkits) in support of their work to effectively serve students with disabilities. The compilation draws from key stakeholders and leaders in the sector, including federal, state, and local agencies, nonprofit organizations, and research agencies, that have developed resources specifically to aid charter schools in the important efforts they take to serve students with disabilities. Other resources provide data to explain how well and to what extent charters serve those students."
- https://www.charterschoolcenter.org/sites/default/files/files/field_publication attachment/Students%20with%20Disabilities%20Resources%20%282%29_0.pdf

Florida Charter School Alliance

- http://flcharterschool.org/
- Podcasts



District Charter School Meetings

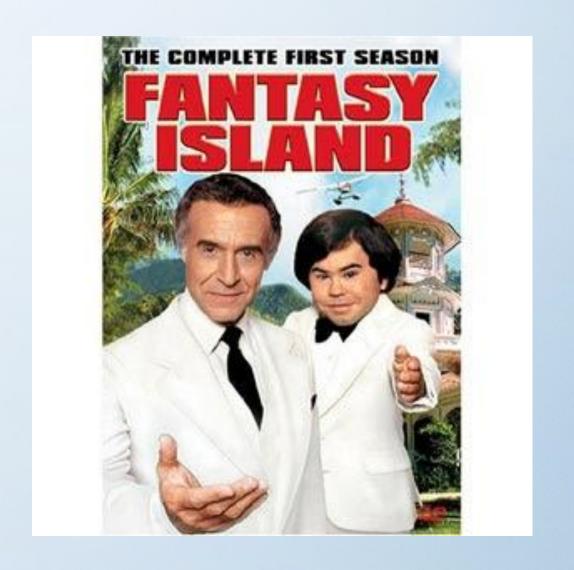
 Broward – Monthly, M-DCPS – Opening of Schools and Periodically throughout the year

You can not be left out



Create a Cohort of ESE Friends

- Rely on each other
- Share best practices
- Ask for advice on situations
- "It's lonely on Charter Island"



Do EVERYTHING in Email

- Get it in writing
- Be careful what you write



Florida Discretionary Projects

- FREE, FREE, FREE
- http://www.fldoe.org/core/fileparse.php/7567/urlt/projectslisting.pdf
 - Center for Autism & Related Disabilities (CARD)
 - Florida Diagnostic & Learning Resource System (FDLRS)
 - Access Project
 - ESE Tuition Support
 - Florida Inclusion Network (FIN)
 - Learning through Listening (LtL)



Important State Manuals to Have

- FLDOE ESE Website
 - http://www.fldoe.org/academics/exce ptional-student-edu/
- Florida's Frameworks for K-12 Gifted Learners
 - http://www.fldoe.org/core/fileparse.ph
 p/7567/urlt/k12giftedlearners.pdf
- Education of Gifted Students in Florida
 - http://www.fldoe.org/core/fileparse.ph p/7567/urlt/stategiftedplan.pdf
- A Blueprint for Tier III Implementation (Serious Behavior Problems
 - http://www.fldoe.org/core/fileparse.ph p/7690/urlt/Tier3Blueprint.pdf

- FLDOE Course Code Directory
 - http://www.fldoe.org/policy/articulation/ccd/2018-2019-course-directory.stml
 - (Learning Strategies Class)
- Florida Statutes Pertaining to ESE
 - http://www.fldoe.org/core/fileparse.ph p/7690/urlt/1BTOC.pdf
- Senate Bill 1108
 - https://info.fldoe.org/docushare/dsweb/ /Get/Document-6804/dps-2013-105.pdf

Final Thoughts LET THEM IN!





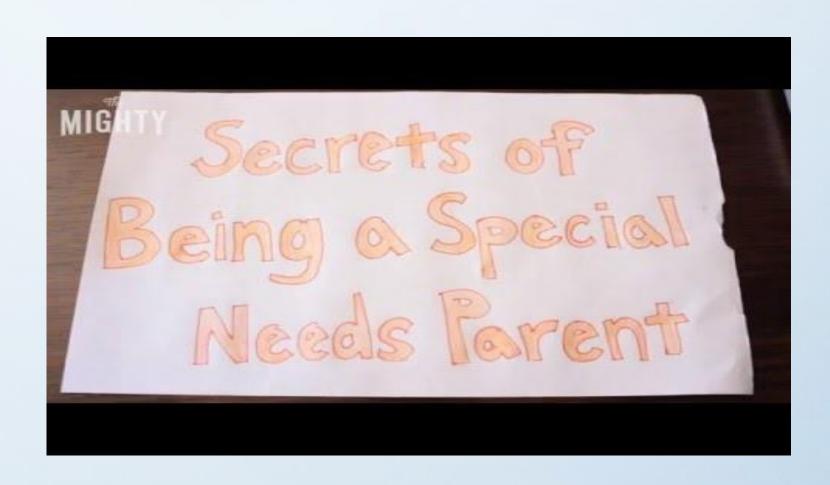




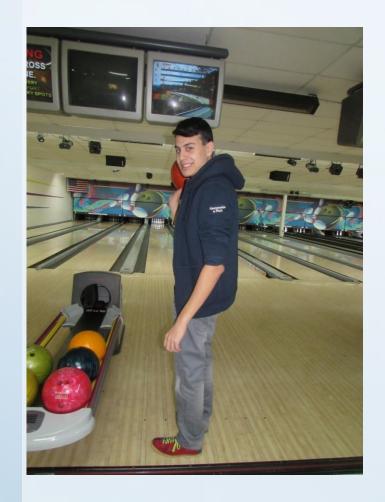




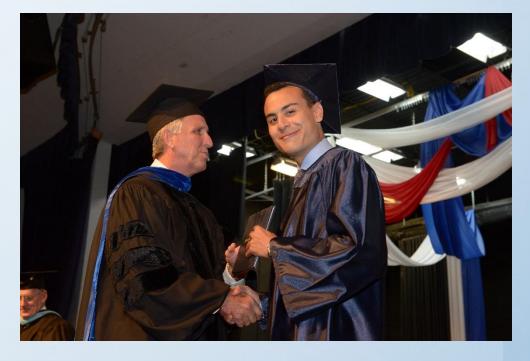
Secrets of Being a Special Needs Parent



My Story







Employ an Adult with a Developmental Disability

- Academica & The WOW Center Partnership
- The goal of The WOW Center is to provide quality programs and support to individuals with developmental disabilities in order for them to lead meaningful and productive lives, explore their potential, develop a sense of community and pursue independence and jobs if able.
- In order to accomplish this goal, The WOW Center focuses on improving the adaptive skills of individuals who attend the Center. These are the daily independent living skills required to live, work and play in the community.
- 10 Academica schools have hired an adult with a Developmental Disability

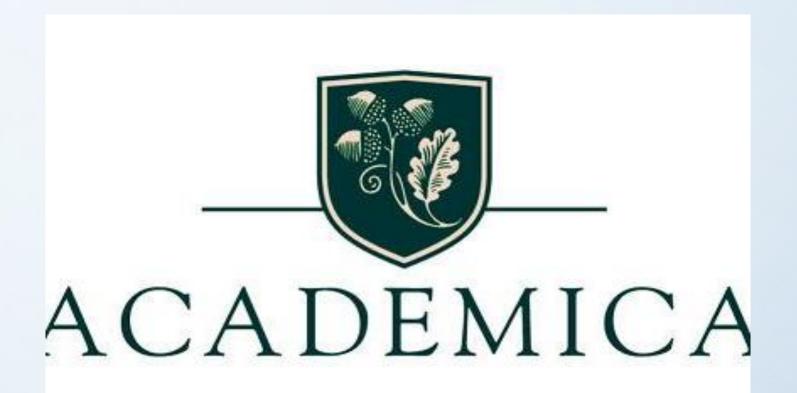




Thank You To My Favorite Vendors

- Achieve 3000 (Reading & Writing Technology Program)
- Curriculum Associates (iReady)
- Edu Resource Solutions (Curriculum Materials)
- Invo Healthcare Progressus Therapy (National Special Education Staffing Company)
- Learning Sciences International (Marzano Teacher Observation System)
- Renaissance (STAR & Accelerated Reading AR)
- Step N Stones Speech (Florida Based Speech & Language Therapy Services)
- Triumph Learning (Curriculum Materials)





Liliana L. Salazar

Isalazar@academica.org

