

Directors' Webinar

November 9, 2021

So glad you joined us today!

- G-CASE –Next week in Savannah
- SELDA – Next Wednesday in Savannah prior to the opening of the conference 9:00-12:00. There will also be a virtual link.
- HB 855



Agenda

- Legal Updates - Jamila Pollard, Senior Program Manager/Legal Officer
- Georgia High-Cost Fund Grant (GHCF) and Grant for Residential/Reintegration Services (GRRS) - Amber McCollum, Senior Program Manager
- AT/AEM District Spotlight from Paulding County Schools – Carson Cochran, Program Manager



Legal Updates

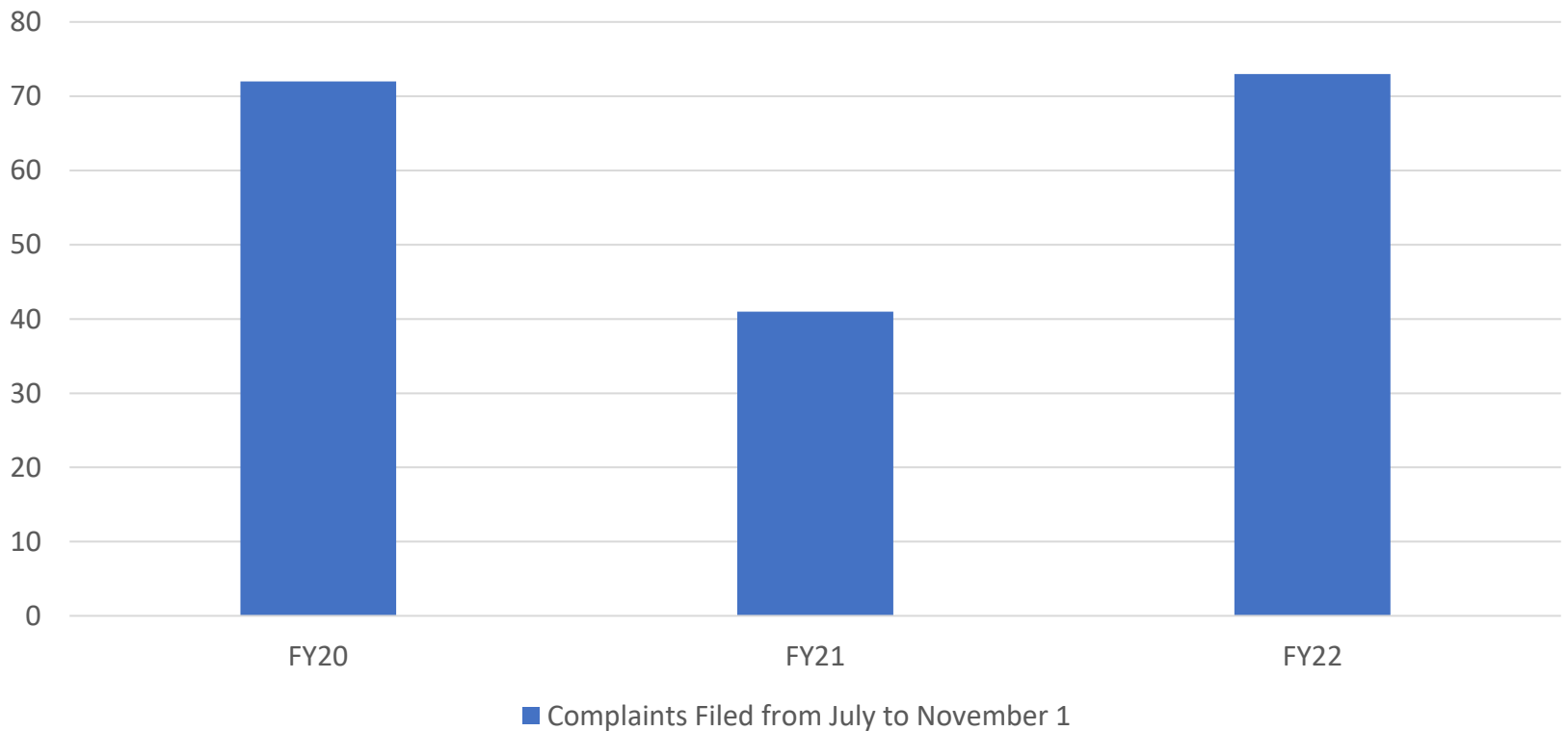
**Jamila Pollard, Senior Program Manager/
Legal Officer**

Recent Court Order (U.S. District Court for Northern District of Georgia, Atlanta Division)

- Civil case on behalf of two named detainees in a county jail and a class of similarly situated detainees
- Alleging that detainees did not receive special education services while incarcerated in county jail
- This court order was limited to the sheriff's liability under to meet her obligations under IDEA.

Formal Complaint Data Comparison (July-November 1)

Complaints Filed from July to November 1



What is Child Find?

- **Affirmative requirement** that local educational agencies (LEAs) **locate, identify, and evaluate** all children with disabilities who are in need of special education and related services residing in their jurisdiction, including homeless children, children who are wards of the State, and children in private schools.
- This includes a child who is **suspected** of being a child with a disability and in need of special education. 34 C.F.R. § 300.111.

Child Find Analysis

- Does the LEA have **reasonable suspicion** that the child might be eligible under the IDEA?
 - “Red flags”
- If so, then did the LEA initiate the evaluation of the child within a **reasonable period of time**?
 - LEA initiation starts with providing parental consent for evaluation

Interventions Prior to Referral

- IDEA requires that children who are suspected of being a child with a disability and in need of special education are identified, located, and evaluated. 34 C.F.R. § 300.111.
- IDEA **does not require** that a child receive scientific, research, or evidence-based interventions before being referred for consideration for eligibility for special education and related services. See 34 C.F.R. § 300.111.
- However, per our State Child Find Rule, the implementation of a multi-tiered system of supports, including the use of scientific, research, or evidence-based interventions **are required** before referring a child for an initial evaluation for special education. See Georgia Rule 160-4-7-.03(2)(b).

Interventions Prior to Referral

- However, if a parent or teacher requests an evaluation and interventions have not been provided prior to the referral, interventions may be provided **while the child is being evaluated** (within the 60-day timeline requirement).
- Although a child's receipt of interventions can provide a critical piece of information in helping to determine eligibility for special education, the lack of interventions **must not** be a reason for determining that a child is not eligible for special education services (except for Specific Learning Disability (SLD)).

OSEP 11-07, Response to Intervention (RTI) Memo, January 21, 2011

- “The use of RTI strategies cannot be used to delay or deny the provision of a full and individual evaluation, pursuant to 34 C.F.R. §§ 300.304-300.311, to a child suspected of having a disability under 34 C.F.R. § 300.8. If the [local educational agency (LEA)] **agrees** with a parent who refers their child for evaluation that the child may be a child who is eligible for special education and related services, the **LEA must evaluate the child** ... If, however, the LEA **does not suspect that the child has a disability, and denies the request** for an initial evaluation, the LEA **must provide written notice** to parents explaining why the public agency refuses to conduct an initial evaluation and the information that was used as the basis for this decision.” (emphasis added)

OSEP 11-07, Response to Intervention (RTI) Memo, January 21, 2011

- “Although the IDEA and its implementing regulations do not prescribe a specific timeframe from referral for evaluation to parental consent, it has been the Department’s longstanding policy that the LEA must seek parental consent within a **reasonable period of time** after the referral for evaluation, if the LEA agrees that an initial evaluation is needed.” (emphasis added).
- Also, the IDEA states that “[t]he public agency must **promptly** request parental consent to evaluate the child to determine if the child needs special education and related services. . .” 34 C.F.R. § 300.309(c) (emphasis added).

Child Find & Multi-Tiered System of Supports (MTSS)

- **Intervention dosage for students considered for SLD placement**
 - ❖ Provide the number of weeks recommended by the publisher OR provide a minimum of 12 weeks
 - ❖ Collect at least four data points
 - ❖ For parent requests, interventions and data collection may start after Consent for Evaluation is obtained
- **Movement between tiers**
 - ❖ Students with significant needs may warrant an immediate referral to Student Support Team (SST)
 - ❖ In some cases, students with significant needs should be referred directly to special education
 - ❖ There is no requirement for a student to receive Tier 1 and/or Tier 2 interventions prior to SST or special education referral.

Child Find & MTSS (continued)

- ❖ Screening and response-to-intervention data may not identify all students who may have a disability
- ❖ Teams should consider the whole child and the following factors when reviewing data:
 - ❖ Social
 - ❖ Emotional
 - ❖ Behavioral

Determining Cut Score for MTSS

- ❖ Typically cut scores are determined by capacity to intervene
- ❖ For example, if half the school's population falls below the 25th percentile on an assessment, using the 25th percentile as a cut score might not be feasible.
- ❖ Consider having uniform cut scores across the district so that referrals are consistent, regardless of the school a student may move to in the district.

Triangulation of Data: Considering Multiple Sources

- ❖ Data for MTSS should come from multiple sources
- ❖ Input for data may include quantitative and qualitative sources of information:
 - ❖ Formal assessment results
 - ❖ Classroom grades and performance
 - ❖ Georgia Milestones Assessment System (GMAS) results
 - ❖ Teacher report
 - ❖ Parent report
 - ❖ Classroom observation
 - ❖ Work Samples

MTSS Interventions for Processing strengths and weaknesses

- ❖ Interventions for processing weaknesses may be provided and data may be collected
- ❖ Interventions should be research-based
- ❖ For the purposes of SLD identification, interventions for *academic* needs must be provided and data must be collected during the 12-week minimum time period OR during the amount of time recommended by the publisher of the intervention

Georgia High-Cost Fund Grant (GHCF) and Grant for Residential and Reintegration Services (GRRS)

Amber McCollum, Senior Program Manager

Georgia High-Cost Fund Grant (GHCF)

- Georgia High-Cost Fund Grant Application Submission Window: (January 1 – February 15)
- Each LEA may request reimbursement for two of every 1,000 students with disabilities.
- Maximum number of High-Cost Fund Grant Applications a qualifying district can submit is fifteen (15).
- Only direct special education costs & related services for current fiscal year (July 1 through June 30).
- Minimum amount is \$27,000.
- GHCF grants have no carryover period.
- GaDOE Application Submission Method:
 - Georgia High-Cost Fund Grant Submissions are submitted Electronically via www.gahcf.org

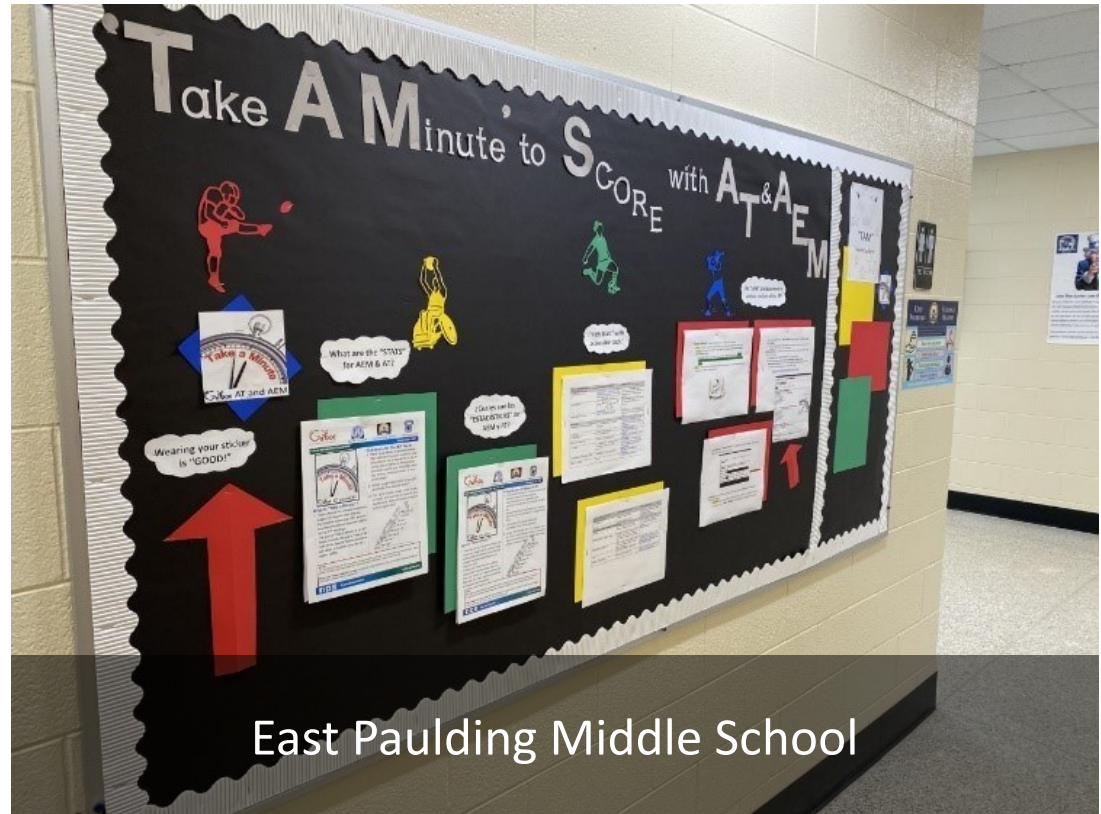
Grant for Residential and Reintegration Services (GRRS)

- Grant for Residential and Reintegration Services Submission Window: **(January 1 – February 15)**
- Only direct special education costs, related services, and room and board for the current fiscal year (July 1 through June 30).
- Minimum amount is **\$30,000**.
- Documentation submitted with the application.
- GRRS grants have no carryover period.
- GaDOE Application Submission Method:
 - *Scan & Email to Budget Liaison:*
And use the GaDOE Portal Email to submit application.

AT/AEM Spotlight Paulding County Schools

Carson Cochran, Program Manager

AT/AEM District Spotlight



East Paulding Middle School

"Take a Minute" Resources

Each cohort district has identified one to two schools to concentrate taking a minute to consider AT and AEM at every building IEP meeting. They have been provided with materials for the "Take a Minute" initiative.

- "Take a Minute" lapel stickers
- "Take a Minute" quick guides
- "Take a Minute" short survey

Now every district has access to these resources. They, along with additional AEM content are available on this [GaDOE AEM Cohort page link](#).

Questions

