

# Special Education Directors

June 2021 Meeting

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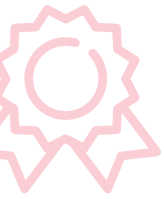
Office of Special Education

[mdek12.org](https://mdek12.org)



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1

**ALL** Students Proficient and Showing Growth in All Assessed Areas



2

**EVERY** Student Graduates from High School and is Ready for College and Career



3

**EVERY** Child Has Access to a High-Quality Early Childhood Program

**EVERY** School Has Effective Teachers and Leaders

4



**EVERY** Community Effectively Uses a World-Class Data System to Improve Student Outcomes

5



**EVERY** School and District is Rated “C” or Higher

6



## VISION

To create a world-class educational system that gives students the knowledge and skills to be successful in college and the workforce, and to flourish as parents and citizens



## MISSION

To provide leadership through the development of policy and accountability systems so that all students are prepared to compete in the global community



# Welcome

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# Julie J. Weatherly, Esq.

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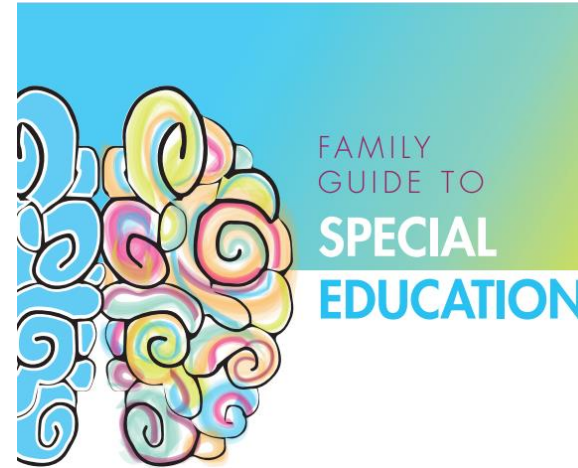
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# Programmatic Updates

- LaKenya Moore - Financial and Operations Director
- Tonya McDonald - Fiscal Office Director
- Ginger Koestler - Programmatic Office Director
- Natalie Long - Parent Engagement and Support



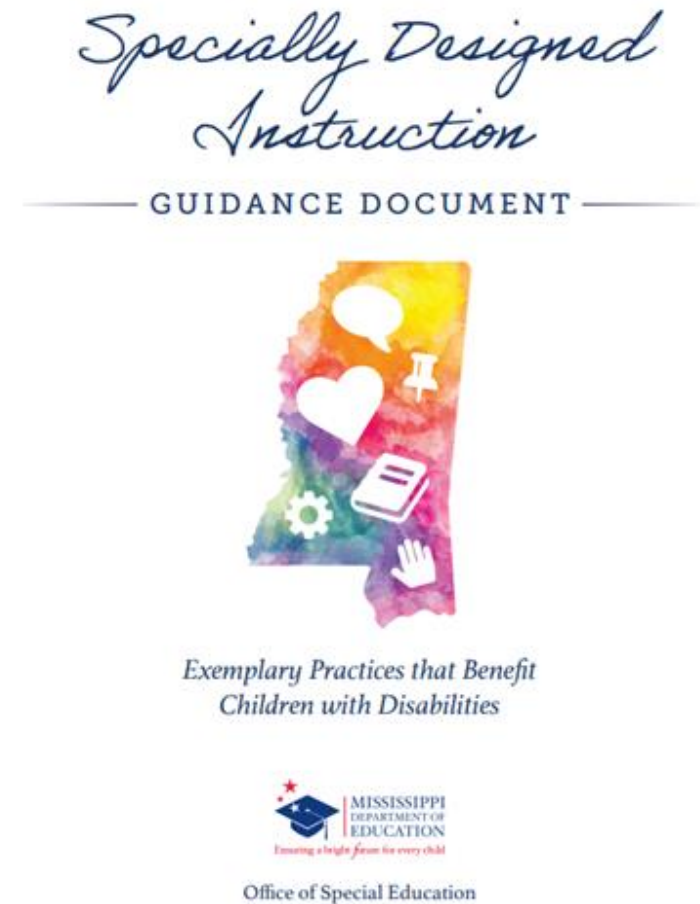
- Access for ALL 2.0
- SCD Webinar Series
- Specially Designed Instruction Guidance Document
- Family Guides for Special Education Services
- Teacher Resource Guides to accompany the K-8 ELA and Math MS AAAS for Students Identified as SCD



**ACCESS FOR ALL**  
GUIDE 2.0



- Copies of the new SEL Standards
- SEL classroom materials from Lakeshore
- Copies of Specially Designed Instruction Guidance Document



# Data Updates

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## WHAT IS SIGNIFICANT DISPROPORTIONALITY?

Disproportionality is an overrepresentation of some racial or ethnic group in a category.

Disproportionality becomes *significant* when the overrepresentation exceeds a defined threshold. The current and final threshold is 2.0

IDENTIFICATION	
Age Range	Categories
Children ages 6-21	<ul style="list-style-type: none"><li>•All Disabilities</li><li>•Autism</li><li>•Emotional Disabilities</li><li>•Intellectual Disabilities</li><li>•Other Health Impairment</li><li>•Specific Learning Disability</li><li>•Speech or Language</li><li>•Impairments</li></ul>



PLACEMENT	
Age Range	Categories
Children ages 3-21	<ul style="list-style-type: none"><li>•Inside a regular class for less than 40 percent of the day</li><li>•Inside separate schools and residential facilities (not including homebound or hospital settings, correctional facilities or private schools)</li></ul>



DISCIPLINE	
Age Range	Categories
Children ages 3-21	<ul style="list-style-type: none"><li>•Out-of-school suspensions and expulsions of more than 10 days or fewer</li><li>•Out-of-school suspensions and expulsions of 10 days or less</li><li>•In-school suspensions of 10 days or less</li> <li>•In-school suspensions of more than 10 days</li><li>•Disciplinary removals in total</li></ul>



SELECT	SELECT	SELECT
Select a reasonable threshold for each of the 14 measures	Select a reasonable minimum cell size for each of the 14 measures <ul style="list-style-type: none"><li>• Presumably reasonable at 10 or less.</li></ul>	Select a reasonable minimum n-size for each of the 14 measures <ul style="list-style-type: none"><li>• Presumably reasonable at 30.</li></ul>

- **Consecutive Years:** States can choose to identify an LEA as having Significant Disproportionality only after an LEA exceeds the risk ratio threshold for up to three prior consecutive years, including the current reporting year.

# METHODOLOGY – RISK RATIO

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- Must calculate a risk ratio for each LEA for each of the racial/ethnic groups for each analysis category (98 calculations)

**Risk Ratio:**

**What is a specific racial/ethnic groups risk of:**

Receiving special education and related services for a particular disability

Being placed in a particular educational environment

Experiencing a particular disciplinary removal



**As compared to the risk for all other children**

$$\frac{\text{Number of children from racial/ethnic group in a disability category}}{\text{Number of enrolled children from same racial/ethnic group}} \div \frac{\text{Number of all other children in disability category}}{\text{Number of all other enrolled children}}$$

District Level Data

State Level Data

**States may set a reasonable minimum n-size (risk denominator)  
Presumptively reasonable if 30 or less**



## MISSISSIPPI'S METHODOLOGY

FY 20 (2019-2020 SY)	FY21 (2020-2021 SY)	FY 22 (2021-2022)
<ul style="list-style-type: none"> <li>•N-Size – 40</li> <li>•Cell Size – 40</li> <li>•Risk Ratio Threshold – 4.0</li> <li>•3 consecutive years</li> <li>•including current year</li> </ul>	<ul style="list-style-type: none"> <li>•N-Size – 30</li> <li>•Cell Size – 10</li> <li>•Risk Ratio Threshold – 3.0</li> <li>•3 consecutive years including</li> <li>•current year</li> </ul>	<ul style="list-style-type: none"> <li>•N-Size – 30</li> <li>•Cell Size – 10</li> <li>•Risk Ratio Threshold – 2.0</li> <li>•3 consecutive years</li> <li>•including current year</li> </ul>
* 6 districts	*approximately 45 districts	*approximately 89 districts

**CAN A DISTRICT RESERVE  
CEIS FUNDS IF THE DISTRICT  
HAS NOT BEEN IDENTIFIED  
AS HAVING SIGNIFICANT  
DISPROPORTIONALITY?**

# COMPREHENSIVE COORDINATED EARLY INTERVENING SERVICES

- Districts identified as having significant disproportionality are required to set aside 15% of their Part B and Preschool IDEA funds to provide early intervening services.
- These services should target the area of identified disproportionality
- These funds can be used for general education and special education students.

# WHAT DOES SIGNIFICANT DISPROPORTIONALITY MEAN FOR FY22 BUDGET

# COORDINATED EARLY INTERVENING SERVICES

- Districts that have not been identified as having significant disproportionality are may set aside up to 15% of their Part B and Preschool IDEA funds to provide early intervening services.
- These services should provide services to "at-risk" students
- These funds can be used for general education students only.

# TIMELINES

- Districts have already received preliminary notification
- Official Notification letters to include data reports will be sent to districts by June 30, 2021
- A series of webinars will be held for districts identified as having significant disproportionality. These webinars will cover self-assessments, root cause analysis, and creating a CCEIS plan



QUESTIONS?????



# Parent Engagement Updates

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# Common Issues and Concerns

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# Procedural Errors

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Determining placement before programming (before determining placement, the IEP team must first gain a comprehensive picture of the student and then develop the program, 34 CFR § 300.116 (b));

# Procedural Errors

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Failure to include required components in a student's IEP. This is an easily avoidable procedural error.

# Substantive Errors

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Failing to include all student's educational needs in the PLAAFP. The PLAAFP statement will become the basic of the annual goals and services;

# Substantive Errors

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Failing to provide special education services that address all student's educational needs;

Failing to adhere to the continuum of alternative placement;

# Substantive Errors

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Failing to monitor student's progress: This is essential to determining whether the student is adequately making progress toward meeting the goals and receiving a FAPE.

# Implementation Errors

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Failing to implement services and supports with fidelity. Failing to do so might result in a denial of FAPE.

# Allegations

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Remember that allegations are allegations until the findings and decisions are rendered. An organization or individual may file a State complaint according to 34 CFR §§ 300.152-300.153.

# Allegations

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Remember to document all relevant information pertaining to providing service to the students.

# Findings and Decisions

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All corrective actions will be forwarded to the Monitoring Division and the Technical Assistance Division for support to correct the noncompliance issues.

# Questions

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# Monitoring Updates

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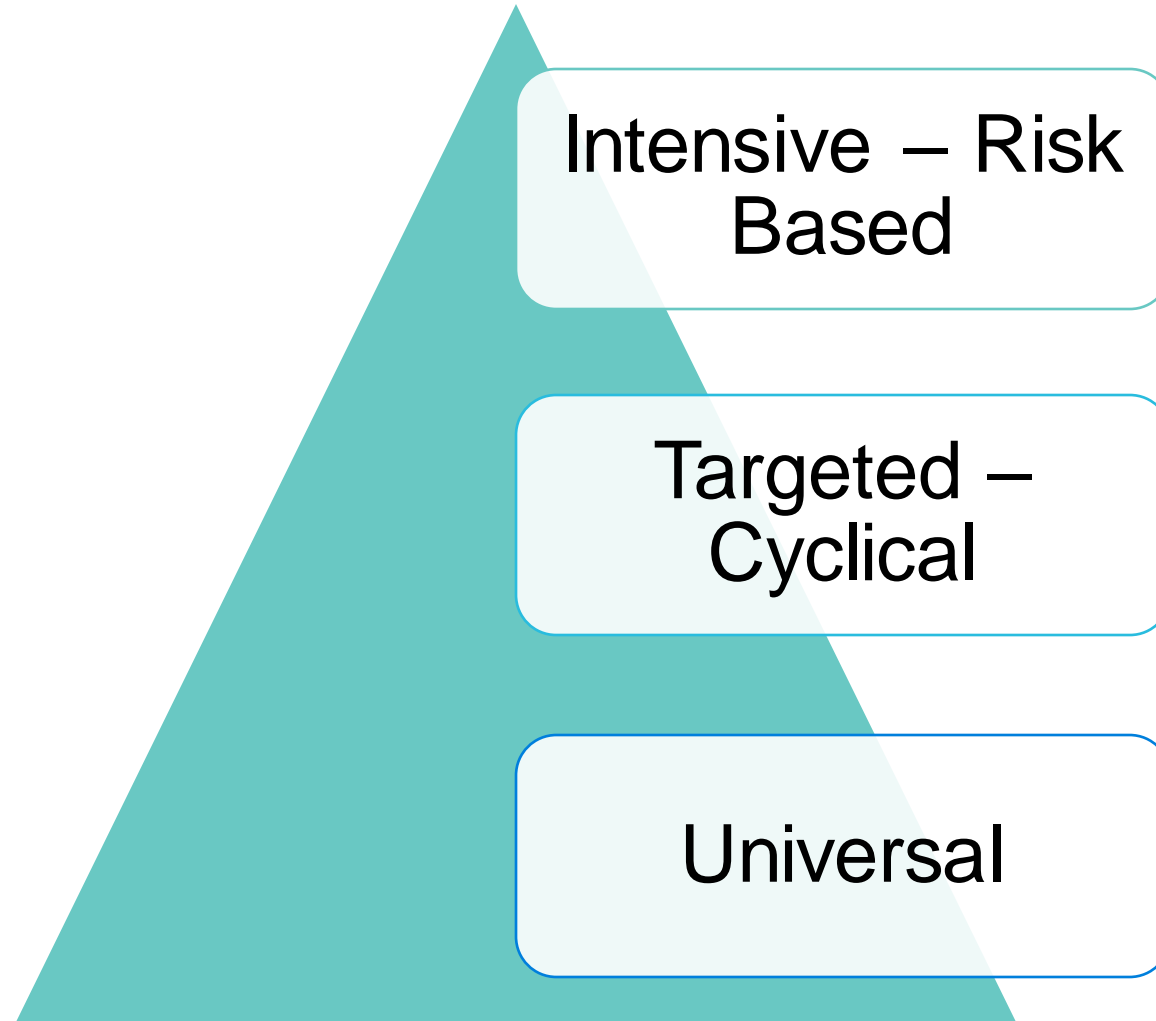


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Mississippi Department of Education (MDE), Office of Special Education (OSE) is responsible for monitoring the programmatic and financial activities of its subrecipients by:

- Implementing a cyclical and risk-based monitoring system;
- Improving compliance, accountability, and technical assistance.

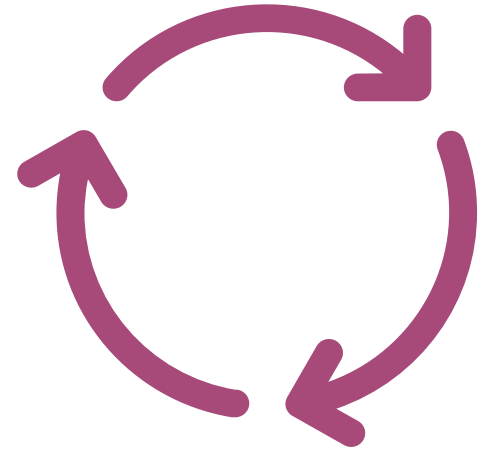
- The term Local Education Agency (LEA) is defined as a traditional public school district or charter school.
- Each LEA is responsible for the compliance and oversight of any out-of-district program in which a student is placed to ensure that it operates in accordance with all Federal and State special education laws and regulations.



- SPP/APR data collection
- District Determination Reports
- Project application review and approval in MCAPS
- Annual risk-based assessment
- Complaint investigation and dispute resolution



- Based on cohorts in a five-year cycle
- LEA self-assessment and other monitoring activities
- Data-informed technical assistance
- Benefits
  - LEAs may be proactive in making corrections
  - May not require an on-site visit





## Child Find

- 2 standards



## Least Restrictive Environment (LRE)

- 4 standards



## Individualized Educational Program (IEP)

- 10 standards



## Discipline

- 6 standards



## Secondary Transition

- 6 standards



## Early Childhood Special Education (ECSE)

- 4 standards

- The LEA must select a targeted sample of student files for the LRE, IEP, Discipline, Secondary Transition, and ECSE components.
- The sample files selected should be a reasonable representation of students with disabilities served within the LEA.

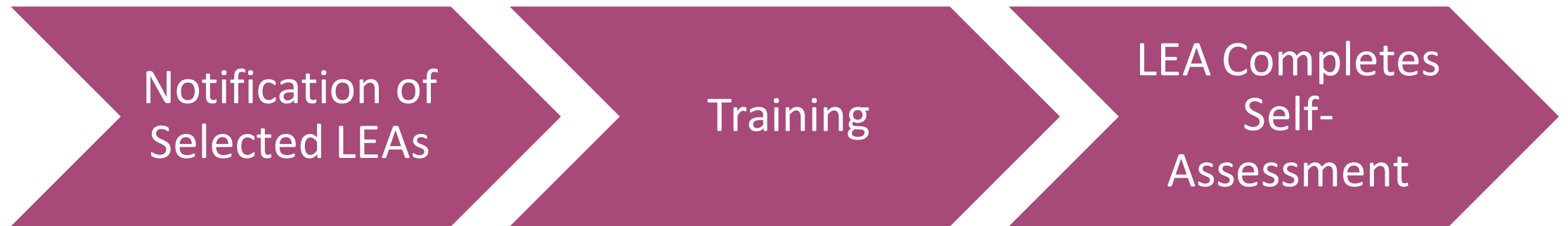
## MONITORING SAMPLE SIZE CHART

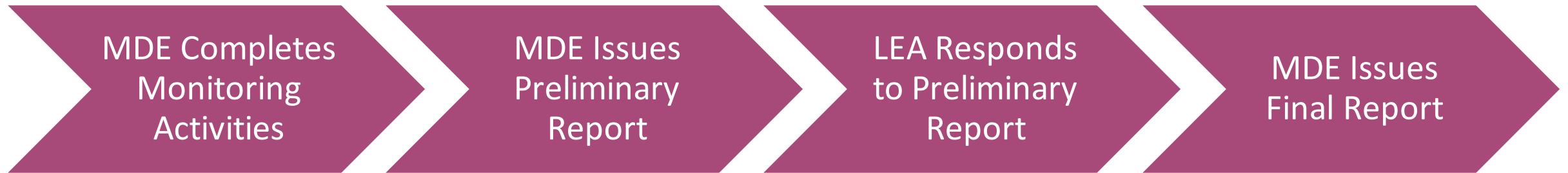
Number of students in special education	10 or Less	11–100	101–250	251–500	501–750	751+
Number of eligible student files	All	20	30	40	55	75

## *COMPONENT C – Individualized Education Program (IEP)*

### **RECORD REVIEW ITEM: IEP-1 REGULATION 34 CFR §300.322(a)**

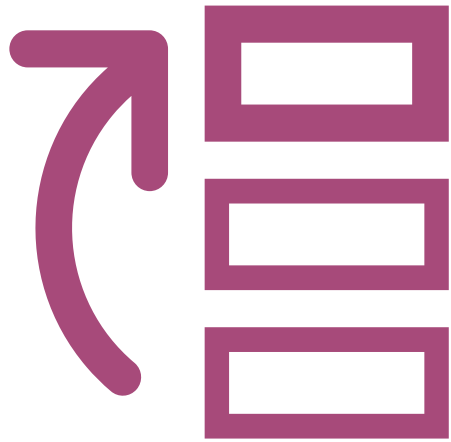
RECORD REVIEW QUESTION	POTENTIAL SOURCE OF DOCUMENTATION
Was the parent afforded the opportunity to participate in the IEP meeting?	<ul style="list-style-type: none"><li>• Parent contact logs</li><li>• Prior written notification</li><li>• IEP committee participant signatures</li><li>• Other forms of documentation</li></ul>
EVIDENCE OF IMPLEMENTATION	
<input type="checkbox"/> <b>YES</b> Prior written notice was available. The parent participated or there is evidence that the parent was invited to participate in the IEP meeting.	<input type="checkbox"/> <b>NO*</b> There is no prior written notice available and/or no evidence of an invitation for the parent to participate in the IEP meeting. <i>*There are allowable exceptions to this rule. The LEA may use its discretion to determine whether valid attempts were made to contact the parent(s).</i>





- Includes student file reviews, interviews and focus groups, classroom observations, policy and procedure reviews
- Data-informed technical assistance
- Benefits
  - LEA receives high priority for technical assistance and support from the OSE

- LEA accreditation status
- TSI/ ATSI Identification
- LEA annual determinations
- LEA resolution of findings from parent complaints within timeline
- LEA performance on SPP/APR compliance indicators (11, 12, and 13)
- LEA correction of monitoring findings within timelines
- Identification of significant disproportionality in the LEA
- Experience of the LEA Special Education Director (in the position for three or fewer years)



LEAs identified with the top 10 highest risk assessment scores are required to participate in intensive monitoring activities, regardless of when they last participated in cyclical or other risk-based monitoring.

Intensive monitoring may also be conducted as the result of:

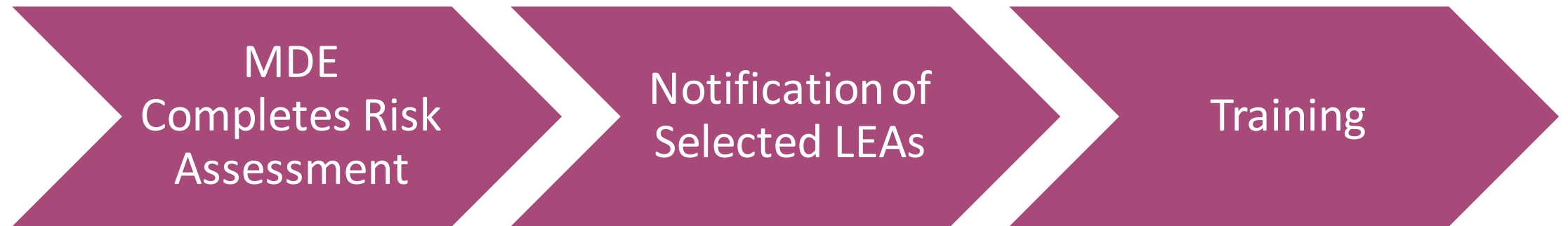
- a determination of “needs substantial intervention;”
- a notification from the Office of Accreditation that an LEA’s accreditation is at risk; or
- emerging or emergency issues identified through uncorrected findings of noncompliance, findings from the LEA self-assessment, or other available information.



Monitoring report – preliminary issued within 30 days of a desk audit or on-site visit; final report within 60 days

Corrective action plan – developed with LEA leadership to maximize effectiveness

Enforcement mechanisms for uncorrected findings – may include, but not limited to, TA, monthly calls, required ed benefit reviews, or directing of IDEA funds





- We are currently piloting all new procedures
  - Final cohorts, protocols, and timelines have not been established
- No monitoring will take place without thorough training on the procedures and LEA requirements
- Once the self-assessment is published online, LEAs may use it at any time to self-identify areas of need and request TA
- If you have any questions, please feel free to email them to [rdamonitor@mdek12.org](mailto:rdamonitor@mdek12.org) at any time.



# Office of Special Education

<https://www.mdek12.org/OSE>

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