

Chairing the Admissions and Release Committee



2013-2014

Anticipation Guide

Agree	Disagree		A/D
		1. The LEA representative can be the special education teacher of the student with a disability.	
		2. In Kentucky, for eligibility determination purposes, a minimum of 2 observations are required for all 13 disability categories.	
		3. The timeline from consent to evaluate and determining eligibility is 60 days.	
		4. According to OSEP, not meeting a timeline is a violation that cannot be remedied, but must be corrected and reported as noncompliance.	
		5. There are only two roles of the ARC membership required to be represented, special education teacher and regular education teacher, during the ARC Meeting.	
		6. ARC decisions are based on data connected to the child's disability.	
		7. For re-evaluation purposes, classroom based observations include two forms of informal teacher observations, at least 2 formal teacher observations OR a combination of informal and formal observations.	

Agenda

Legal Background

The ARC Process

ARC Meetings

Eligibility, Placement and IEP

Re-evaluation

Background

Federal

- Office of Special Education Programs (OSEP)

State

- State Performance Plan (SPP) & Annual Performance Report (APR)

Local

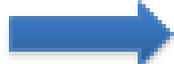
- Local Monitoring
- CDIP/CSIP/ASSIST



ASSIST

(Previous) KCMP INDICATORS

College Career Ready
Graduation Rate



- 1. Graduation Rate
- 2. Dropout Rate
- 13. Transition Planning
- 14. Post-School Outcomes

Proficiency
Gap



- 3. Achievement
- 4. Suspension Rates
- 5. Least Restrictive Environment



Special Education

Due Process Procedures

Basic Due Process Procedures

- Step 1: Referral
- Step 2: Evaluation
- Step 3: Eligibility
- Step 4: Individual Education Program Planning
- Step 5: Placement
- Step 6: Implementation and Progress Monitoring
- Step 7: Review
- Step 8: Re-evaluation

The Language of Special Education

Acronyms

ARC

IEP

FAPE

IRE



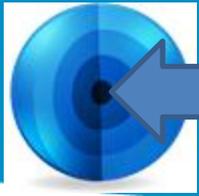
Decisions are based on...

Data

Documentation

Analysis

Leadership for High Quality Teaching and Learning



Child with a Disability

“**Child with a Disability**” means a student evaluated in accordance with 707 KAR 1:300, as **meeting the criteria** listed in this section for autism, deaf-blindness, developmental delay, emotional-behavior disability, hearing impairment, mental disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment which has an **adverse effect** on the student’s educational performance and who, as a result, needs special education and related services.

Special Education Disability Categories

- Autism
- Deaf-Blindness
- Developmental Delay
- Emotional-Behavior Disability
- Hearing impairment
- **Mental Disability** (mild, functional)
- **Multiple Disabilities**
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment



The ARC Process



ARC Functions

- Act on Referrals
- Act on Evaluations or Reevaluations
- Develop, Review, and Revise an IEP
- Determine Post-Secondary Transition Needs
- Determine Placement in the Least Restrictive Environment

ARC Membership

- **Regular education teacher**
- **Special education teacher**
- **ARC Chairperson/LEA Representative**
- **Parents**
- **An individual who can interpret the instructional implication of evaluation results**
- **An individual who has knowledge or special expertise**
- **Related services personnel**
- **Student by age 14 or older (invited)**



Who is the ARC Chair?

ARC Chair = Local Educational Agency (LEA)
Representative

The LEA Representative

must be:

- » Knowledgeable about general curriculum
- » Qualified to supervise or provide special education services
- » Able to commit personnel and fiscal resources needed to implement the IEP

Assigning a **Designee**



Role of the ARC Chair/LEA Representative

- **Determines student representative**
- **Determines purpose of the meeting**
- **Determines time, place, and date of ARC**
- **Written notice delivered to parent, all ARC members notified of the time, place, date**



Role of the ARC Chair/LEA Representative

- **Invites student who is in 8th grade or age 14 and older when Post-secondary Transition is a purpose of the meeting**
- **Determines if a representative from an outside agency for Post-Secondary Transition purposes needs to be invited**
- **For Preschool, participates in the transition conference arranged by First Steps**
- **Files a copy of Notice of ARC in student's educational record**



Continued...Role of the ARC Chair

- **Determines the Summary Recorder for the ARC**
- **Makes introductions**
- **States purpose of the meeting (aligns with meeting notice)**
- **Provides full explanation of Procedural Safeguards**



Continued...Role of the ARC Chair

- **Reviews all documentation within Conference Summary**
- **Checks for understanding of ARC members**
- **Obtains required signatures**
- **Provides a copy of meeting documents to parents**
- **Files copies of documents in the due process folder**



Role of the Special Ed Teacher

- Teacher of the child or a teacher knowledgeable about the child's disability
- Participates in the development of the IEP
- Implements the IEP
- Communicates Progress
- Communicates Program Accommodations/Modifications

Role of the Regular Ed Teacher

- Participates in the development of the IEP
- Assists in the determination of instructional strategies
- Assists in the determination of needed supplementary aides and services, program modifications, or supports for school personnel that will be provided the child
- Implements the IEP



Role of Parent or Emancipated Student

- Provides input as to strengths and needs
- Provides input as to interests and preferences
- Gives consent at evaluation/reevaluation and for provision of services



Document Attempts to Include Parent/s

Include in Student's Special Education Records

- Telephone calls
- Copies of correspondence sent and responses received; and
- Detailed records to visits to home, place of work
- Results of attempts



Parent Not Attending

- Offer alternate means of meeting
- ARC may continue if parent cannot be convinced to attend
- Record/Document all attempts



Tips for being an ARC Member

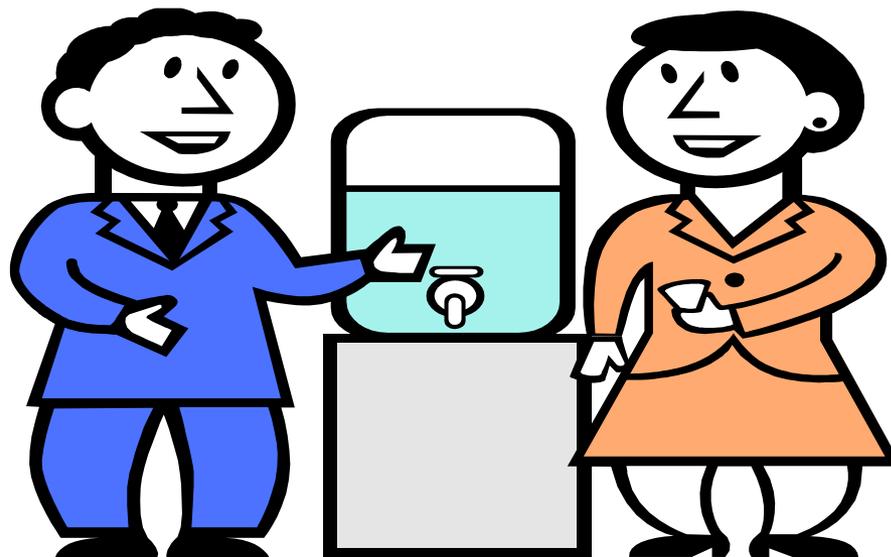
- **Don't base decisions on cost!**
- **Don't give in to parent demands when you know it's not FAPE!**
- **Don't procrastinate!**
- **Don't base decisions on administrative convenience!**

Do keep the team's focus on the NEEDS of the child.

**Together
Everyone
Achieves
More**



BREAK



Prior to a Referral





Making Referrals

When?

How to proceed...

Issues to consider before you refer...



Referral ARC Meeting

Referral ARC Agenda

- **Introductions**
- **Parent Rights**
- **Chairperson describes steps in referral meeting process**
- **Analyze the **complete** written referral**
- **Determine if referral information supports a suspected disability and need for evaluation**
- **Determine which of the 13 categories is the suspected disability**



Referral

ARC documented evidence of:

- ✓ **Completed Referral form**
- ✓ **Appropriate and relevant research-based instruction and intervention services (RTI Data)**
- ✓ **Provided in regular education settings**
- ✓ **Delivered with fidelity by qualified personnel**



Completed Referral

The ARC **identified a suspected disability** and planned an appropriate evaluation as documented on an Evaluation Plan and/or Consent for Evaluation Services...

- A review, triangulation and analysis of the referral information (for initial evaluation) OR progress data of the child (for reevaluation); **AND**
- the information was sufficient to support a suspected disability; **AND**
- the tests and procedures necessary to assess the child.

Evaluation Planning Form

DATE: _____

Enter District Name Here
Evaluation Planning Form

NAME: _____

DOB: _____

STUDENT ID: # _____

DISABILITY or SUSPECTED DISABILITY: _____

SCHOOL: _____

FOR EACH EVALUATION (INITIAL OR RE-EVALUATION), mark ✓ for the assessment components determined to be addressed within the multidisciplinary assessment. Mark E if the assessment exists within the educational records of the student and will be considered.

Area	Needs	Area	Needs
Health, Vision, Hearing, and Motor Abilities	<input type="checkbox"/> Medical/Health Evaluation <input type="checkbox"/> Vision Exam <input type="checkbox"/> Functional Vision/Learning Media Assessment <input type="checkbox"/> Orientation and Mobility <input type="checkbox"/> Braille Skills Inventory <input type="checkbox"/> Hearing <input type="checkbox"/> Fine Motor <input type="checkbox"/> Gross Motor <input type="checkbox"/> Occupational Therapy <input type="checkbox"/> Physical Therapy <input type="checkbox"/> Behavior Observation <input type="checkbox"/> Assistive Technology <input type="checkbox"/> Other	Academic Performance	<input type="checkbox"/> Basic Reading <input type="checkbox"/> Reading Comprehension <input type="checkbox"/> Reading Fluency <input type="checkbox"/> Math Calculation <input type="checkbox"/> Math Reasoning <input type="checkbox"/> Oral Expression <input type="checkbox"/> Listening Comprehension <input type="checkbox"/> Written Expression <input type="checkbox"/> Performance Based Tests <input type="checkbox"/> Criterion Referenced Tests <input type="checkbox"/> Curriculum Based Test <input type="checkbox"/> Behavior Observations: Specify Areas: <input type="checkbox"/> Other
General Intelligence	<input type="checkbox"/> Cognitive / Intellectual Assessment (aptitude and mental processing) <input type="checkbox"/> Behavior Observation <input type="checkbox"/> Other	Social and Emotional Status	<input type="checkbox"/> Adaptive Behavior/Self-Help <input type="checkbox"/> Behavior Observation <input type="checkbox"/> Behavior Rating Scale <input type="checkbox"/> Functional Behavioral Assessment <input type="checkbox"/> Other
Communication Status	<input type="checkbox"/> Receptive Language <input type="checkbox"/> Expressive Language <input type="checkbox"/> Speech Sound Production <input type="checkbox"/> Voice <input type="checkbox"/> Fluency <input type="checkbox"/> Oral Mechanism <input type="checkbox"/> Hearing <input type="checkbox"/> Behavior Observation <input type="checkbox"/> Augmentative Communication <input type="checkbox"/> Other	Vocational Evaluation/ Transition Needs	<input type="checkbox"/> Vocational Aptitude <input type="checkbox"/> Interest Inventory <input type="checkbox"/> Learning Style <input type="checkbox"/> Behavior Observations <input type="checkbox"/> Other:
		Other Assessments	<input type="checkbox"/> Social and Developmental History <input type="checkbox"/> Specify: <input type="checkbox"/> Specify:

List the recommendations for student needs (e.g., glasses, hearing aids) any modifications/adaptations of evaluation instruments, procedures, or settings to be used for the evaluation (i.e., native language, mode of communication, cultural factors).

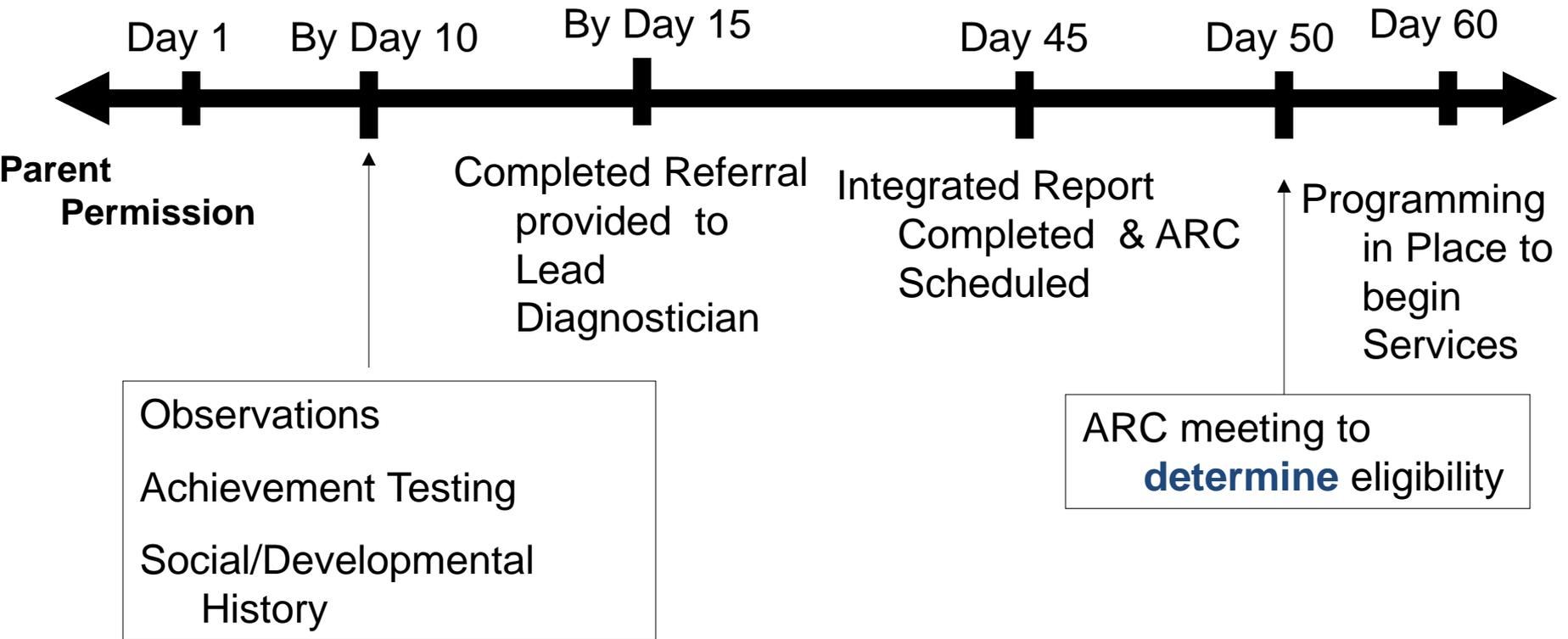
List existing reports/assessment data, which will be used as a part of the multi-disciplinary assessment:



Don't forget

- **Obtain consent to evaluate**
- **Note when 60 school days will occur
(The ARC chairperson ensures that all evaluations are completed)**

Option for Initial Evaluation Timeline



Note: The reevaluation is due 36 months after the **last Review Meeting where eligibility was determined.**



Eligibility ARC Meeting



ARC reviews all data:

- Multi-Disciplinary Evaluation Report,
- Evaluation Report(s)/Diagnostic Instruments,
- **Behavior Observations,**
- Social Developmental History,
- Adaptive Behavior Assessments,
- Rating Scales,
- Classroom-based observations, etc...)



Eligibility Determination

Parent Input..

ARC reviews and discusses evaluation and information brought by the parent(s) or completed by the parent(s).

Eligibility Determination:

The ARC used a *variety* of assessment tools and procedures to determine the child was a child with a disability and to determine an appropriate educational program for the child.

IDEA Eligibility **cannot stand on one piece**
of evidence.



Information regarding student eligibility
must be triangulated.

Purpose of Triangulation of Data

To increase the **credibility** and **validity** of results

- E.g., multiple data sources substantiate the existence of a disability





Multiple Sources of Information

“When different methods of evaluation take place.... in varied settings, by multiple evaluators, and at different times.... that lead to the **same result**, an ARC can be confident in its eligibility determination.”

Policy Letter #2010-11-01 Eligibility Q&A , April 3,2012

Question 5

In consideration of ALL DISABILITIES

Question 1

Is there an adverse effect on educational performance?

Question 2

Is it due to lack reading or math instruction?

Question 3

Is it due to Limited English proficiency?



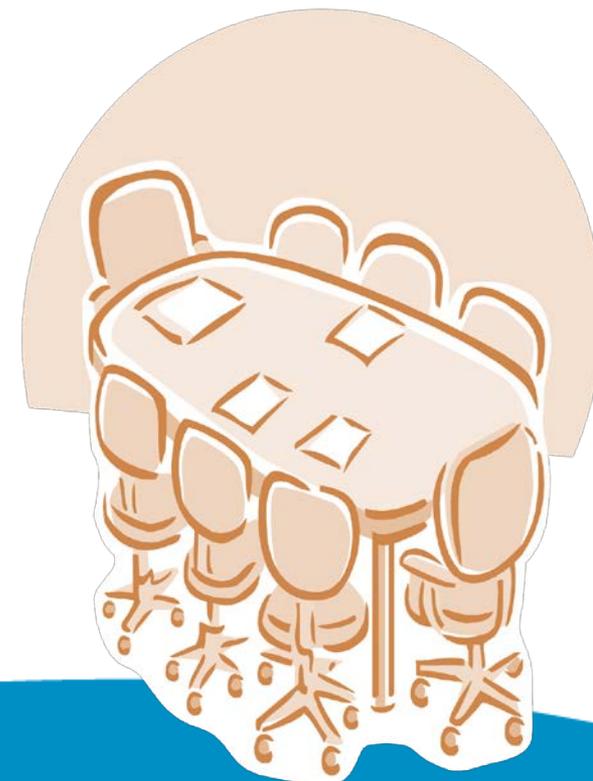
Adverse Effect

Means that the **progress of the child is impeded** by the disability to the extent that the educational performance is **significantly and consistently** below the level of similar age peers.

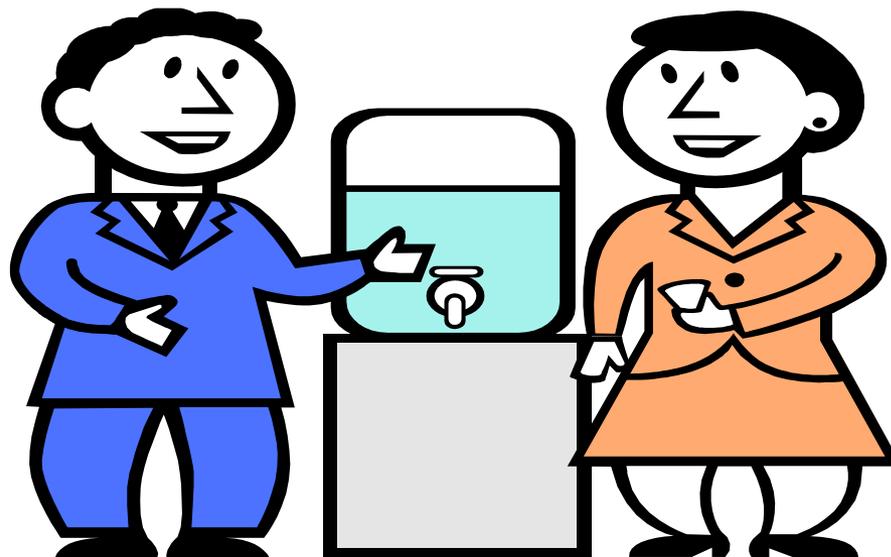
707 KAR 1:280 Section 1 (2)

If Determined Eligible...

- **Complete the appropriate Eligibility Determination Form**
- **Develop an IEP**
- **Document correspondence to the parents**



BREAK



Guidance Document for Individual Education Program (IEP) Development





IEP Components

- Present Level of Educational Performance
- Consideration of Special Factors
- Goals and Objectives
- Specially Designed Instruction
- Progress Reports
- Supplementary Aides and Services
- Testing Accommodations
- Modifications/Supports for School Personnel

IEP Components Continued...

- Least Restrictive Environment and General Education
- Type, Frequency, Duration, Location
- Related Services
- Transition Statement
- Transition plan



Present Level

- Baseline data must be included (snapshot)
- How the child's disability affects the child's involvement and progress in the general curriculum (academic and functional)

Measurable Annual Goals

Each annual goal must include:

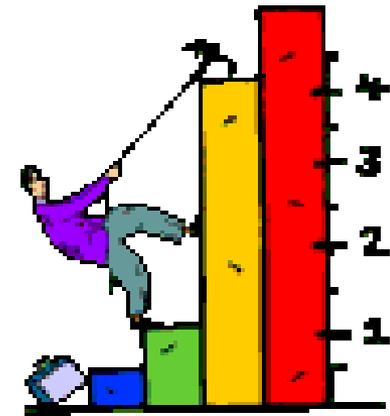
Audience

Behavior

Circumstance

Degree/Criterion

Evaluation/Method of Measurement



Goal Example

When provided an instructional level reading passage from an informational text, Anita will read with fluency and accuracy 150 words per minute with no errors during 3 out of 4 oral fluency assessments as evidenced by checklist

SDI: The Definition

“What the teacher does”

Specially-designed instruction (SDI) means adapting, as appropriate, the content, methodology, or delivery of instruction to address the unique needs of the child with a disability and to ensure access of the child to the general curriculum included in the Program of Studies.

707 KAR 1:280 §1 (58)



Supplementary Aids and Services

“What the student needs”

Aids, services, and other supports that are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate.

707 KAR 1:280 §1 (61)

Least Restrictive Environment (LRE)

To the maximum extent appropriate, children with disabilities, including children in public and private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs **only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.**

IDEA Section 1412(5)(A)





Location and Placement

The ARC reviews the Present Levels, Student Performance Data and services identified on the IEP to determine the location of service provision.

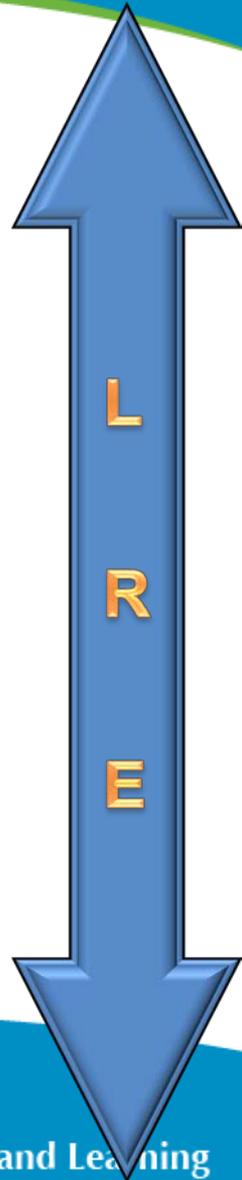


Least Restrictive Environment

The Continuum of Alternative Placements include:

707 KAR 1:350 Section 1 (2)

- Instruction in Regular Classes – **includes Co-Teaching**
- Special Classes – **includes resource**
- Special Schools;
- Home Instruction; and
- Instruction in hospitals and institutions





IEP

The IEP is in effect at the beginning of the school year for the child.

**The IEP is reviewed and revised
ANNUALLY...**

365 CALENDAR DAYS



Post-Secondary Transition



Student is Invited...

- The child is **invited** to the ARC meeting where transition services will be discussed.
- For Post-Secondary Transition Purposes, for students in the **8th grade or age 14** and older, they are to be invited if purpose of the meeting is to discuss “Post-Secondary Transition Needs”

Post-Secondary Transition Needs

- In the child's 8th grade year or when the child has reached the age of 14, and in alignment with the child's Individual Learning Plan (ILP), or earlier if determined appropriate by the ARC, the IEP for a child with a disability shall include **a statement of the transition service needs of the child under the applicable components of the child's IEP that focus on the child's course of study**
- The statement is updated annually
- Focuses on the child's course of study

707 KAR 1:320 §7 (1)



- 
- For students who have reached the age of 16 and older, all Transition requirements are met

100%
Compliance!!



Post-Secondary Transition Goals

- Includes postsecondary goals to cover **two (2)** areas, **education/training and employment**, and a third goal as needed for independent living
- Are updated annually

Example:

John's **goal** for after graduation **is to** enroll in courses at the Community and Technical College to prepare to work in the field of medical technology as a lab technician.



Post-Secondary Transition Services

- **The IEP includes transition services that will reasonably enable the child to reach the postsecondary goals.**



Post-Secondary Transition Services

- For transition services likely to be provided or paid for by another agency, the other agency is invited to send a representative, if appropriate.
- If an agency was invited to send a representative signed Consent for Outside Agency Invitation is included.

Transfer of Rights



- At least one year prior to the child reaching age of majority
- IEP includes a statement to the child and his/her parents has been informed that rights will transfer to the child upon reaching the age of majority
- Upon the student's age of majority, parents continue to receive Notice

707 KAR 1:320 §5 (14)



Annual Review



Annual Review Timeline

- The ARC conducts a review of the IEP **annually** (i.e., within the calendar year) to determine whether the annual goals for the child are being achieved and revise the IEP as appropriate.



Annual Review ARC

- Review progress on current IEP
- Determine ESY, Reevaluation needs
- Update IEP



Reevaluation

- The ARC conducts a reevaluation in the within **3 calendar years** from the date of the last Eligibility ARC meeting.
- *Parents always have the right to request an evaluation.*



For **re-evaluation purposes**, there must be evidence of progress data collection and analysis. Documentation of results and analysis may be:

- a) described within the conference summary notes; or
- b) attached as a summary of data and analysis.

Reevaluation Questions

- **Does the current progress monitoring of IEP goals indicate whether the child's educational performance continues to be significantly and consistently below the level of similar age peers (adverse effect)?**
- **What do the current classroom based assessments (including IEP progress monitoring) and observations from teachers and related service providers indicate (minimum of two)?**
- **What do the evaluation and information brought by the student's parent(s) indicate (if applicable)**



Re-evaluation

ARC decides:

- Documentation in the multidisciplinary evaluation report reflects the interpretation of existing data.

- **Is there a need for additional data to determine eligibility for special education services?**
- Why or why not?

**ADVERSE
EFFECT**



Existing Data is Sufficient

Parent will be provided prior written notice of ARC decision that includes:

- **the reason it was decided that there is sufficient existing data;**
- **there is no need for additional data;**
and
- **that the parent has the right to request an assessment.**



Evaluation Required?

- Before determining that a child is no longer eligible for services?

Yes

- Prior to graduation?

No

- Prior to aging out?

No

Document

Document

Document

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