

# State of the State

## A NCCASE Presentation

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Office of Exceptional Children  
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# All the “THINGS”

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## OSEP

- Office of Special Education Programs

## NCGA

- North Carolina General Assembly

## OEC

- Office of Exceptional Children



# Office of Special Education Programs

Update to General Supervision Requirements



# General Supervision

*“OSEP is further clarifying or expanding positions in the following three areas:”*

- Reasonably Designed General Supervision Systems
- Timeline Considerations for Identification of Noncompliance
- Correction of Child-Specific Noncompliance

# General Supervision

## *Reasonably Designed General Supervision Systems*

- States cannot ignore credible allegations about potential noncompliance
- All LEAs must be monitored at least once within the six-year cycle of the State's SPP/APR

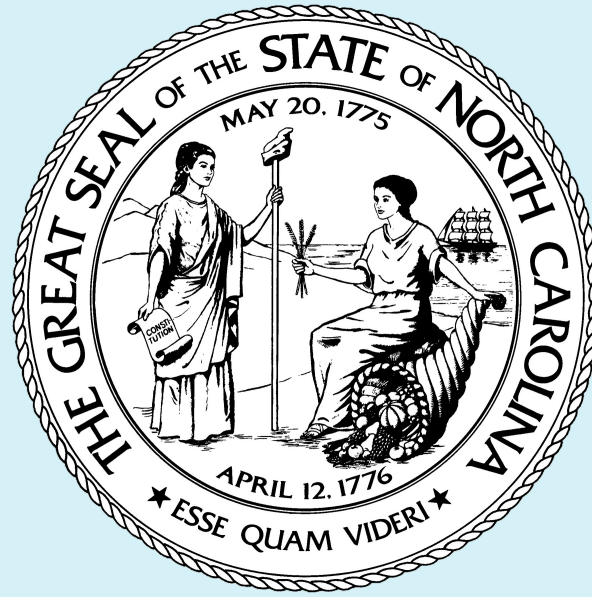
# General Supervision

## *Timeline Considerations for Identification of Noncompliance*

- Written notification of noncompliance, generally within three months of the State exercising due diligence

# North Carolina General Assembly

## Budget Bill



# Budget Bill

## *Funding*

- Students with disabilities – 13%
- Weighted funding for EC students
  - Model for funding SWD on the basis of services provided – Report due January 15, 2024
- Increase amount for developmental day centers/carry forward grant reserve/report
  - \$1,350 per month
  - Unexpended/unencumbered funds transferred to establish grants for developmental day centers



# Budget Bill

## *Grants*

- Extraordinary transportation costs
- Homeless and foster student transportation
- School safety
- Teacher assistant tuition reimbursement

# Budget Bill

## *Definitions*

- School health personnel – school psychologists, school counselors, school nurses, and school social workers
  - Formerly “*school mental health support personnel*”

## *Licensure*

- Reciprocity: CPL awarded for out of state license that is “substantially similar” + 3 years of experience + good standing

# Budget Bill

## *Studies*

- Students with extraordinary costs/report
  - “Approved school” – private school with approved nonpublic education programs providing special education for students with intensive needs
  - Improve options for private placements
- Special needs pilot program
  - Special education digital intervention software – speech/language, reading development, ELs
  - More effective Medicaid billing

# Office of Exceptional Children



# Fall Conference: Director's Institute

- Proposed EC Service Funding Model
  - CAH and Jennifer Bennett
- Next Steps SPP/APR and SiMR
  - CAH, Kelley Blas, and Lauren Holahan
- EC Role and the Early Warning System
  - Angel Goodwine-Batts and Susan Laney
- Recruitment and Retention
  - Cleveland County Schools – Wendy Fitch
- New Framework – OEC Leadership Institute
  - Regional Coordinators – Alysha Gray

# Child Find Materials

- To be delivered soon!

# Specially Designed Instruction

Indicator 3: Assessment

Indicator 5: Least Restrictive Environment

School Year: 2021-22

Indicator: (All)

### Indicators 1-14 Number of PSUs that did not Meet State Target

Indicator	Met State Target?	School Year	Count of PSU Code	
Indicator 1	No	2021-22	88	■
Indicator 2	No	2021-22	76	■
Indicator 3a <b>Assessment</b>	No <b>Participation Rate</b>	2021-22	244 /6 = 40; range 40-244	■
Indicator 3b <b>Assessment</b>	No <b>Proficiency - Grade level standards</b>	2021-22	1,190 /6 = 198; range 198-346	■
Indicator 3c <b>Assessment</b>	No <b>Proficiency - Alternate Assessment</b>	2021-22	673 /6 = 112; range 112-346	■
Indicator 3d <b>Assessment</b>	No <b>Proficiency Gap - Grade level standards</b>	2021-22	767 /6 = 127; range 127-346	■
Indicator 4a	No	2021-22	5	■
Indicator 4b	No	2021-22	3	■
Indicator 5a	No	2021-22	77	■
Indicator 5b <b>Educational Environments</b>	No <b>Inside regular class &lt; 40%</b>	2021-22	172	■
Indicator 5c	No	2021-22	36	■

Reading  
Grades 4, 8, HS  
Math  
Grades 4, 8, HS  
N = 346 PSUs

## Table Talk:

- What story could this data be telling?



# Procedural Potpourri

## Hot Topics

# Homebound

# Homebound

- Medical or Behavioral
- Behavior
  - Essential questions:
    - Can the behavior that is occurring in the school setting be successfully addressed in the home setting?
      - Can those skills generalize back to the school setting?
    - What is the local procedure for reviewing/revising the appropriateness of the homebound placement?
    - What is the transition plan for returning to the school setting?

# Homebound

## Tips

- Use the HB attendance code to monitor
- Short-term/temporary
- Consider ALL supports required
  - General education + Special education
- Communicate clear timelines for reviews and transition

# Independent Educational Evaluations

# Independent Educational Evaluations

## Tips

- Establish your procedures in advance of requests
  - Survey rates of local private providers offering evaluations comparable to educational evaluations
  - Investigate contracting requirements internally and externally ahead of time
- Do not delay providing a response...and follow-up... often
- Convene an IEP Team Meeting soon after completed
- In the interim, complete initial/reevaluation processes

# Parent Bill of Rights

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## Tips

- Consult authoritative sources... NC Public School Law, EC rules and regulations, local school board policy
- Remember our EC processes...initial evaluations, initial consent for services, consent to access public insurance...
- When in doubt, get parent consent!



# Staffing Shortages Compensatory Services

# Staffing Shortages – Compensatory Services

## Tips

- Progress monitor prior to anticipated vacancy and often during vacancy
- Implement mitigation strategies
  - Licensed EC staff develop lesson plans/progress monitor/deliver service in partnership with long term substitutes
  - Communicate with families
- Progress monitor when vacancy ends to determine educational harm, if any

# Prior Written Notice

# Prior Written Notice

Remember- this is the PSU's written notice to the parent/guardian of the actions it will or will/not take...and why

## Tips

- Number the actions throughout each question to ensure the basis for all are documented
- Document response to actions the parent requested
- Provide in a reasonable amount of prior to implementing the actions

The PWN is NOT meeting minutes.

# Discipline

Increased long-term suspensions due to threats and drugs, information on handling these legally and with best practice in mind?

# Discipline

Remember SPECIAL CIRCUMSTANCES

- Includes type of drug
- Does not include making threats

# Discipline

## Tips

- Ensure procedural safeguards are followed.
  - Manifestation Determination Review
    - Is the conduct in question substantially related to the student's disability?
  - Provide services!
    - Access to both general and special education services...in order to continue to make progress in the general curriculum
  - Consider whether the IEP should be reviewed and revised.

# Parentally Placed Private School Students

A high number of private school evaluation requests - need more info on how/when we should be asking whether they are requesting this because they are applying for the grant (information in the consents tab of ECATS).



# PP Private School Students

You can always ask whether the request is being made because of the scholarship.... However, you **MUST** always follow the **CORRECT IDEA** process.