

Webinar Q & A

February 21, 2017

1) Is CPI the only option for a Non-violent Crisis Intervention program?

Quality Behavioral Solutions that claims to provide training for complex Behavior Problems. Upon inquiry, we learned that they do not provide training in North Carolina. Although other agencies offer training in non-violent crisis intervention, that training does not extend to personnel within the local education agency (LEA).

2) Would it be possible to rotate the location of our regional meetings? Many of us are willing to host and have facilities that can accommodate the group.

We welcome hearing from anyone who has enough space to accommodate the Regional meetings. We are always willing to adjust the sites as needed. Please contact your Regional Consultant directly if you have free space that can be used for these quarterly meetings.

3) Could the regional meetings be split into two parts? One part, whole group and one part like groups?

We are always looking for ways to continue to improve the quarterly Regional meetings. We anticipate there will be more customization in our meetings next year, as we move through the second year of our LEASA.

4) There seems to be conflicting information regarding the DEC 5 and 7-10 days before implementation of the IEP. Could this be clarified?

The DEC5 is the Prior Written Notice. This document provides the written notice of the action proposed and refused to the parent. It must be provided prior to the implementation of the actions. The *Policies* indicate that this notice must give reasonable time prior to the implementation. The definition of “reasonable” is not defined by policy or regulation. Therefore, please consider the following when providing “reasonable” notice through the prior written notice.

- If the implementation date is the date of the IEP Team meeting, can the LEA ensure that the IEP is implemented fully?
- The parent has reasonable time to file Due Process which initiates “stay put” on the last IEP the team agreed upon.
- Does the time frame prior to implementation allow for schedule changes and/or appropriate notification to all teachers and service providers?

5) Memo dated 8/24/16 regarding student with SLD and Math sequence exemption in the future ready course of study - how are districts documenting this need?

The memo includes a worksheet that should be completed by the IEP team to documenting the data sources and evidence supporting the decision. This worksheet should be included in the student's IEP folder.

If the student takes Math I and Math II are we then documenting that the grade does not count but the student is given credit for the course??

The student must pass the course to receive credit. In situations where a student passed Math 1 and the exemption was later applied (Situation C), the student would maintain the credit and grade for the course. Note: As stated in the 8/24/16 memo, evidence from multiple data sources beyond the course grade are required to determine mastery of Math 1. We are seeking clarification on the removal of a failing grade from the transcript in situations where the exemption is applied, in order to not penalize a student when decisions are made to ensure access to higher level math courses.

Would these students who are not successful in Math I be held accountable to take and pass Math I before moving to Math II?

Yes. Students must receive a passing grade in Math 1 in order to take Math 2. A grade, however, is not sufficient evidence of a student's mastery of the content of the course.

6) Are we required by DPI to hold a re-evaluation to complete an FBA or can we document parent consent in the IEP?

If we can document in the IEP - which section is used for the documentation?

An FBA is considered a formal evaluation that requires consent through the reevaluation process. The purpose for the reevaluation would be for programming; not eligibility. It is highly recommended that the BIP that may developed as a result of the FBA include a very specific progress monitoring mechanism. The data collected through the progress monitoring tool would then generate the data necessary for periodic reviews and revisions to the BIP. The FBA would only need to be initiated again if formal data is required because of a significant change in behavior for which the root cause is unknown and a deeper analysis is not provided by the current progress monitoring tool.

*Please pay close attention to the Reevaluation Module during the March Institute for additional information regarding process, consent, formal evaluations, and the purposes in which a reevaluation is initiated.

7) What should we do when a home school or private school cannot/will not provide intervention data or is unable to provide acceptable intervention data when we are considering initial eligibility for categories that require interventions as an eligibility component?

The IEP Team must document all sources of data available for use in its determination of an initial eligibility. Eligibility is based on the preponderance of data, not just one data source in isolation. If the lack of intervention data creates uncertainty as to whether the child is a child with a disability and the team cannot determine adverse effect or the need for specially-designed instruction; then the child is not eligible for special education and related services.