

Webinar Q & A

June 6, 2017

1. Will there be specific training and updated requirements for OCS?

Currently there is no training scheduled, as we are updating our PD calendar. Please look in this calendar in the fall. If specific TA is needed, please contact Beverly Colwell. You may also access information and resources related to the OCS Pathway course and graduation requirements in the OCS Pathway LiveBinder using the link below:

[OCS Pathway LiveBinder](#) If you have additional questions, please contact:

Beverly.Colwell@dpi.nc.gov

2. When a student moves from out of state with an active IEP and receives comparable services, while doing an evaluation for continued services, what date is used as referral received by school? Is it automatically 90 days from the time you receive the current IEP or is it the date of the referral meeting?

As soon as the LEA has knowledge or suspects that the student is a student with a disability, the initial referral must occur and comparable services provided. This starts the 90-day timeline.

3. If you employ an Adapted PE teacher on EC staff, do they have to also carry EC licensure to be paid out of EC funds?

If a APE teacher, working in conjunction with a special educator and a PT, is paid out of PRC 032 or 060, without EC licensure, it will be an audit exception and the LEA will need to find another PRC (not EC categorical funds) to pay that teacher. Without EC licensure, they cannot be paid out of EC categorical funds. APE Teachers are not being asked to become licensed in special education to provide their services.

4. If a parent (home schooling or private school) requests testing and the team completes a DEC 1 with no supporting evidence that appropriate reading or math instruction occurred, does the process stop, with no evaluation? Does this fulfill the child find obligation?

In general, Child Find policies require that children, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located and evaluated. [NC 1501-2.9]

The special rule for eligibility determination states that a child must not be determined to be a child with a disability if the determinant factor is – (a) lack of appropriate instruction in reading, (b) lack of appropriate instruction in math; or (3) limited English proficiency.

In the scenario above, the lack of instruction in reading and math was considered prior to conducting an evaluation. Policy states that this consideration occurs after an evaluation has occurred and prior to determining eligibility and educational need. [NC 1503-2.7]

Therefore, the answer is “No”, the child find obligations have not been fulfilled.

5. Our preschool team uses a trans-disciplinary evaluation to assess all of our child find and preschool referrals. If all the speech information in in the trans-disciplinary report with signatures at the end, does the SLP still have to have a separate report?

If the SLP has contributed to the larger multi-disciplinary report and signs the report, no separate speech evaluation report is needed.

6. When a child is a ward of the state but parental rights have not been terminated, can the IEP team proceed with an initial evaluation without consent from the birth parents with a surrogate parent?

Yes, ONLY if the LEA has made reasonable efforts to locate the parent of the child and the whereabouts of the parent are unknown.

Parental Consent [NC 1503-1]

For initial evaluations only, if the child is a ward of the State and is not residing with the **child's parent**, the LEA is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if --

- (i) Despite reasonable efforts to do so, the LEA cannot discover the whereabouts of the parent of the child; or
- (ii) The rights of the parent to make educational decisions have been removed by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

7. What constitutes an educational evaluation, especially in regards to Speech eligibility? Can report cards be used for this information or must an actual evaluation be completed? Can a screening tool, like Brigance be used? Does this change for pre-school evaluations?

A report card alone is not sufficient, a screening tool for the purposes of instructional decisions does not constitute an evaluation, and preschool must follow the same policy definition of educational evaluation.

Evaluation [NC 1500-2.11]

Educational Evaluation

An educational evaluation is an evaluation of a child's educational functioning in relation to his/her current educational program. The results of this evaluation are expressed in terms of both the child's academic and/or developmental strengths and needs. This evaluation must be comprehensive, using a full range of available instruments and observations, including diagnostic tests and other appropriate formal and informal measures, such as curriculum based measurement or other progress monitoring data. An educational evaluation must be conducted by a licensed teacher or other appropriate professional, who has been trained on the administration of the assessment, unless additional restrictions are defined by the authors of the evaluation instrument, and should measure the child's progress in learning and skill acquisition. If educational strengths and needs have been addressed and reported as part of other required evaluations (e.g. psychological evaluation), then no further educational evaluation is needed.

8. When exiting a student from a related service, what documentation is needed? Can the therapist state "mastery of goals", or is a report needed? Should the therapist include what is used on the IEP to measure progress -- therapist logs, student demonstration, etc.? Should a reevaluation with no testing be completed and then a report written, with summary of how the student mastery of goals was determined?

Scenario #1: Removing a related service when NOT also an eligibility area (ex. Speech – related service but not a primary/secondary disability)

Stating the mastery of goals alone is not sufficient. Detailed progress monitoring along with a detailed present level of performance should be provided to the IEP team to consider when removing a related service.

Scenario #2: Removing a related service that will ALSO exit an eligibility area (ex. Speech – related service + Speech – Secondary Disability)

Reevaluation is required. IEP Team determines if additional evaluations are needed, complete the process as appropriate.

9. In January 2016, a memo regarding feeding therapy was released, stating that NCDPI does not have a policy on feeding therapy, although it is a related service. Can NCDPI EC Division create a comprehensive guidance manual?

For clarity, the memo does not say feeding therapy is a related service; it says feeding therapy may be what is required to meet a student's unique needs. This need could still be captured under OT, Speech, or Nursing as a related service.

As a follow up to the content delivered at March Institute, DPI is in the planning stages right now of day long trainings that will be presented regionally on the topic of Unique Mealtime Needs. Information will be presented at those trainings and there is a document that delineates many of the roles of each member of the Unique Mealtime Needs team. The announcement for these trainings should be coming out in the next few weeks. The fall trainings will be accompanied by online and print resources and followed by discipline-specific guidance training and materials. Training will also be available during Summer Institute.

- 10.** At a recent related services regional meeting, a new method of calculating FTEs for speech therapists was presented. Why is the model changing? What is the evidence and rationale for making the change?

Yes, new workload information was presented at the meeting of the Lead SLPs in May. Much feedback was received from Lead SLPs and EC Directors asking why the multipliers for all the related services could not be the same. The changes reflect that feedback. This resulted in small changes to the LEAs. The only difference is now all the multipliers used by OT and PT are available for use by SLP. This change reflects consistency among the three disciplines of OT, PT and SLP using the current model and multipliers. The caseload number of 50 still triggers the need to request a waiver. As before the Regional Consultant and the Consultant in SLP review ALL the information provided on the form before making the decision to accept the waiver request or request that the LEA put an action plan in place to manage/ alleviate the excessive caseload/ workload.

- 11.** Will NCDPI EC Division create models for calculating FTEs for other EC positions such as EC teachers, School Psychologists, EC Directors, etc.? Districts need these tools to advocate for funding of their EC Program and EC positions.

There currently is not a plan to do so.