

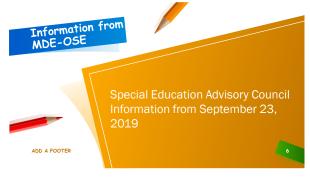






Possible Topics

What would you like to discuss?



IDEA is a Federal Civil Rights Law

- 1. Federal law establishes students with disabilities are not to be discriminated against regarding their right to a public education
- 2. Least Restrictive Environment is the defining piece of IDEA
 - 1. 300.114...To the maximum extent appropriate, children with disabilities, are educated with children who are nondisabled
 - 2. 300.116...the child is educated in the school that he or she would attend if **nondisabled;** the child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum



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Basic Principles of IDEA

1.ALL means...ALL

- a. ALL students are general education students first
- b. Students with disabilities are provided for in the same manner as all students consistent with state funding requirements
- c. IDEA funds are for the excess costs associated with a student's disability



Least Restrictive Environment

- 1. LRE is NOT a placement
- 2. LRE is understanding the impact a disability has on the individual
- 3. LRE is finding the balance between
 - a. Meeting the educational needs of the student with
 - b. Protecting their individual civil right to be educated in the classroom they would be in if they didn't have a disability
- 4. LRE is a set of considerations which ultimately informs decisions about services and supports in the appropriate placement



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Least Restrictive Environment continued

A student's category of eligibility does NOT determine placement

- 1.A student with a cognitive impairment is not automatically placed in a program for cognitive impairment
- 2.A student with a hearing impairment is not automatically placed at the Michigan School for the Deaf
- 3.A student with an emotional impairment is not automatically placed in a program for emotional impairment



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Determination of Eligibility

Special Education eligibility is not intended to be for the duration of a school career

- a. Identifying a student with a disability can put them at risk in multiple ways
 - i. increased suspension
 - ii. reduced academic rigor and expectation
 - iii. increased dropout
 - iv. reduced graduation rate
- b. MTSS/PBIS ensures to a greater extent, students are being appropriately identified and supported in the general education



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13 Categories of Eligibility

- Cognitive Impairment
- Emotional Impairment ■ Hearing Impairment
- Visual Impairment
- Physical Impairment
- Other Health Impairment
- Speech & Language Impairment
- Early Childhood Developmental Delay
- Specific Learning Disability
- Severe Multiple Impairment
- Autism Spectrum Disorder
- Traumatic Brain Injury
- Deaf-blindness

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Discipline

Suspensions for Students with Disabilities (SWDs) are disproportionate -

- a. Behaviors are not to be a barrier to a student's educational access
- b. Teaching expected behaviors to students with disabilities is necessary to their academic success -Think POSITVIE Behavior Interventions & Supports (PBIS)
- c. Two sets of data are considered when addressing student behavior
 - i. Classroom removal patterns
- ii. Disciplinary action related to office referrals d. Focus on "behavior" not discipline...we can TEACH behavior



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Role and Responsibilities

- 1. The MDE is the "recipient" of the IDEA grant and must ensure the provision of a free appropriate public education (FAPE) in the LRE for eligible students with disabilities across Michigan
- 2. The 56 ISDs are the "sub-recipients" of these funds and must, through an aligned system with the MDE, ensure a FAPE in the LRE for eligible students disabilities within their jurisdiction
 - a. Member districts include all locals, PSAs...charter schools, including cyber

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State Complaint

MDE OSE and ISD Representative Investigate Investigation will look at issues 1 year back from date of receint

Final decision must be issued within 60 days There is no appeal process for a state complaint

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ve Law Judge(ALJ) hears a due process

hearing decision can be appealed

Due Process Complaint



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Funding

- 1. Generally, "3 Pots of Funding"
 - Federal IDEA funds
 - b. State aid (foundation allowance)
 - c. Public Act 18 (ISD Millage)& Local millage funds
 - Additional costs for Special Education are not intended to be fully funded through the federal IDEA grant
- 2. There may be additional reimbursement from Medicaid School Based Services funds for
 - a. Medicaid eligible students with disabilities for
 - b. Specific services (i.e. speech, PT, OT, etc.)



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State Complaints vs. Due Process

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Request for Due Process Complaint Model Forms

The IDEA requires State Education Agencies, in this case MDE, to develop model forms in order to assist parents and public agencies in filing a due process

The MDE $\underline{\text{cannot}}\,\text{require}\,\text{the use}\,\text{of}\,\text{model}\,\text{forms}$ and must accept other forms and methods of filing a request for due process complaint, so long as it meets the

https://www.michigan.gov/documents/mde/DueProcess_C omplaint Procedures 340126 7.pdf MICHIGAN

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Who can File?

Only the parent or public agency can file a due process complaint.

Public Agency:

- May file a complaint to request a due process hearing in order to override a parent's refusal to consent or failure to
 respond to requests for consent for an initial evaluation or re-evaluation for a child enrolled in a public school, including respons to requests for consent or an initial evaluation of re-evaluation or a cinic emonet in a public school public school cardemy.

 May NOT file a complaint to request a due process hearing in order to override consent for the provision of initial special
- Shall file a complaint to request a due process hearing, when declining the request for an Independent Education
- station at Companies of the Special order posts showing, when clearling the religion is of an Independent solutions.

 Forlands (IEEE, in order to show that an evaluation previously conducted by the district is appropriate.

 If final decision is the agency's evaluation is appropriate, the parent stiff has the right to an IEE for public expenses.

 If the final decision is the agency's evaluation in ond appropriate, the parent stiff has the right to an IEE at public expense.

 May fine a compalinit to request an expedited due process hearing if the District believes maintaining a student's current placement is substantially likely to result in injury to the child or to others.



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Filing a Due Process Complaint

Delivery:

- Shall be delivered either by hand, by mail, or by fax Must be delivered to:
 - MDE Office of Special education
 - The other party or parties
 The Superintendent,

Administrative Law Judges

State courts;

standard legal practice; and

Administrative Law Judges(ALJ) hear due process cases and:

Possess the knowledge and ability to render and write decisions

· Are employed by Michigan Office of Administrative Hearings and Rules (MOAHR) NOT Do not have a personal or professional interest that conflicts with objectivity in the hearing; Possess knowledge of and ability to understand the provisions of the IDEA, Federal and

Possess the knowledge and ability to conduct hearings in accordance with appropriate,

State regulations pertaining to the IDEA and legal interpretations of the IDEA by Federal and

- The other party or parties
 The Superintendent, or
 The Director of Special Education, or
 An administrator of the public agency, or
 An administrator of the public agency, or
 Chief administrative officer of a public school academy
 Must include a Statement of Delivery describing the facts of delivery to the other party.

- Deemed received on the day it is received, excluding weekends, federal and state holidays, and days that the OSEs closed.

 If the complaint is received after 5:00PM, it will be deemed to be received on the next business day.



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Sufficiency and Starting the Timeline

- 1. Once received, the Office of Special Education determines if the complaint was properly filed The release is the Office of Special Education and the other party re requirements of the IDEA I Identifies the student's name; I identifies the student's name; I identifies the party (or parties) that are the subject of the complaint; I is signed by the complainant; and Contains a Statement of Delivery
- 2. The request for due process hearing is delivered to Michigan Office of Administrative
- Hearings and Rules (MOAHR) to determine sufficiency.

 Due process timelines begin the day after a complaint is deemed sufficient by MOAHR.

 - Student name
 Address of residence of the student, unless homeless
 The name of the school child is attending
 A description of the nature of the problem to the extent known
 The complainants signature
 A Statement of Delivery

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Resolution Period

Purpose: to promote a prompt resolution of a parent's due process complaint in order to avoid the need for a costly, adversarial, and time-consuming due process hearing and the potential for civil litigation.

Required by IDEA only if the parent is the complaining party

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Resolution Session

Time frame:

- Within 15 days of receipt of a parent's due process complaint the district or intermediate school district must convene a resolution session with the parent and relevant members of the IEP Team
- If the issues are not resolved within 30 days of receipt of the due process complaint, the due process hearing

If the sauses are not resolved <u>winning a loany or freeingro</u> in the due process compaint, the due process nearing may occur.
 Adjustments are allowed if resolution waived by both parties, parties agree in writing resolution is not possible. If parties agree in writing to extend mediation and then one party withdraws.
 Includes days when schools are closed due to breaks and holidays
 Participants: Parent and district determine relevant members of the IEP Team who have specific knowledge of the facts to be

- - All members of the IEP Team are not required to attend
 Must include:
 - District representative who has decision-making authority on behalf of that district. May NOT include:
 An attorney of the district UNLESS the parent is accompanied by an attorney.



After the Final Decision is Issued

- MDE Office of Special Education must ensure the public agency involved in the due process hearing implements the administrative law judge's decision in a timely manner.
 - · Unless in the case of an appeal
- MDE Office of Special Education must share the findings and decisions with SEAC, its state advisory panel.



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Expedited Due Process

- When a due process complaint request for hearing involves a disciplinary matter, it is subject to shorter timelines.

 • Disagreement with any decision regarding:

 - District believes maintaining current placement is substantially likely to result in injury to the child or to
- Expedited due process hearing must be held within 20 school days of the date the request is
- The resolution session must be held within 7 days of receipt of the complaint unless both parties agree to waive the resolution session.
- The Administrative Law Judge must issue a final decision within 10 school days after the hearing.



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SEAC Priorities for 2019/29

SEACs Annual Priorities

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In order to increase the percentage of students with IEPs who earn a Michigan diploma.

Michigan diploma, and intervene early to keep diploma options open.

1. Start early in identifying students at risk regarding their likelihood of being able to earn a

2. Provide professional learning opportunities regarding effective strategies likely to increase

3. Systems change: Explore diploma options that might allow additional students with IEPs to

graduate with diplomas and explore the implications of each option for students and other

the likelihood of more students with IEPs developing the skills necessary to be able to earn



Added Value

- Provide input to Family Matters re: priority topics & key content per topic https://www.michigan.gov/mde/0,4615,7-140-6598_88187_81739---,00.html
- . Analyze existing state data to provide perspective about possible considerations for MDE/SBE as they implement new programs/laws
- Provide feedback to the MDE re: proposed implementation of federal requirements such as SPP targets, significant disproportionality measures
- Prepare a list of possible causes and related solutions for the MDE re: the first steps in responding to last year's determination
- Develop high impact infographics (See sample on next slide)

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Effective OT in Schools https://www.aota.org/~/media/Corporate/File s/Secure/Practice/Children/State-Guidelines-School-Based-Practice-20170513.pdf

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How do we determine Effective School Based Occupational Therapy?

Look at Best Practice - Values

- continuing competency
- · performance assessment
- outcome measurement
- · coupled with explicit, systematic, and intentional professional development opportunities
- AOTA (2013) Performance Evaluation School Based Therapists



- Adapts/modifies school environments and instruction to promote access and optimal participation and learning for all students: classroom, building, district, intermediate (county) and state levels Physical setup of classrooms
 Universal Design for Learning
 Response to Intervention
 PBIS

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- Naturally occurring contexts provide setting for observations and intercentions
- Promotes student participation across contexts

https://www.aota.org/~/media/Corporate/Files/Practice/Children/Performance -Evaluation-School-based-Therapists10-31-13.pdf

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- Therapy only occurs in therapy room or contrived setting
- · Only therapist directed interventions and activities
- · Work done in isolation without input from other team members



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OT and PT Service Needs Checklist

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OT and PT Service Needs Checklist



OT and PT Service Needs Checklist



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Best Practice • Models of Treatment: • Hands On Hands Off (Consulting) Collaborative Pull Out
 Push In Individual Classroom Team Teaching Academic, Non-academic Individual
 Group Schoolwide Extracurricular, prevocational Professional Development District wide

Collaborating for Student Success: A Guide for School-Based Occupational Therapy Edited by Barbara Hanft and Jayne Shepherd

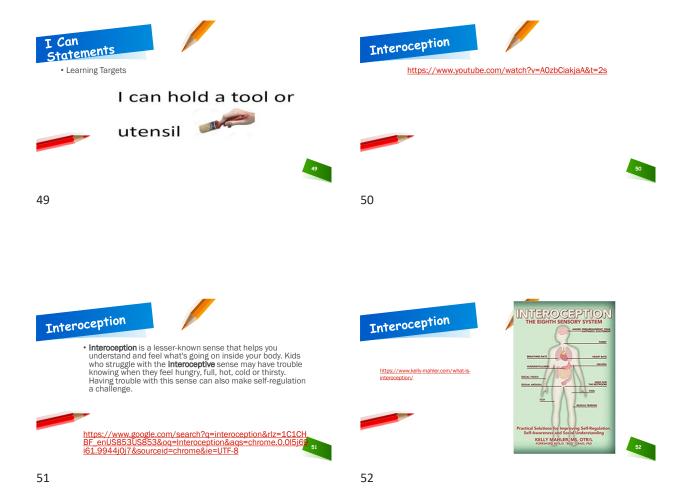
Curriculum Committees OT Supervision or Mentoring



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Task Forces Program Evaluation









Interoception



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Zones of Regulation

> • The **ZONES** is a concept designed by Leah Kuypers, licensed occupational therapist, to help a student gain skills in the area of selfegolation.



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It is a systematic, cognitive behavioural approach to teach self-regulation.



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The **ZONES** are designed to help the students recognise when they are in different zones as well as learn how to use strategies to change or stay in the zone they are in.



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Strategies to teach students to become more aware of and independent in controlling their emotions and impulses, manage their sensory needs, and improve their ability to problem solve





Sensory Vs. Behavior



How to Differentiate? - Team Approach

- Can the student contain the behavior for preferred activities?
 - · Yes behavioral
- Does the behavior change as a result of sensory input?
 - Yes sensory or behavioral
 - No behavioral
- Does the change continue for a period of time after sensory input is removed?
 - Yes sensoryNo behavioral



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Sensory Vs. Behavior



How to Differentiate? - Team Approach

- Sensory Assessments:
 - Sensory Profile 2 Child and School Companion
 - Sensory Profile for Adolescents and Adults

- Functional Behavioral Analysis
- Zones of Regulation Pilot Program

Sensory Behavior

Sensory Diets or Sensory Tips

- - ded by Carrie Parks MS OTRL

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AOTA Resources



- FAQ About Practice in the Schools https://www.aota.org/~/media/Corporate/Files/Secure/Practice/Children/Member-Questions-about-Schools-20170413.pdf
- Guidance for Performance Evaluation of School Occupational Therapists
- https://www.aota.org/~/media/Corporate/Files/Practice/Children/Performance-Evaluation-School-based-Therapists10-31-13.pdf

Occupational Therapy in the Schools https://www.aota.org/~/media/Corporate/Files/About0T/Professionals/Whatls0T/CY/Fact-Sheets/School%20Settings%20fact%20sheet.pdf



AOTA Resources

• OT and PT State Guidelines for School Based Practice https://www.aota.org/~/media/Corporate/Files/Secure/Practice/

Children/State-Guidelines-School-Based-Practice-20170513.pdf

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