



SEPTEMBER 9, 2016

FROM THE DIRECTOR



Dr. Pamela Wright

Director of Special Education

FROM THE DIRECTOR

INDIANA SPECIAL EDUCATION UPDATES

DEAR COLLEAGUES:

When presenting to groups around the state, my colleagues and I have been asking one simple question: Do you believe all students with disabilities can make progress toward grade level content standards? We are hoping the answer is a resounding “YES!” Though we understand the hesitancy of some folks to commit to the notion that ALL students can learn, I’m hoping it is because they see grade level content standards as sequential with visions of 1980s mastery learning hanging over their heads. In fact, the standards are rich, robust, and offer a roadmap that all students have the right to follow.

Yes, we believe ALL students can make progress toward grade level content standards and we believe ALL students have a right to be taught these standards or alternate standards that align with the grade level content standards. The days of 6 hours of life skills or functional skills or watered down subject matter that differs completely from what other students are learning are over.

Yes, some students still need functional or life skills but they can be wrapped into the content standards of English, Science, Social Studies and Math. Yes, some students will need specialized skill development in reading and math, but this should not keep them from learning the general education content.

In the weeks ahead we will be posting resources to help you sort this out. We know it will take time. All I ask is that you start thinking about a shift in what you expect of the students you serve. Indiana Teachers who have worked with our TA Centers, raised expectations and adapted their teaching will be the first to tell you how skeptical they were. However, after adjusting their curriculum and their instructional approach, they were amazed at what their students could do. Why not follow suit? Be amazed and be amazing this year! Your students deserve it! -Pam

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FROM THE DIRECTOR

ASSESSMENT UPDATE—ISTAR



MEMORANDUM

TO: Superintendents, Principals, Test Coordinators

FROM: Dr. Michele Walker, Director

Office of Student Assessment

DATE: September 6, 2016

RE: Assessment Update – ISTAR Alternate Assessment, Spring 2016 Reports

ISTAR Spring 2016 reports are now available to Corps/Schools via the Questar Admin Site, including Corporation Summary Data, School Roster Reports and Individual Student Reports (ISRs). One copy of the **Individual Student Report** per student and one set of labels for students' cumulative files will be delivered to corporations on **September 13, 2016**, for distribution to schools.

IMPORTANT: For the 2015-16 School Year, the ISTAR report will not include scale scores or performance level descriptors (*Pass+*, *Pass*, *Did Not Pass*). Rather, information about Tier Placement, raw scores and percent correct, along with Tier descriptors, are included.

Attached to this message is a *Quick Reference Guide* to access reports from the Questar Admin site (<https://in-doe.questarai.com/Admin/>). Also attached is a document for parents to assist them in understanding the ISTAR *Individual Student Report*.

You are welcome to contact the Office of Student Assessment with any questions or concerns by calling 317-232-9050 or via email at istar@doe.in.gov.

The following links contain additional information related to ISTAR Spring 2016 Results:

- [ISTAR Quick Reference Guide](#)
- [ISTAR Parent Information](#)

Office of Student Assessment Memorandum
Issued September 6, 2016

FROM THE DIRECTOR

FEDERAL SPECIAL EDUCATION GUIDANCE: VIRTUAL SCHOOLS

On August 5th, 2016, the U.S. Department of Education's (Department's) Office of Special Education Programs (OSEP) issued a Dear Colleague letter on the topic of Virtual Schools. *The general purpose of the letter was to reiterate that IDEA requirements apply to virtual schools (i.e. online schools), and that rights and protections provided by IDEA must not be compromised because a student is enrolled in a virtual school.* The letter specifically addresses three areas: supervisory responsibility of state educational agencies (DOE), child find responsibilities, and ownership of responsibility for providing FAPE.

I. Supervisory Responsibility of Department of Education

- Clarifies that DOE is responsible for ensuring compliance with IDEA requirements, and this responsibility includes virtual schools, even those that operate independent of a school district.
- Requests that DOE review policies and procedures to ensure that they address virtual schools.

II. Child Find

Students with disabilities who attend virtual schools must be identified, located, and evaluated.

- For children who already have IEPs before enrolling in a virtual school, child find responsibilities include ensuring periodic reevaluation.
- For children who do not have IEPs at the time of enrolling in a virtual school, lack of direct contact creates challenges with identification.

Therefore, DOE child find policies should suggest additional ways that virtual schools can fulfill child find responsibilities (such as screenings).

Parent referral should not be the primary method to meet child find requirements.

III. Responsibility for Providing FAPE

- If the virtual school is a public charter school that operates independently under State law and receives funding under 34 CFR-§300.705, the virtual charter school is responsible for ensuring that the requirements of Part B are met.
- Where a virtual school is a public school operated by the school district in which the parent resides, that school district generally would be responsible for making FAPE available to an eligible child with a disability. School districts retain this responsibility even if they choose to contract with virtual schools to provide educational services to children with disabilities.

“The educational rights and protections afforded to children with disabilities and their parents under IDEA must not be diminished or compromised when children with disabilities attend virtual schools.”

The full text of the Virtual Schools Dear Colleague Letter is available at:

<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/dcl-virtual-schools--08-05-2016.pdf>

FROM THE DIRECTOR

Registration for free trainings through the Indiana IEPRC are still open!

Visit www.indianaieprc.org and click on the “Workshops & Events” tab. Use the menu system to view and register for trainings throughout the 2016-2017 school year related to the Indiana IEP System, IEP Processes, and Improving Local Practices.

Upcoming trainings for September – register soon:

*Developing BIPS

(Hilton Garden Inn – Indianapolis Northwest) on 9/13/16

*Writing Standards-Based Goals & Measuring Progress

(Hilton Garden Inn - Indianapolis Northwest) on 9/15/16

*Effective Case Conference Committee Meetings

(Holiday Inn Indianapolis Airport) on 9/16/16

*Indiana IEP Walkthrough

(Hilton Garden Inn – Indianapolis Northwest) on 9/23/16

Practical News You Can Use

TOP NEWS: OSERS DCL on Behavioral Supports Focuses on Equity for Students with Disabilities

On August 1st, OSERS issued a **Dear Colleague Letter** (DCL) that (1) emphasizes the **requirement that schools provide positive behavioral supports** to students with disabilities who need them and (2) clarifies that the **repeated use of disciplinary actions** may suggest that **children with disabilities may not be receiving appropriate behavioral interventions and supports**.

When schools fail to consider and provide for needed behavioral supports through the Individualized Education Program, it is likely to result in children not receiving the free appropriate public education to which they are entitled under federal law. Resources developed to accompany this DCL, including a two page Summary for Stakeholders, which clearly and briefly illustrates the letter's main points. Look for more information on this in upcoming issues of *From the Director*!



Full Dear Colleague Letter available at: <http://www2.ed.gov/policy/gen/guid/school-discipline/files/dcl-on-pbis-in-ieps--08-01-2016.pdf>

Stakeholder Summary available at: <http://www2.ed.gov/policy/gen/guid/school-discipline/files/dcl-summary-for-stakeholders.pdf>

FROM THE DIRECTOR



What's the Buzz???

Q and A from the OSE

The Office of Special Education (OSE) is frequently asked questions about a variety of special education topics. We assume that if one person has a question, probably many more have the same one. As always, keep those questions coming...

REQUIREMENT TO PROVIDE ACCOMMODATIONS

Q. Is it acceptable to administer the NWEA to students with disabilities without providing the accommodations specified in their IEPs?

A. NO. The school is required to honor the accommodations identified in the students' IEPs. Article 7 requires that the CCC determine, in advance, whether a student will require accommodations during state and district assessments and throughout the student's education program.

Giving such assessments without the accommodations identified in the IEPs of students with disabilities would be in violation of a number of requirements of the IDEA, Article 7, and Section 504 of the Rehabilitation Act of 1973, including: implementing the IEP as written; utilization of the CCC process to determine appropriate services and accommodations; parental involvement in the decision-making process; prior written notice; unilaterally changing the provisions of the IEP without benefit of the CCC; and due process. The provision of accommodations when administering assessments is supposed to "level the playing field" to accommodate for a child's disability. Giving assessments without required accommodations will provide results that in all likelihood are the result of the student's disability and would not accurately reflect the student's ability.

****Please be advised that should these assessments be given without the accommodations required by students' IEPs, the IDOE will be required to investigate any complaints that may be filed by parents and fulfill its required monitoring mandates under federal law.**



In case you missed our first newsletter of the school year, Indiana is at the top of the leaderboard of the new and improved Federal Results Driven Accountability Determination System. Indiana was rated second in the nation for meeting both the intent and the letter of the federal special education law. Thanks to the local districts, school personnel and parents for helping our state be recognized as one of the best!

FROM THE DIRECTOR

Office of Special Education Short Shares #2

In this second Short Share video, the core of the conceptual framework that was introduced during the Office of Special Education’s first Short Share video will be examined. Both the November 2015 Dear Colleague Letter and ESSA emphasize the importance of **equity and access** when striving to improve outcomes for ALL students, including those with disabilities. Please click here to view Short Share #2 (Equity and Access): <https://youtu.be/-BRRW4XrhBE>.

(Short Share #1 can be found here: <https://youtu.be/jUZHX8c-Te0>).

I-CHAMP

Indiana Complaint, Hearing, and Mediation Process Online System Up and Going!

Parents are increasingly filing complaints, mediation requests, and due process hearing requests using I-CHAMP, the online portal, instead of sending in the old paper forms. The OSE accepts filings either way. Parties have the option to use the system for communications related to these due process actions. Schools may track due process proceedings using a dashboard design.

The I-CHAMP online portal may be accessed at:

ichamp.doe.in.gov

Please don’t forget that the Indiana Resource Network (IRNs) is there to help all districts across the state! Many resource centers provide free TA/PD. Please check them out here: <http://www.doe.in.gov/specialed/indiana-resource-network>.

UPCOMING DATES & DEADLINES

Part B Federal Funding: 611, Part 2 (Includes MOE & Excess Costs) due on or beforeSeptember 15

Part B Federal Funding: CEIS (if applicable) due on or beforeSeptember 15

For Assistance at any time please contact the
Special Education General Line: 317-232-0570
email: specialeducation@doe.in.gov