

E

### WHO MUST BE INVITED?

Position	Required for Initial	Required for Annual or Addendum	Required for Transition	Required if Student is aged 18+	Can be Excused	Need Consent to Invite?
Student			Yes	Yes	Log attempts*	No
Public Agency Representative	Yes	Yes	Yes	Yes	Yes	No
Parent	Yes	Yes	Yes	No *	Log attempts	No
Teacher of Record	Yes	Yes	Yes	Yes	Yes	No
General Educator	Yes	Yes**	Yes**	Yes**	Yes	No
Multidisciplinary Team Member	Yes					
State School Representative	If considering state facility				No	No
Private Facility Representative	If considering private facility				No	No
Non-public School Representative	If considering service plan				No	No
First Steps Representative	If First Steps Intake and parent request					No
Transition Services Agency Representative	If transition IEP and with consent					Yes
Alternative Program Representative	If considering alternative program				No	No
Public Agency (PA) of Service	If considering placement in facility served by different PA				No	No
Other	Need consent if not employed by Public					Maybe
*if parent has not obtained guardianship and if no educational representative has been appointed, the student is the parent						
**unless the student will not be participating in the general education environment						

While this chart indicates that Teacher of Record and the Public Agency Representative can be excused from the case conference, it is recommended that only in rare circumstances this occurs.

## ADAMS WELLS SPECIAL SERVICES COOPERATIVE

### TEACHER OF RECORD RESPONSIBILITIES

Each student with a disability must have a teacher of record identified. The teacher of record may be the teacher of service and **must** be appropriately licensed to work with the student or where appropriate state licensure is not available, appropriately trained. The teacher of record shall do the following:

1. Provide direct or indirect services to the student according to the student's IEP.
2. Participate in the case conference committee meeting as the student's teacher to assist in developing measurable goals, benchmarks, and objectives to meet the student's needs.
3. Regularly monitor the implementation of the student's IEP and provide progress reports to the student's parent.
4. Ensure the student's IEP is accessible to each of the student's teachers, related services providers and other services providers who are responsible for implementation of the IEP.
5. Inform each teacher and provider of his or her specific responsibilities related to implementing the student's IEP.
6. Ensure that supplementary aids and services, program modifications, and supports for school personnel are provided in accordance with each student's IEP.
7. Serve as a consultant and resource person to all other personnel providing services to the student.
8. Ensure any accommodations on statewide or district assessments are implemented according to the student's IEP.
9. Participate in re-evaluations of the student.
10. Ensure that the case conference committee is informed of any modifications made to the student's individualized education program if parents are in agreement that changes can be made without a meeting.

## ADAMS WELLS SPECIAL SERVICES COOPERATIVE

### TIMELINE FOR CASE REVIEWS

1. Move-in case reviews are to be completed within 10 instructional days of enrollment.
2. Case review must be completed within 10 instructional days if a disciplinary change of placement has been implemented.
3. A case review developed to determine interim alternative educational setting when school personnel determine a 45-day removal is warranted.
4. If homebound instruction or LRE is at an out-of-school location, a case review/addendum must be held every 60 instructional days.
5. Annual case reviews must be conducted no more than 364 days from the previous case review.

ADAMS WELLS SPECIAL SERVICES COOPERATIVE

**INITIAL CASE CONFERENCE PROCEDURES**

1. When a parent signs the Permission for Educational Evaluation the case conference is scheduled for approximately 40 instructional days from the date parent permission for educational evaluation is received by school personnel.
2. The case conference participants would include:
  - a. a representative of the public agency
  - b. the student's general education teacher
  - c. a special education teacher licensed in area of disability
  - d. the student, if age 13 or above or in the 8<sup>th</sup> grade
  - e. the parent of a student less than 18 years of age
  - f. a person who can interpret evaluation results
  - g. at the discretion of the parent, other individuals who have knowledge or special expertise
  - h. if applicable, a representative of a state operated school
  - i. for transition purposes, a representative of any other agency likely to be responsible for providing or paying for transition services
  - j. for a child transitioning from Part C to Part B, an invitation to the Part C coordinator must be extended at the request of the parent
3. Five instructional days prior to the case conference, Written Notice of Eligibility and Proposed/Refused Action and a copy of the MDT evaluation report is made available to the parents.
4. The case conference committee determines eligibility and develops an IEP based on the results of the evaluation and other information presented at the case conference, including proximity to the child's home school.
5. If the placement decision results in the student moving to another building to receive special education service, a transportation form is completed and attached to the IEP, and faxed to the home school transportation director attention: Transportation Director.
6. The IEP is completed and sent home to the parent along with Written Notice of Proposed/Refused Action within TEN BUSINESS DAYS of the conference.
7. All paperwork is to be completed and forwarded to AWSSC in the order detailed on the "Order of IEP" page found in Section E.
8. Special education service will begin within 10 instructional days unless the IEP indicates otherwise and parents are in agreement.

## ADAMS WELLS SPECIAL SERVICES COOPERATIVE

**ANNUAL CASE REVIEW PROCEDURES**

1. Case Reviews are held at least every 364 days or sooner for every student who is receiving special education services.
2. The Teacher of Record (TOR)/Teacher of Service (TOS) will schedule the meeting at a mutually agreed upon date, time and place with the parents. A notice of meeting should be sent 10 instructional days in advance of the conference to the parents.
3. Procedural safeguards must be either sent with the notice of meeting to parents, or offered to parents at the meeting.
4. TOR/TOS will make sure all case conference participants are informed of the meeting, including:
  - a. Related service personnel
  - b. Designated public service agency representative
  - c. Student's TOR (if there is more than one)
  - d. Not less than one general education teacher if the student participates in general education classes
  - e. An individual who can interpret evaluation results (i.e. TOR, school psych, administrator)
  - f. Student of legal age
  - g. Students age 14 and older, or in grade 9, should be included for the transition IEP
  - h. Parent of student less than 18 years of age
  - i. Other required personnel as listed in 511 IAC 7-42-3 sec. (c)(d). This is on the "Who Must Be Invited List".
5. At the case review, a new Individual Education Plan (IEP) is developed by the case conference participants. A draft may be sent to the parents in advance of the conference. Consideration must be given regarding child's placement in relationship to their home school.
6. The services identified in the IEP may be provided immediately if parents are in attendance and in agreement. Services must be provided on the 11<sup>th</sup> instructional day after the meeting, with Written Notice for Case Conference having been provided following an annual case review when parents are not in attendance.
7. The IEP must be implemented as written.
8. An IEP must be in effect for each student with a disability at the beginning of each school year.
9. An IEP that will be in effect when a student turns 14 must be conducted as a transition IEP.
10. Whenever transit time of a student with a disability exceeds the transit time of nondisabled students of comparable age in the same school corporation, the school corporation shall place a written student specific justification for the excess transit time in the student's IEP.
11. All paperwork is to be completed and forwarded to AWSSC in the order detailed on the "Order of IEP" page found in Section E.

**LRE Codes**

Use these codes for preschoolers and kindergartners who will be less and six (6) years of age on December 1<sup>st</sup> of the current school year:

- 26 = Student who attends at least 10 hours per week and receives majority of special education and related services in regular early childhood program
- 27 = Student who attends at least 10 hours per week and receives majority of special education and related services in some other location
- 28 = Student who attends less than 10 hours per week and receives majority of special education and related services in regular early childhood program
- 29 = Student who attends less than 10 hours per week and receives majority of special education and related services in some other location
- 33 = Separate special education class
- 34 = Separate school
- 35 = Residential facility
- 36 = Service Provider location
- 37 = Homebound
- 38 = Child is parentally placed in a private preschool (a private preschool includes only those preschools attached to a private elementary school)

Use these codes for students who are least six (6) years of age on December 1<sup>st</sup> of the current school year:

- 50 = 80% or more in general education
- 51 = 40% - 79% in general education
- 52 = 0% - 39% in general education
- 53 = Public separate day school
- 54 = Residential placement
- 55 = Correctional facility
- 56 = Parentally-placed and Parentally-paid for in private school
- 57 = Homebound/Hospitalized

**Related Services**

- 18 = Educational Interpreter
- 20 = Audiology
- 21 = Occupational Therapy
- 22 = Physical Therapy
- 23 = Psychological Services
- 25 = Social Worker
- 27 = Assistive Technology
- 35 = Transportation
- 37 = Other Related/Supported Services
- 44 = Orientation/Mobility

## **Order of an IEP**

1. Case Conference summary
2. Re-evaluation permission
3. Medicaid Referral
4. IIEP Medicaid form signed (OT/Speech form)
5. Transportation
6. Signed consent to excuse forms
7. IEP
8. Signature page needed only for Initials, Move-Ins, or Change in Eligibility
9. Summary of Performance
10. Transition Assessments



## ADAMS WELLS SPECIAL SERVICES COOPERATIVE

**PARENTS WHO DO NOT RESPOND TO INVITATIONS TO AN ANNUAL IEP  
POLICY AND PROCEDURES****Policy**

The Adams Wells Special Services Cooperative intends to work cooperatively with parents to schedule annual IEP conferences at a mutually agreed upon time, place, and location. It is the cooperative's policy to make a personal contact with each parent, whether by phone or in person, to schedule meetings. Once this personal contact is made and a meeting is set, cooperative staff will work with parents to find another mutually agreed upon date, time, and location if the parents need to reschedule. Every effort is made to have parents at these meetings and involved in discussions regarding their child's progress, goals, and services. New revisions to Indiana law permit parents to attend by phone or video if they are not able to be in attendance in person.

In some instances, parents may not be responsive to invitations and phone calls to schedule and/or reschedule IEP meeting. In these instances, the Adams Wells Special Education Services Cooperative will use provisions in the law to insure that students whose parents have already given permission for initial special education services to continue to receive special education services using written notice.

**Procedures:**

1. Contact the parent for a mutually agreed upon case conference committee meeting time and place.
2. Send home the Notice of Meeting.
3. If parents do not come to the meeting, attempt to reschedule the meeting by contacting the parents.
4. Complete another notice of meeting and document contacts on the bottom of the first notice of meeting. Send the new notice of meeting to the parents.
5. Teachers need to document attempts to set the case conference at a mutually agreeable date and time with the parents on the Notice of Meeting Form. After setting up TWO attempts for a case conference (on two different dates), the teachers should hold the case conference on the third attempt, even if the parents again do not attend the scheduled case conference.
6. Send a finalized copy of the IEP home include a copy of Parental Rights and Procedural Safeguards. Parents have 10 business days to let you know if they are not in agreement with the IEP.
7. If you do not hear from parents in 10 business days the IEP goes into effect on the 11<sup>th</sup> business day. Finalize the IEP.
9. IEP is forwarded to AWSSC even without signature.

ADAMS WELLS SPECIAL SERVICES COOPERATIVE

**ANNUAL, ADDENDUM OR MOVE-IN  
CASE CONFERENCE COMMITTEE MEMBER  
EXCUSAL POLICY AND PROCEDURES**

**Policy:**

A member of the annual case conference committee is not required to attend the meeting if his/her area of curriculum or related services will not be modified or discussed. Parent and public agency **must agree IN WRITING** that the member can be excused.

A member of the case conference committee may be excused if his/her area of curriculum or related services will be modified or discussed if the following procedures are followed:

- a) The member submits written input regarding development of the IEP **prior** to the meeting **and**
- b) Parent and corporation/AWSSC consent to the excusal in writing
  - The Public Agency Representative rarely may be excused from the meeting. Other participants may be excused using this procedure.
  - In rare circumstances, case conference committee members may serve two roles, such as teacher of record and public agency representative. This should be done in consultation with your corporation assistant director.

**Procedures To Excuse A Participant:**

1. Contact program/corporation special education assistant director to review circumstances for excusal.
2. Consent to Excuse Participant form must be completed and approved by the parent in advance of the meeting. Any written input that is required must accompany the consent to excuse, and must be received by the parent prior to the day of the conference.
3. "Excused" for those participants properly excused should be checked on the IIEP.



# Indiana Department of Education

SUPPORTING STUDENT SUCCESS

## Memorandum

Date: February 11, 2010  
To: Superintendents, Principals, and Directors of Special Education  
From: Pat Mapes, Director, Office of Educator Licensing and Development  
Re: Title II, Part A and HQT

The United States Department of Education monitors the administration of the Elementary and Secondary Education Act (ESEA) Title II, Part A Teacher and Principal Quality grants and requires that each state ensures all districts are meeting the 100% HQT goal. For information regarding acceptable HQT documentation, see: [http://www.doe.in.gov/hqt/pdf/Acceptable\\_Documentation.pdf](http://www.doe.in.gov/hqt/pdf/Acceptable_Documentation.pdf).

In the scenario where a special education teacher is the primary instructor in elementary academic content or core academic subject (CAS), **NCLB requires special education teachers to meet the same highly qualified requirements as general education teachers. However, these teachers are not required to add the CAS (English/language arts, reading, science, mathematics, government and civics, history, economics, geography, foreign languages, music, visual arts) to their license.**

### Licensed Special Education Teachers who are Required to Meet the NCLB Highly Qualified Definition

- **Core Academic Elementary School Teacher:** The special education teacher is the primary teacher providing instruction to the student in the core academic elementary subjects.
- **Core Academic Junior High, Middle or Secondary School Teacher:** The special education teacher is the primary teacher providing instruction to the student in a core academic subject.
- **Team Teaching (Special Education Teacher and a General Education Teacher):** The special education teacher works in the general education class alongside a highly qualified teacher of core academic subjects or elementary academic content. The special education teacher and the general education teacher share responsibilities for the design and delivery of instruction, as well as the evaluation of student performance.

### Licensed Special Education Teachers who are NOT Required to Meet the NCLB Highly Qualified Definition

- **Co-Teacher:** The special education teacher works within the general education setting in which a highly qualified general education teacher provides instruction to the class on core academic subjects. The special education teacher provides direct assistance to students with disabilities (e.g., via individualized or small group instruction) as a **support** to the highly qualified teacher's instruction.
- **Consultant Teacher:** The special education teacher **provides consultation** (e.g., adapts curricula, uses behavioral supports and interventions, and selects appropriate accommodations) to highly qualified general education teachers of core academic subjects.

- **Resource Room Teacher:** The special education teacher provides direct assistance to students with disabilities (e.g., tutoring, reinforcement of content provided in the general education setting) *in segregated settings* (e.g., resource class setting, self-contained classroom) *after the students receive instruction* on core academic subjects from a highly qualified general education teacher.
- **Non-Core Academic Instruction Teacher:** The special education teacher provides direct instruction to students with disabilities *on non-core academic subjects* (e.g., life skills, study skills, community-based instruction).

**NOTE:** Districts will be required to complete Improvement Plans and Funding Agreements for the use of their Title II, Part A funds for failure to meet the 100% HQT requirement. Students are not to be denied credit for completion of a course strictly on the basis of the course being taught by a non-HQT.

#### **Urgent Update Regarding HOUSSE:**

Subsequent to a federal monitoring visit in August 2009, **Indiana no longer allows the use of HOUSSE for documenting subject matter knowledge.** The only exceptions are as follows:

- Teachers who completed HOUSSE prior to or during the 2006-2007 school year and *remain in the same assignment and same school district/corporation*; and
- Elementary teachers who completed HOUSSE prior to or during the 2006-2007 school year and have changed classrooms within the elementary school setting *but remain in the same hiring district/corporation after 2006-2007.*

There are no other exceptions and anyone changing assignments and/or hiring school districts/corporations after the 2006-2007 school year, **must submit other documentation** to evidence subject matter knowledge.

For more information, see the HQT FAQ's at: <http://www.doe.in.gov/hqt/pdf/faq.pdf>. HQT questions may be directed to [hqt@doe.in.gov](mailto:hqt@doe.in.gov) or to the Title II/HQT Specialists:

Terri Banks  
Veronica Wilson

[tbanks@doe.in.gov](mailto:tbanks@doe.in.gov)  
[vwilson@doe.in.gov](mailto:vwilson@doe.in.gov)

317/234-0205  
317/232-9001

## ADAMS WELLS SPECIAL SERVICES COOPERATIVE

### PROCEDURES FOR LEAST RESTRICTIVE ENVIRONMENT (LRE) AND DELIVERY OF SPECIAL EDUCATION AND RELATED SERVICES

1. The CCC determines the placement in which a student will receive services. The student's placement is:
  - a. Based on the student's IEP;
  - b. Reviewed at least annually; and
  - c. In the school that the student would attend if not disabled, unless the IEP required some other arrangement. If another arrangement is required, the placement should be as close as possible to the student's home school.
2. A continuum of services is available to meet the individual needs of students with disabilities and makes provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with general education placement.

A continuum of placement options for students in kindergarten through the school year in which students become twenty-two (22) years of age as described in the following:

- General education classroom with special education and related services provided during the instructional day.
- Resource room with special education and related services provided outside the general education classroom during the instructional day.
- Separate classroom in a general education school building with special education and related services provided outside the general education classroom during the instructional day.
- Separate public or non-public nonresidential school or facility with special education and related services provided.
- Public or non-public residential school or facility with special education and related services provided to students living at the school or facility.
- Homebound or hospital setting with special education and related services provided at the student's home, a hospital, or other non-educational site selected by the public agency.

The availability of a continuum of placement options for early childhood students includes the following:

- Early childhood general education programs.
- Early childhood special education programs. These programs include, but are not limited to the following:
  - Special education classrooms
  - Separate schools
  - Residential facilities
- Early childhood special education and related services provided at the service provider's location
- Home-based early childhood special education and related services provided in the residence of the student's family or caregivers



3. In selecting the least restrictive environment, consideration is given to any potential harmful effect on the:
  - a. Student; or
  - b. Quality of services needed.
4. Each student with a disability has an equal opportunity to participate with nondisabled students in nonacademic and extracurricular services and activities to the maximum extent appropriate.
5. Special education and related services are delivered in the least restrictive environment determined by the CCC, regardless of the identified disability.
6. The provision of services to students with different disabilities can be provided at the same time and in the same classroom.
7. Students with disabilities are in classes and buildings with their chronological peers unless:
  - a. An alternative is determined appropriate by the CCC; and
  - b. The reasons for that determination are documented in the written notice required by section 6 of 511 IAC-42-6 in Article 7.
8. Students with disabilities are not removed from education in age-appropriate general education classrooms solely because of needed modifications in the general curriculum.

## Flow Chart

The IDOE developed a flow chart for use when determining how a child should be properly coded. The most important question asked is whether or not a child attends a regular Early Childhood program.

**\*Reminder\***

Regular Early Childhood program = majority (at least 50 percent) of nondisabled children.  
 Special Education program = majority (at least 50 percent) of children with disabilities.

