

# MARY BETH MIOTTO, MCAAP PRESIDENT MONDAY, OCTOBER 16, 12:30-1:00 PM

# WHAT IS THIS SERIES ABOUT?

### **Massachusetts Chapter**

INCORPORATED IN MASSACHUSETTS



Ongoing opportunities for Chapter members to connect with each other and officers in a small virtual meetup

Opportunities to give and get some "pearls" on how to handle common practice challenges: what they don't teach you in residency

Current focus: How to connect families with state and local agencies in the "medical neighborhood" for learning and developmental concerns

"It takes a village"



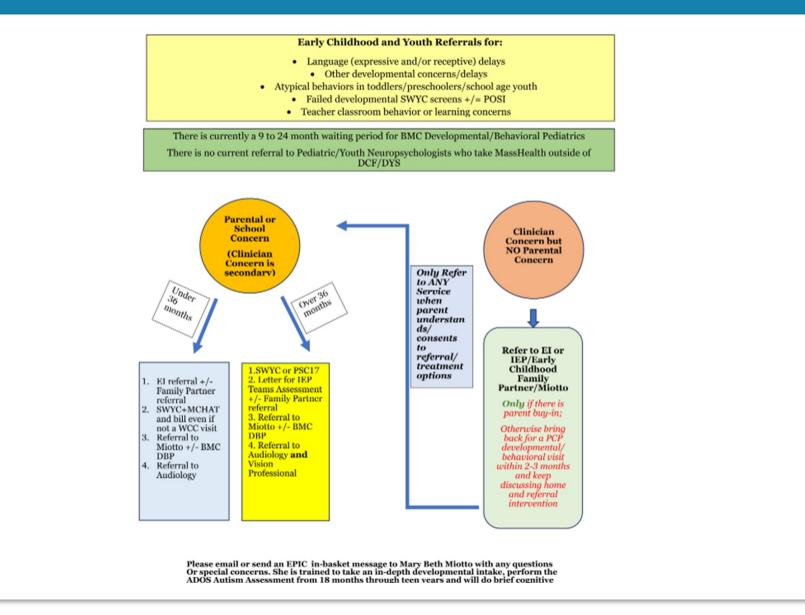
- "Got ideas?": Agenda is flexible and open to member input
- Guest speakers In upcoming weeks
- Learning "bites" will be posted to mcaap.org

# FUTURE MONDAY LUNCH BUNCHES THIS FALL AND ON..

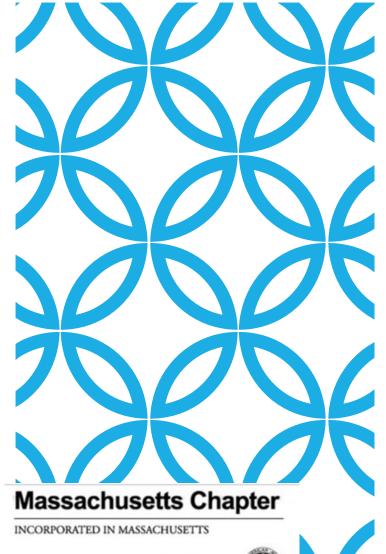
IDEA Part B: Requesting an IEP/504 TEAM assessment and understanding the timeline: Just do it	Navigating Roadblocks to IDEA Part B Assessment: How to work with parents and advocate for testing	Reading an IEP for information and to support your families (With Dr. Yamini Howe, Developmental Behavioral Pediatrician)	Following up IEPs and 504s with Parents	Part C IEP Services, Early Intervention: When, timeline (With State Agency Guest)
16 Oct.	30 Oct.	13 Nov.	11 Dec.	8 Jan.

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Last session I gave an example of a practice-specific process map for positive screens or parent concerns.



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# IDEA PART B: REQUESTING AN IEP/504 TEAM ASSESSMENT: JUST DO IT

The Massachusetts Timeline is more family and studentcentered than the federal regulations timeline but every week without appropriate understanding of a child's learning and behavioral needs in the classroom and services/accommodations is a week of learning and wellness **lost.**  This responsibility includes implementing child find activities for children who are experiencing homelessness or are wards of the State, highly mobile and migrant children, English learners, and parentally-placed private school children with disabilities, as well as those suspected of having developmental delays as defined in 34 C.F.R. § 300.8(b). It also includes children who have complex medical needs and who reside in nursing homes because of serious health problems and those who are in correctional facilities. 34 C.F.R. § 300.111(b)-(c).



# **CHILD FIND**

**Child Find**: "Under federal law, all public schools are required to actively look for, find, and evaluate infants, toddlers, children, and young adults up to age 21 who may have a disability and who may require special education services. At X Public Schools, it is our responsibility to identify any children who are X residents who may have a disability—regardless of severity. X Public School District is also required to evaluate those children to determine if they are eligible for special education or related services under IDEA (Individuals with Disabilities Education Act) or 603 CMR 28 (Massachusetts Special Education Regulations)."

from a large MA School District

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# QUESTIONS TO ASK TO EFFECTIVELY START THE BALL ROLLING

Practice team needs to understand the process first Can you work with a team member to create a warm handoff to assist the family or do you have to usher through this process yourself? Can you use letter templates to expedite the process for families? The request for a TEAM assessment must come from the family/guardian but you can provide the letter template.

Do you have the family buyin? Do you have aids to help educate the caregivers along the steps?

What outside groups can also help?

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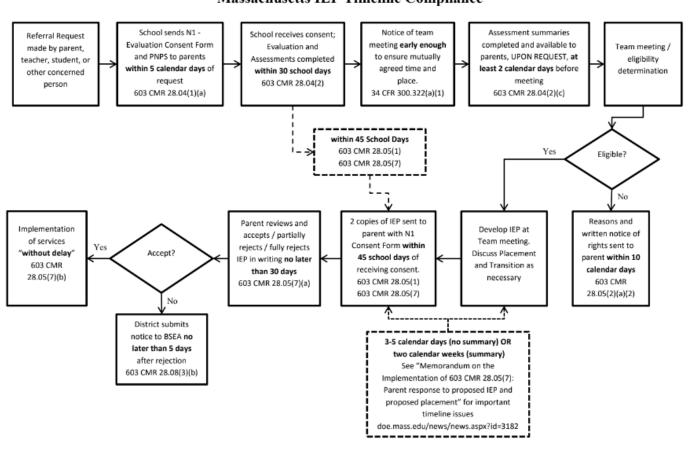


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### Massachusetts IEP Timeline Compliance

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www.SPEDadvocate.com/timelines/

ASSESSMENT TIMELINES-THE NUANCES OF MASSACHUSETTS REGULATIONS We can look at an example to better understand these timelines. Let's assume that a parent provided consent for an evaluation on 09/12/11. Counting ahead 30 school days, including a day off for Columbus Day, brings us to 10/25/11, which in this example is the deadline for conducting the evaluation. Counting ahead 45 school days from 09/12/11, including days off for Columbus Day and Veteran's Day, brings us to 11/16/11, which is the deadline for conducting the Team meeting and drafting the IEP.

But what happens if consent is provided at the end of the school year, and there is not enough time under the law as listed above to complete the evaluation and conduct the Team meeting? In Massachusetts, parents may still be in luck. Massachusetts has added the following protection:

"If consent is received within 30 to 45 school working days before the end of the school year, the school district shall ensure that a Team meeting is scheduled so as to allow for the provision of a proposed IEP or written notice of the finding that the student is not eligible no later than 14 days after the end of the school year." 603 C.M.R. 28.05(1). 'From https://specialeducationlawyer.com/2011/11/13/massachusetts-special-education-evaluation-timelines "Again, let's look at an example to better understand this law. Assume that the school year ends on Friday, June 22, 2012. 45 school days prior to June 22, 2012 brings us to April 12, 2012. 30 school days prior to June 22, 2012 brings us to May 10, 2012. Thus, we have three time frames to consider:

1. Consent provided prior to April 12, 2012: the school district will be expected to complete the evaluation, Team meeting, and draft IEP before the end of the school year on June 22.

2. Consent provided after May 10, 2012: the school district will not be required to complete the evaluation prior to the end of the school year, because there are fewer than 30 school days remaining.

3. Consent provided between April 12, 2012 and May 10, 2012: the school district will be required to complete the evaluation prior to and of the school year. If the 45-day rule would go beyond June 22, then the school district will be required to convene the Team meeting no later than 14 calendar days following the end of the school year."

https://specialeducation-lawyer.com/2011/11/13/massachusetts-special-education-evaluationtimelines

# A Parent's Guide to **Special Education** EVALUATION PLACEMENT - O A JOINT PUBLICATION OF 4 The Federation for Children with Special Needs and The Massachusetts Department of Education

https://fcsn.org/wpcontent/uploads/sites/2/2021/08/pgenglish.pdf

## READ THE "BIBLE" OF MASSACHUSETTS SPED

In Spanish also

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[Parent's Address] [Parent's Phone Number]

[Date]

[Principal's Name] [School] [School Address]

> Re: [Child's Name] [Child's Date of Birth]

Dear Principal [Name]:

I am the [mother/father] of [child's name], a [grade] student at your school. I am writing to express concern about [child's name]'s development and would like to initiate a Special Education evaluation for [child's name].

I understand that a consent form, describing the evaluation procedure, will be provided to me within <u>five (5) school days</u> of this request. I further understand that the evaluation will be completed within <u>thirty (30) school days</u> and that a team meeting will take place within <u>forty-five (45) school days</u> of my consent to the evaluation.

Thank you for your attention to this matter. Please contact me at [parent's phone number] with any questions or concerns.

Very truly yours,

[Parent's Name]

1. My patient is an undocumented immigrant or a migrant in emergency shelter. They need to wait until they are settled into their permanent home: NO

Identification and evaluation of students is a federal and state right regardless of documentation status.

2. My patient attends a parochial, private, or charter school so they are not covered by the public school district responsibilities. NO

The "local" or home school district is the agency that administers the services under federal and state law. The evaluation is done by contacting the home school district. The delivery of services may not be required at the child's current school, but most outside schools will be happy to look at the TEAM report and see if they can provide accommodations once the testing is completed and the team meeting has occurred.



# COMMON MISPERCEPTIONS BY PARENTS OR PEDIATRIC TEAMS...OR EVEN SCHOOLS

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# WHO IN THE NEIGHBORHOOD CAN ALSO HELP FAMILIES?

Your local school Student Success Team

Your local school district SPED PAC

Federation for Children with Special Needs: Information Center: <a href="https://fcsn.org/information-center-2/">https://fcsn.org/information-center-2/</a>

Mass Advocates for Children: <u>https://www.massadvocates.org/special-</u> education

Boston Public Schools' Special Education Parent Advisory Council (BPS SpEdPAC)

<u>https://www.bostonspedpac.org/</u>



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### Special Education Parent Advisory Council

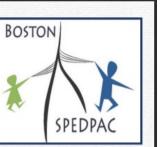
2023-2024

**General Meeting Dates** 

The Boston Special Education Advisory Council (SpEdPAC) is a group of parent volunteers established under Massachusetts General Law to ensure that Boston Public School students with disabilities get the services and support they need to develop to their full potential.

General meetings are organized for Boston SpEdPAC members and focus on a **specific topic** related to supporting Boston Public School students with disabilities.

Parents, guardians, educational advocates of BPS students with disabilities, and BPS students with disabilities age 18 and older, are SpEdPAC members [as well as any other interested party].



### Thursdays

7:00 PM - 8:30 PM on ZOOM "Unless otherwise noted

September 28, 2023 | Individualized Education Plans & 504 Plans

October 26, 2023 | Boston Public Schools Transportation

November 16, 2023\* | In-Person Resource Fair, 5:00-7:00 PM

December 16, 2023\* | In-Person Family Social, 1:30-4:00 PM (Saturday)

January 25, 2024 | Family/Guardian Rights in Special Education

February 29, 2024 | Educational Settings, Inclusion & Sub-Separate Classrooms

March 28, 2024 | Support Services for Students with Autism

April 25, 2024 | Summer Learning for Students with a Disability

May 23, 2024 | ADHD

Zoom: <u>bit.ly/928SpEdPAC</u> Meeting ID: 878 9267 0430 Passcode: 874970 Dial-in: +1 (646) 518-9805

### Interpretation will be available in:

ASL, Arabic, Cantonese, Cape Verdean Creole, French, Haitian Creole, Mandarin, Portuguese, Somali, Spanish and Vietnamese

To have the zoom link emailed to you, join the <u>SpEdPAC Email List</u> by visiting: <u>www.BostonSpEdPAC.org</u> Contact SpEdPAC at Email@BostonSpEdPAC.org (617) 297-7335

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# RESOURCES

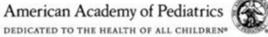
Federation: What is an IEP? Video: https://youtu.be/BEyURjMHQYI

Federation: (ALMOST) Everything you need to know in Massachusetts SPED: <u>https://fcsn.org/wp-</u> <u>content/uploads/sites/2/2021/08/pgenglish.pdf</u>

Department of Education: https://www.doe.mass.edu/sped/iep/proguide.pdf

Special Education Lawyer blog: <u>https://specialeducation-</u> <u>lawyer.com/2011/11/13/massachusetts-special-education-</u> <u>evaluation-</u> <u>timelines/#:~:text=ln%20other%20words%2C%20in%20Massac</u> <u>husetts,school%20days%20of%20parental%20consent.</u>





START CREATING AN ANNUAL PRACTICE **SCHEDULE FOR CHILD** FIND AND OTHER REFERRALS







This is a screening for 3-5 year old children who are not presently attending the Bosto Public Schools and are residents of the City of Boston.

Screening Dates: Location: Tuesday, October 4, 2022
 Campbell Resource Center/Dorchester Wel
 Tuesday, November 6, 2022
 1216 Dorchester Ave, Dorchester, MA 02125

 Friday, December 9, 2022
 Tuesday, March 7, 2023
 Tuesday, March 21, 2023 Endicott Elementary School 2 McIellan Street, Dorchester, MA 02121

### Child Find Screenings (6-21 year olds)

This is a screening for 6-21 year old students, who are: Boston residents but attend a private or parachial school (non-charter) or are homeschooled in Boston OR are a resident of another district but attend a private or parochial school in
Reston

### Screening Dates: Location:

 Thursday, October 27, 2022 Boston Latin Academy
 Thursday, November 17, 2022 443 Warren Street, Dorchester, MA 02121
 Wednesday, Decomber 14, 2022 Tuesday, March 21, 2023

Endicott Elementary School 2 McIellan Street, Dorchester, MA 02121

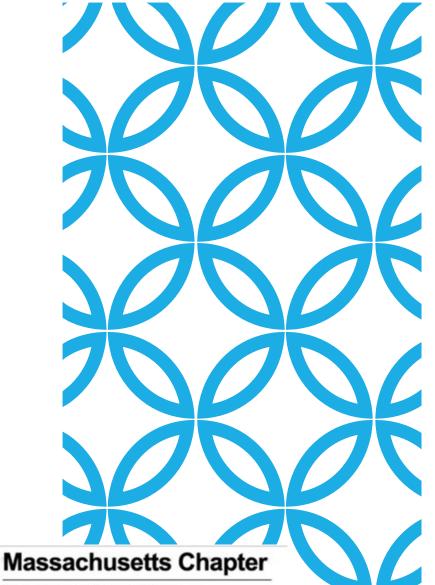
No Schools conducts screening activities, if you suspect or know the disability, please contact the Office of Special Education for a full ecial education services. You do not need to attend a screening da

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ARE YOU INTERESTED IN GATHERING TO IMPROVE THESE PRACTICES IN YOUR PEDIATRIC TEAM OR ADVOCATE FOR BETTER?

Join the MCAAP School Health Committee Contact Executive Director Cathleen Haggerty at chaggerty@mcaap.org