WELCOME Due Process FOCUS: Evaluation, Placement, LRE

Special Education Department Leadership

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Least Restrictive Environment

- Each <u>public agency</u> must ensure that—
- (i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
- (ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of <u>supplementary aids and services</u> cannot be achieved satisfactorily.

How Are We Doing?







Urban Education. Global Citizens.

What control do we have over LRE?

Special Education Federal Instructional Settings, Ages 6 - 21

Part B Indicator 5

Minneapolis Public School District (0001-03)

Federal Instructional Settings

2021-22 School Year (Reported in FFY 2021 APR) Federal Instructional Settings indicate the percentage of time students with IEPs are **included** in general education classes.

District

- A. Served inside the regular class 80% or more of the day
- B. Served inside the regular class less than 40% of the day
- C. Served in separate schools, residential facilities, or homebound/hospital placements

Rate	Target	Rate
62.7%	≥ 62.8%	48.6%
9.9%	≤ 9.9%	19.5%
3.8%	≤ 3.9%	3.9%

Statewide

Statewide Target

The statewide targets were established by MDE in collaboration with Minnesota's Special Education Advisory Panel (SEAP).

District Rate

The district rate is calculated based on December 1, 2021 child count data submitted by the district.

Statewide

Special Education Federal Instructional Settings, Ages 6 - 21

Part B Indicator 5

ST. PAUL PUBLIC SCHOOL DISTRICT (0625-01)

Federal Instructional Settings

2021-22 School Year (Reported in FFY 2021 APR) Federal Instructional Settings indicate the percentage of time students with IEPs are **included** in general education classes.

- A. Served inside the regular class 80% or more of the day
- B. Served inside the regular class less than 40% of the day
- C. Served in separate schools, residential facilities, or homebound/hospital placements

Statewide Target

Statewide Rate	Statewide Target	District Rate
62.7%	≥ 62.8%	53.8%
9.9%	≤ 9.9%	14.9%
3.8%	≤ 3.9%	4.7%

The statewide targets were established by MDE in collaboration with Minnesota's Special Education Advisory Panel (SEAP).

The district rate is calculated based on December 1, 2021 child count data submitted by the district.

District Rate

Special Education Federal Instructional Settings, Ages 6 - 21

Part B Indicator 5

Anoka-Hennepin School District (0011-01)

Federal Instructional Settings

2021-22 School Year (Reported in FFY 2021 APR)

A. Served inside the regular class 80% or more of the day

- B. Served inside the regular class less than 40% of the day
- C. Served in separate schools, residential facilities, or homebound/hospital placements

Statewide Target

Federal Instructional Settings indicate the percentage of time students with IEPs are included
in general education classes.

Statewide Rate	Statewide Target	District Rate
62.7%	≥ 62.8%	64.8%
9.9%	≤ 9.9%	13.2%
3.8%	≤ 3.9%	5.3%

The statewide targets were established by MDE in collaboration with Minnesota's Special Education Advisory Panel (SEAP).

District Rate

The district rate is calculated based on December 1, 2021 child count data submitted by the district.

MOUNDS VIEW PUBLIC SCHOOL DISTRICT (0621-01)

Federal Instructional Settings

2021-22 School Year Reported in FFY 2021 APR) Federal Instructional Settings indicate the percentage of time students with IEPs are **included** in general education classes.

١.	Served inside the regular class	
	80% or more of the day	

- 3. Served inside the regular class less than 40% of the day
- Served in separate schools, residential facilities, or homebound/hospital placements

Statewide Target

The statewide targets were established by MDE in collaboration with Minnesota's Special Education Advisory Panel (SEAP).

District Rate

The district rate is calculated based on December 1, 2021 child count data submitted by the district.

Statewide Rate	Statewide Target	District Rate
62.7%	≥ 62.8%	64.2%
9.9%	≤ 9.9%	9.3%
3.8 <mark>%</mark>	<mark>≤ 3.9%</mark>	8.3%

DO YOU WANT TO FOCUS OUR WORK ON

Equity
Inclusion
Justice



Remember the 2 fundamental requirements of IDEA

The child with a disability will receive FAPE (Free Appropriate Public Education)..... In the LRE (Least Restrictive Environment)

LRE is NOT a place or a room or a pre-packaged program (it's not where students are sent!)

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LRE is the set of SERVICES that will enable the student to make progress!

Also Remember

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- LRE must be discussed and determined at least annually
- LRE must be based on the present level
- LRE must be as close as possible to the gen ed setting



LRE ≠ Full Inclusion

LRE decisions are NOT based on:

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- Previous year's placement decision
- Student's category or severity of disability
- Existing instructional settings and/or programs
- Lack of support staff
- Lack of resources
- Lack of space
- Lack of staff development and/or training



- You cannot separate these goals from Due Process, it is not "extra" paperwork
- Due process of law" is a procedural safeguard to ensure that life, liberty, or property is not taken without a fair process or procedure.

Fair Process or Procedure

Who decides what is a fair process or procedure?

► Federal Law, State Statutes, District Policy, District Procedures

What Procedures Impact LRE?

POP QUIZ

What Procedures Impact LRE

- ► IEP TEAM MEMBER General Education Participation
- SEPP Special Education Placement Policy (Procedures)
- Adaptations
- Related Services
- Progress Reports Revision of IEP
- Extended School Year

Current Focus

- Updating Due Process Notebook and TSES
- Clarifying Service Delivery Models (SB,NP,C&T)