



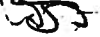
# PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | June St. Clair Atkinson, Ed.D., *State Superintendent*

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April 4, 2014

**To:** Directors, Exceptional Children Programs  
EC Coordinators, Charter Schools

**From:** William J. Hussey 

**Re:** Follow-up from April Exceptional Children Directors' Webinar

This memorandum is to confirm some of the items discussed in the April 1, 2014, Exceptional Children Directors' Webinar. The following are not in any order of importance.

### **Clarification of LEA responsibility for a Private Residential Treatment Facility (PRTF)**

The LEA within which the PRTF is located is responsible for Child Find. The PRTF has a private school as part of its license and just like any other private school, the local LEA is responsible for providing evaluations for eligibility under Child Find regulations.

The Division has been meeting with representatives of the PRTFs. In these meetings we have, in response to questions, indicated that the PRTFs should reach out to the local LEAs to help work through various concerns related to training and related services. There is no obligation to enter into an agreement but LEAs can negotiate with the PRTFs if it is mutually beneficial.

If the legislation in the short session holds true to what was in the legislation in the long session, there will be funding allocated by the legislature for teaching positions at the PRTF. Again, there is no obligation to contract with the PRTFs but there may be opportunities for LEAs to provide teachers, through contracts, to the PRTFs using the legislated funds. We will wait but as was stated on the webinar, there still seems to be support to pass the bill.

### **Continuous Improvement Performance Plan (CIPP)**

As stated at the March Directors' Institute, LEAs will not be required to write a CIPP for the 2014-2015 school year. LEAs will still receive an LEA profile and a Determination letter that will provide information regarding their most recent data. The reason for not writing the report is that based on the new federal requirements and the new Indicator 17, the reporting format is going to change.

The Division will create a new reporting process template in-house based on the new federal requirements and will then work with selected Directors to iron out the process. The data to collect and how it is collected, as stated earlier, is going to change and will be much more specific – by grade, by category, by race, etc. This new data collection process for Indicator 17 doesn't preclude collecting data on the other prior Indicators, so it becomes imperative to review how to reduce duplication of data and how to use already existing data sets and reports or plans.

The Division will be working on the new format and will be in contact with Directors over the summer or early fall to participate in the planning process.

### **Private School Scholarships and Evaluations**

Based on the present legislation, LEAs are required to provide 3 year reevaluations, when needed, for students who participated as part of the previous Tax Exempt legislation.

There are expected changes in this legislation in the short session. The Division will keep you posted regarding the changes and the implications for the districts.

### **EXCEPTIONAL CHILDREN DIVISION**

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Other students who are eligible for consideration for entry into the scholarship program must meet the following criteria:

1. Under the age of 22
2. Has an IEP
3. Receives special education or related services on a daily basis
4. Has not been placed in a nonpublic school or facility by a public agency at public expense
5. Has not spent time enrolled in a post- secondary institution as a full time student taking at least 12 hours of academic credit
6. Has not received a high school diploma
7. Meets at least one of the following:
  - a. Was enrolled in a NC Public School during the previous semester,
  - b. Received special education or related services through the NC public schools as a pre-school child with a disability during the previous semester.
  - c. Received a scholarship grant the previous semester,
  - d. Is eligible for initial enrollment in Kindergarten or the first grade in a North Carolina public school

The children defined above who are in private school and who need a reevaluation to determine continued eligibility to qualify for a scholarship are also eligible for 3 year reevaluations.

The Division is in the process of writing another memo regarding the issue of transition IEPs for districts writing school year IEPs (meaning writing all IEPs in the spring for the next school year) vs. anniversary IEPs (annually from the due date of initial placement). There is an OSEP letter that addresses this issue. The Division memo will interpret the OSEP letter and address a way to remedy the “not before 30 days of the end of the school year” restriction placed on writing transition IEPs for districts practicing school year IEPs.

WJH/tb