

Hot Topics and Trends in Special Education 2024



Susan Henry, Director of Compliance
Special School District

Agenda/Participant Outcomes

- Participants will receive an overview of the numbers of dispute resolution matters filed in SSD and Partner Districts for 2023-2024
- Participants will be updated on recent guidance and initiatives by the Department of Education
- Participants will develop insights into how they can play an active, supportive and effective role in special education processes, and the education of students with disabilities

Dispute Resolution Data

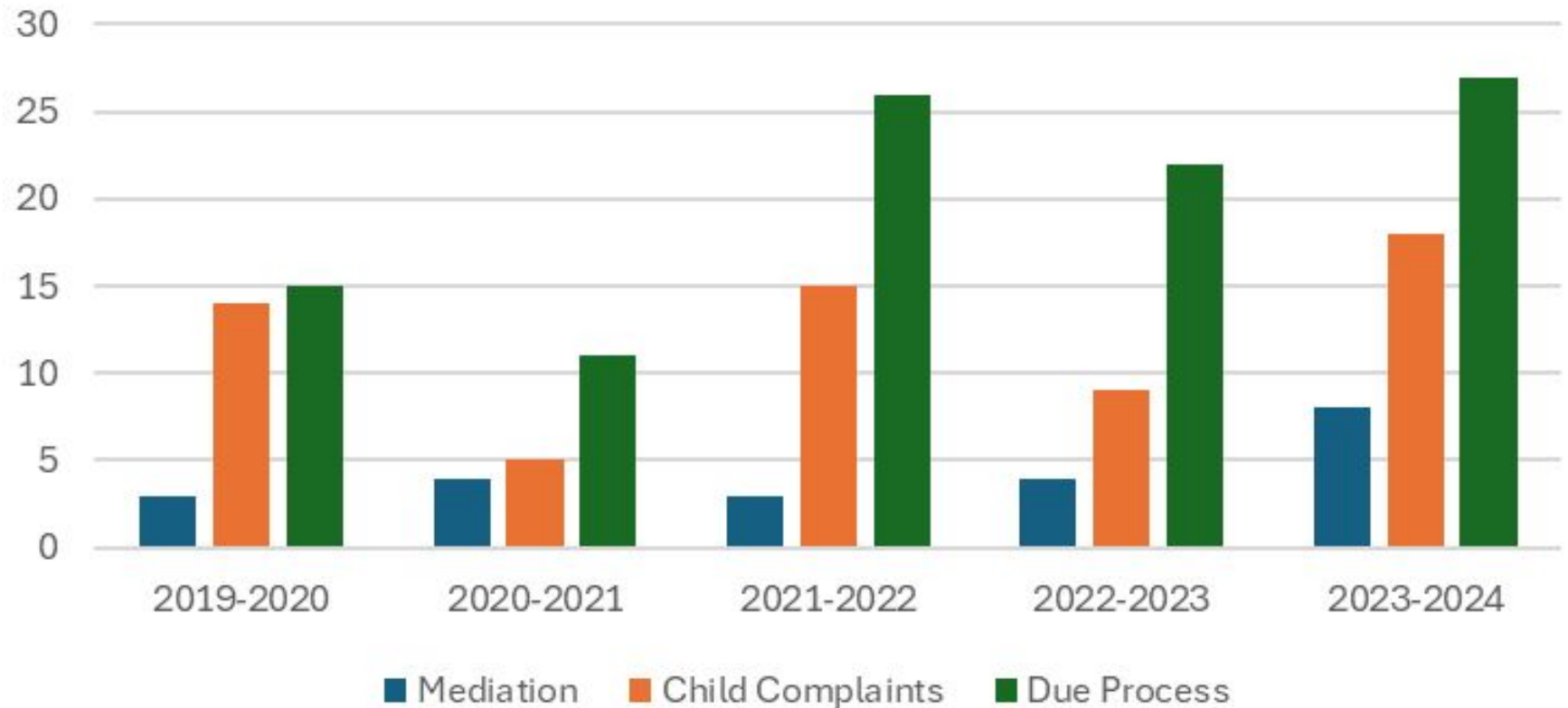
SSD and Partner Districts

Mediation: Structured, informal voluntary process; impartial third party mediator helps parent/student/public agency reach agreement.

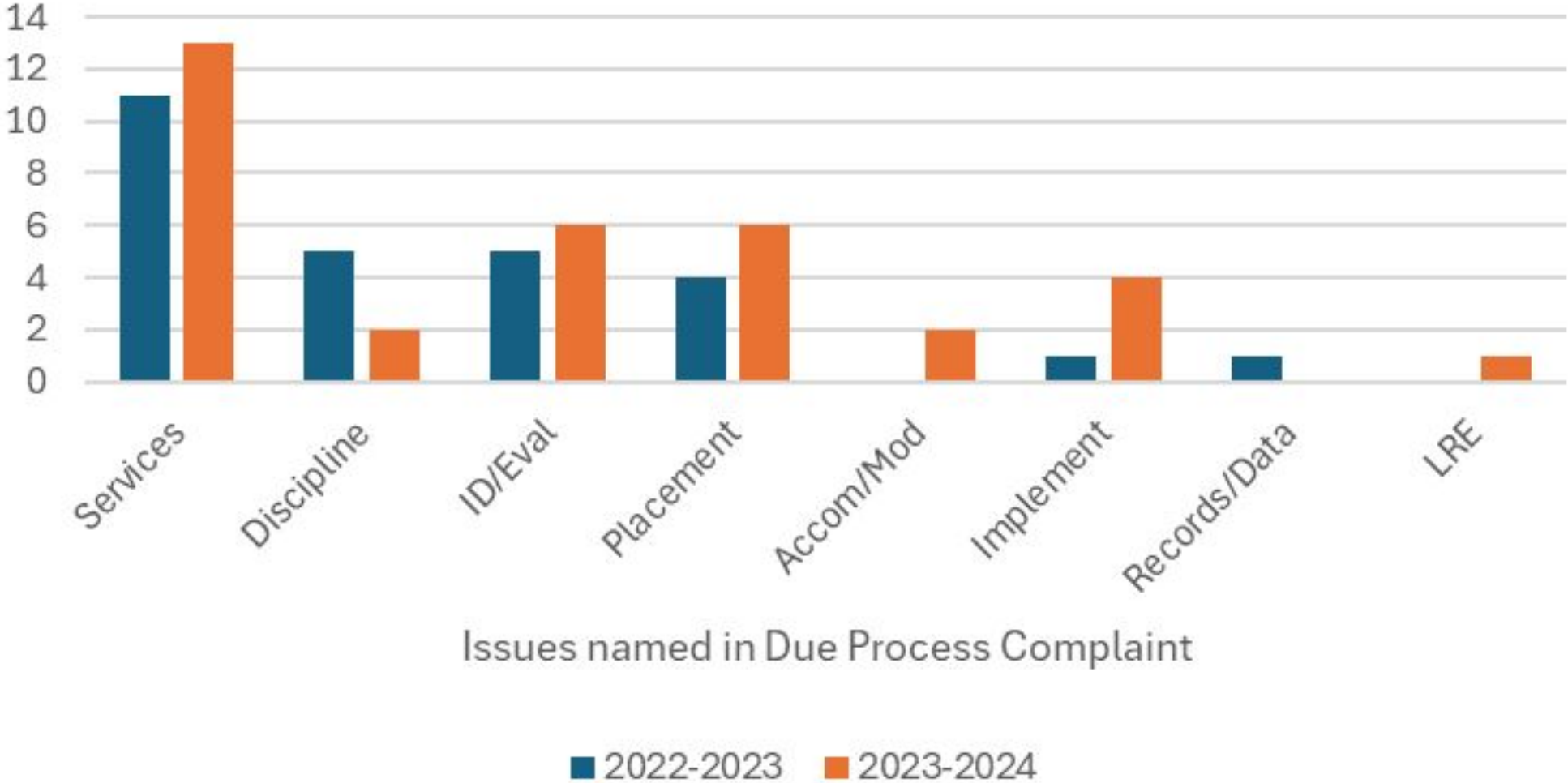
Child Complaint: May be filed by anyone who alleges that a district has violated any statutes, regulations or other law implementing IDEA; DESE investigates and issues ruling.

Due Process: May be filed by parent, student or public agency concerning a proposed action related to identification, evaluation, placement or provision of FAPE; AHC Hearing Officer issues ruling

Comparison of Mediations, Child Complaints and Due Processes since 2019-2020

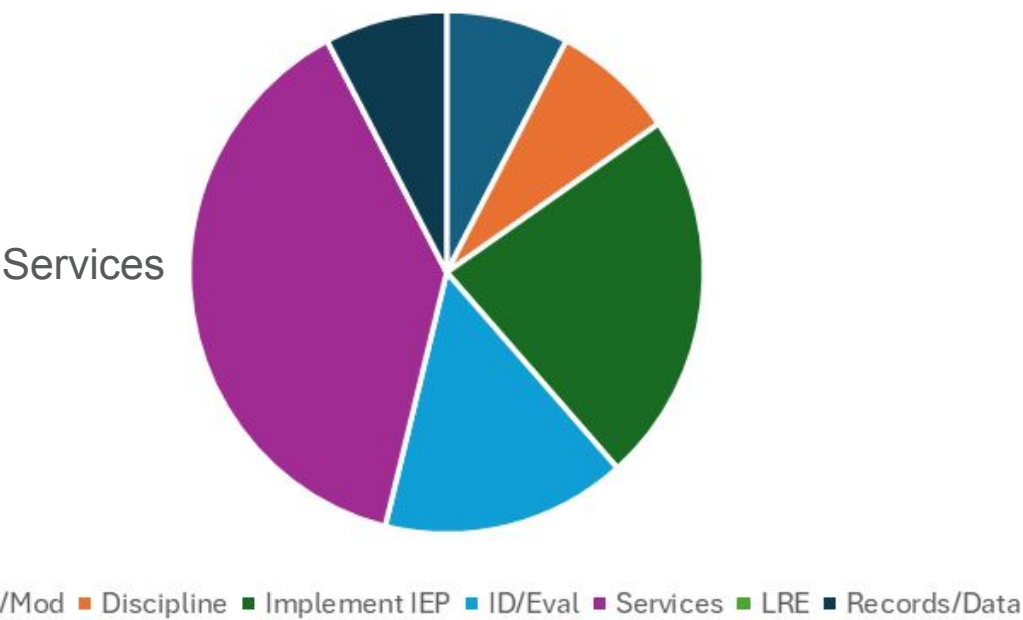


Comparison of Due Process Issues

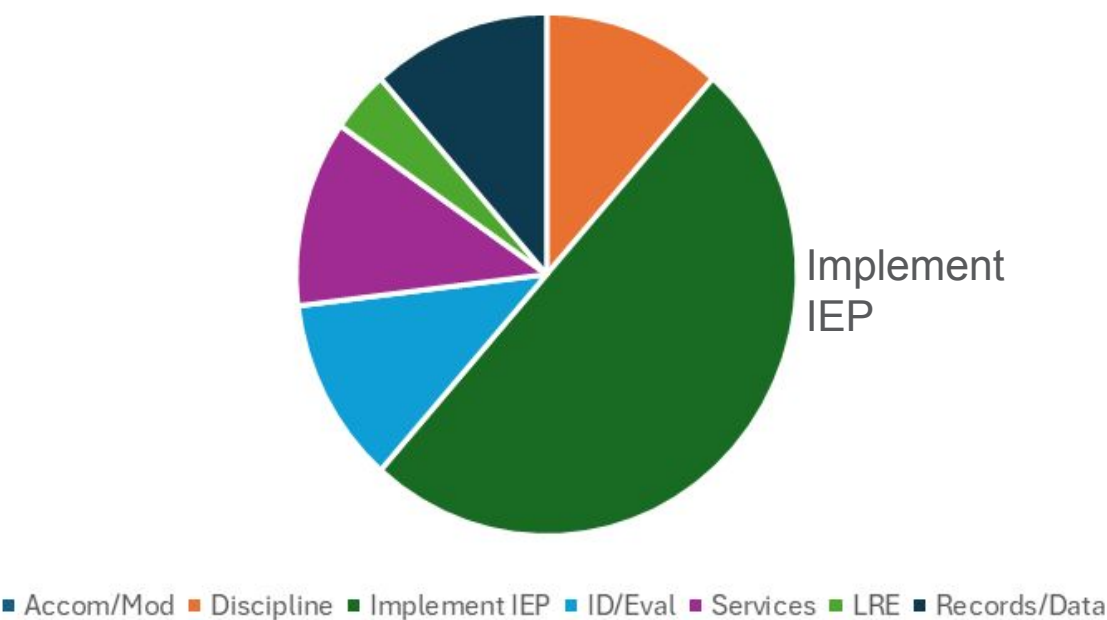


Child Complaint: Comparison of Allegations

2022-2023



2023-2024



What's behind the data?

- Complainant dissatisfaction with particular programs special educators are using with their child (specifically, reading programs).
- Dissatisfaction with the breadth of evaluations, that lead to the the development of an IEP the complainant thinks is inadequate or insufficient to address the academic or behavioral needs they believe the child has.
- Disagreement with the amount of time or ways a particular intervention program is being implemented.
- Complainant desire to have private programs paid for by districts or student's IEP placement be changed to a private separate school.
 - requests for services during school day
- Demands for compensatory services for time students received allegedly insufficient programming
- Repeated discipline for similar behavior related to disability
- Provision of service minutes

“Sub-issues” in Due Process Complaints

- Dyslexia screenings, reading interventions and parent notification of status
- Non-attendance/truancy
- Bullying, addressing and documenting efforts
- Repeated discipline for similar behavior, caused by the student’s disability—or not
- Mental health issues (as root of behavior incidents, non-attendance, need for change of placement, etc.)
- Documentation

Reflection of Issues in Federal Guidance 2023-2024

- Fact Sheets, U.S. Department of Education
 - Bolstering Student Attendance (May 2024)
 - Section 504 Protections for students with sickle cell disease, epilepsy and cancer and rights as students with disabilities under Section 504 (June 2024) and asthma, diabetes, food allergies, GERD (February 2024)
- Every Day Counts Summit - Attendance Initiative(White House, May 14, 2024)
- Dear Colleague Letters
 - Assistive Technology devices and services for children with disabilities under IDEA (January 2024)
 - Chronic Absenteeism (March 2024)

- Policy Letters:
 - Inclusion of Children with Disabilities in Early Childhood Programs
 - Equitable services to children with disabilities in virtual private schools
 - Location of virtual private schools for purposes of equitable services to students with disabilities
- New U.S. Dept. of Education, Office of Special Education Programs (OSEP) webpage devoted to reducing exclusionary discipline
- New U.S. Dept of Education, Office of Elementary & Secondary Education webpage devoted to efforts to reduce chronic absenteeism (April 2024)

- November 2023: Profile of Students with Disabilities in U.S. Public Schools during 2020-2021 School Year
 - First release of data since 2020
 - Students with disabilities are more likely to be restrained or secluded
 - Overrepresentation of students with disabilities being issued exclusionary discipline
 - Students are reporting harassment and bullying mostly on the basis of sex, race and sexual orientation, but nearly 1 in 10 allegations were related to disability

Watch List for Administrators

- Title IX Regulations: Newly released changes to the regs in late April 2024; now being challenged in several states.
 - Implications for special education: discipline; interface between Title IX “innocent until proven guilty” provision and districts’ discipline codes, IDEA/504 manifestation requirements
- Updated Section 504 regulations still to come
- Updated FERPA regulations still to come

Implications for Administrators

- Attendance
 - efforts at increasing attendance for individual students and school-wide
 - considerations for students with social-emotional concerns that impact attendance
 - considerations for students with health conditions, significant allergies that impact attendance
 - new Children's Division department: St. Louis Region Children's Division Prevention Team
- Bullying
 - bullying acknowledgement, investigation and resolution
 - written communication to parents

Implications for Administrators

- Support with scheduling for students requiring special education services that use a program with a prescribed implementation schedule (i.e., 45 minutes x 5 days/wk)
- Discipline
 - considering alternative discipline for repeated behaviors related to disability
 - tracking services, supports provided to student during removals
 - limit informal removals; collaborate with special education administrators for students with IEPs or suspected disabilities
 - discipline/counting days of removals and clear communication to parents
 - consider Title IX implications; collaborate with special education administrators
 - documentation

Special Ed Connection

- Online library of resources, tools, articles that provide practical guidance for implementing IDEA, Section 504, FERPA and other laws affecting students with disabilities
- FREE! Paid for by DESE

The Missouri Department of Elementary & Secondary Education Office of Special Education partners with LRP Publications to provide a subscription to **Special Ed Connection**® to all districts within the state.

Special Ed Connection® provides resources and tools that School Staff can use to obtain clarification of special education requirements and services. This resource provides the legal, regulatory and practical guidance that is necessary to ensure that students receive the services to which they are entitled in a manner that enhances their education and post-school quality of life.

With **Special Ed Connection**® School Staff will receive:

- Explanation and guidance to assist them in meeting legal requirements for IDEA, FERPA, Section 504 and other key laws and regulations affecting students with disabilities.
- News, updates, and latest trends in special education such as RTI, PBIS, Transition services, Early Childhood, IEP best practices, BIPs and much more.
- Professional development tools that enhance in-house training plans that support administrators in guiding colleagues and other stakeholders through both individual and collective learning experiences.
- Tools that explain complex legal and regulatory issues, providing practical implementation strategies and tips to help special education professionals carry out their responsibilities.

Special Ed Connection® has been designed specifically for special education professionals whose priority is to provide high-quality services to children with disabilities and their families – through the legal and practical guidance that is necessary to ensure that students receive the services to which they are entitled and in a manner that enhances post-school quality of life for individuals with disabilities.

To find out more about this exciting resource, or to schedule a website tutorial for you and your staff, call the **Special Ed Connection**® Hotline: 1-800-515-4577 x6303 or Email: specialconnection@lrp.com.

Questions?

Contact Information

Susan Henry
Director of Compliance
314-989-8143
srhenry@ssdmo.org

Sarah Kline
Assistant Director of Compliance
314-989-8155
sekline@ssdmo.org