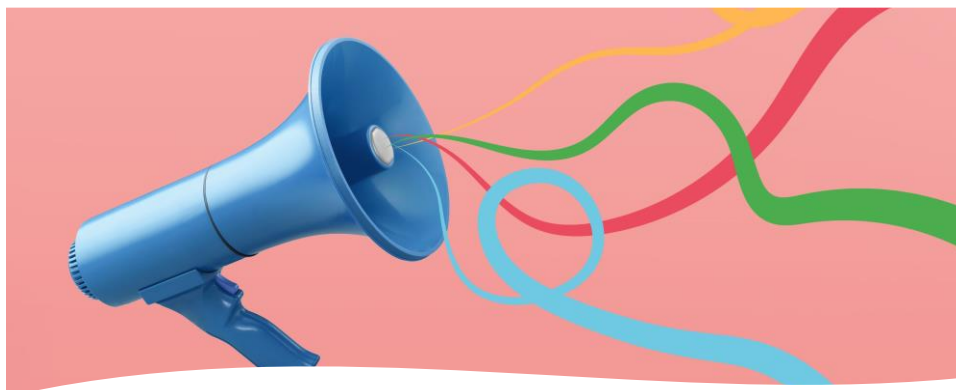





# Monthly SPED Webinar

Special Education Programs  
April 18th, 2023

1



## Special Education Monthly Calls

Purpose: Share updated information and reminders to all staff regarding South Dakota special education and district data collection.

Feel free to share with teachers, related services, data entry staff, and other administrators.

2

## Welcome

Special Education Programs would like to welcome Janet Penticoff back to the Department in a new role as the Senior Secretary.

Janet has served in other capacities in the Birth to Three Program and we are happy to have her back with us.



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2023 Parent-Nominated Special Education  
Staff of the Year Nominees

(32 total nominees)

4

## Congratulations Julie McElhone!

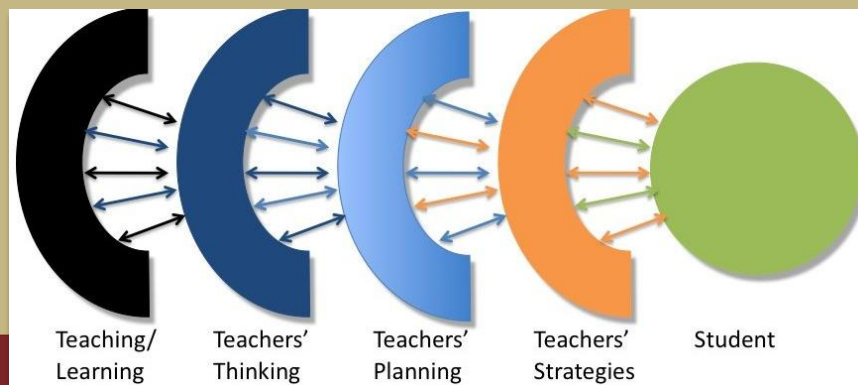
2023 Parent-Nominated Special  
Education Staff of the Year

Julie is a paraprofessional in the  
Clark School District.

(L-R) Susan Schmit, Clark School  
District, Julie McElhone, Clark  
School District, Linda Turner, State  
Director of Special Education



5



## Effective Practices

6

## Evidence-Based Practice Resource



### Fundamental Skill Sheets

- User-friendly guides on evidence-based instructional and behavioral skills.
- Includes procedures, tips, and video examples.
- Great for staff training and sped/gen ed collaboration.
- Skill areas include (*click link to view*):
  - ✓ Behavior-Specific Praise
  - ✓ Choice Making
  - ✓ High-Probability Requests
  - ✓ Proximity Control
  - ✓ Virtual Instruction: Behavior-Specific Praise
  - ✓ Virtual Instruction: Precorrection
  - ✓ Wait-Time

**Fundamental Skill Sheet**  
Wait-Time

**What Is It?**  
Wait-time describes either the amount of time a teacher pauses between asking a question and the beginning of a student's response or the amount of time between a student's response and the teacher's reacting or asking another question.

Teacher Question → 3-5 seconds → Student Response → 3-5 seconds → Teacher Response

**What Do We Know About This Skill/Practice?**  
The concept of waittime and its effectiveness as an instructional practice was established in the early 1970s, as is evidenced by the seminal research cited below. Research conducted during the subsequent 40 years, some of which is also cited in this resource, confirms these findings. More specifically, the research indicates that:

- On average, teachers provide approximately one second of waittime between asking a

7

## IEPQ: Tip of the Month Criteria for Mastery



Annual Goals must include  
these Three Components:

Conditions

Observable,  
Measurable Behavior

Criteria for Mastery

IEPQ Tip of the Month:  
How to ensure that IEP  
goals have  
**measurable criteria.**



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## IEPQ: Tip of the Month Criteria for Mastery



- Criteria states **how** the skill or observable behavior will be measured.
- This includes **how well (accurately)** AND **how often (consistently)** the student must demonstrate the skill to consider it mastered.
- DATA for criteria should be:
  - Specific, objective
  - Measurable (able to chart/graph)
  - Able to be collect frequently, to measure progress over time
  - Related to identified areas of concern
  - Related to State Content Standards or State Core Content Connectors

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## IEPQ: Tip of the Month Criteria for Mastery



A list of possible criteria can be found on the IEPQ–SD website:

- # of attempts/trials: *on 5 out of 5 attempts*
- Time to respond/time limits: *within 10 seconds of the question being presented*
- Minimum # of appropriate responses: *a minimum of 3 times a day*
- Level of prompting: *full physical, verbal, with teacher assistance, independently*
- Change in generalization: *in use of content or skill*
- Rate/speed: *15 times per hour; 80 words per minute*
- Fluency (speed and accuracy): *140 words read correctly per minute*
- Duration: *for a minimum of 10 minutes, maintained for 10 school days*
- Number or words/parts of a sentence/paragraphs written: *3 paragraphs, 6 sentence/paragraph elements, 80 correct words sequences*

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## IEPQ: Tip of the Month Criteria for Mastery



- Common Issue: Accuracy
  - The criteria does not accurately measure the skill.
  - The percentage does not match the behavior/skill.
    - Looking both ways before crossing the street with 80% accuracy versus using correct verb tense with 80% accuracy.
  - If done once, is the goal met?
- Stranger Test:
  - Can anyone reading this goal criteria understand exactly how to measure the performance consistently?

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## IEPQ: Website Closure



- The company that provides IEPQ is closing, therefore South Dakota's IEPQ website will end on May 31, 2023.
- SPED professionals are encouraged to download and save their frequently used forms and documents from the IEPQ website at <https://sd.iepq.org/> prior to the website closure.

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## Accountability

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## Alternate Assessment Participation

- Alternate Assessment participation documents on the [Alternate Assessment website](#) have been updated, including:
  - Clarity on the three criteria for participation
  - Specific steps to follow when gathering evidence and documenting the participation decision
- 1. [Alternate Assessment Participation Guidelines](#)
  - replaced *Guidance for IEP Teams on Participation on the Alternate Assessment*
- 2. [Alternate Assessment Participation Form](#)
  - replaced two documents: *Evidence Worksheet* and *Eligibility Form*

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## Core Content Connectors (CCCs)

- Core Content Connectors (CCCs) are alternate academic achievement standards (AAAS) for students with significant cognitive disabilities who participate in the alternate assessment. CCCs help guide IEP goals, objectives, and instruction to allow students the maximum engagement with grade-level curriculum as possible.
- CCC documents on the [Alternate Assessment website](#) have been updated:

The following are CCCs/AAAS aligned to South Dakota Content Standards:

- ELA: [K-5 6-8 9-12](#)
- Math: [K-5 6-8 9-12](#)
- Science: [K-5 6-8 9-12](#)

The following are comprehensive lists of CCCs/AAAS:

- [ELA K-12 Comprehensive List](#)
- [Math K-12 Comprehensive List](#)

- "Overview of CCCs" webinar is **May 3, 1-2pm CT**. Register on GoSignMeUp.

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## Assessment Season

- Assessment season is underway. Thank you for your diligence in helping students with disabilities have meaningful access to their assessments.
- Reminder that assessment windows close:
  - **April 28**
    - MSAA (Alternate ELA & Math)
  - **May 12**
    - SD ELA Assessment
    - SD Math Assessment
    - SD Science Assessment
    - SD Science Assessment-Alternate

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## Multiple Disability Funding

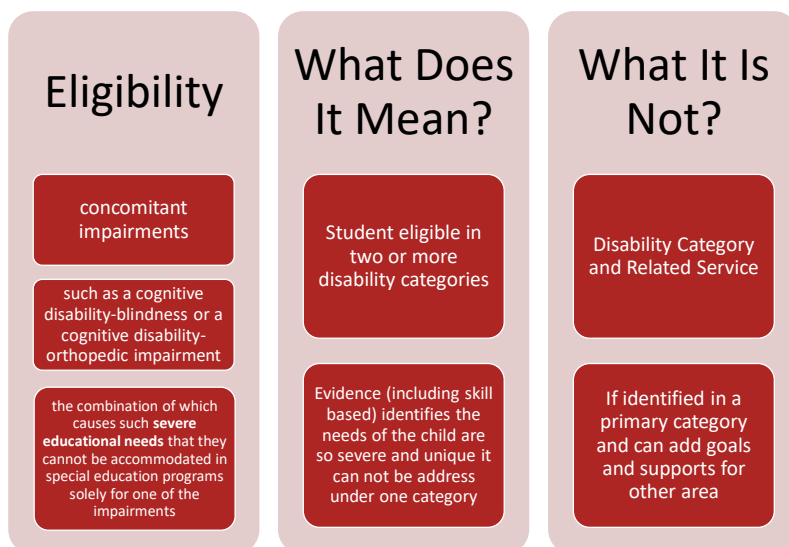
If district receives state aid:

- Multiple Disability Funding
- 2 categories level 2 or higher

Level for disability funding calculation	Disability
<b>Level 1</b>	Specific Learning Disabled, Speech/Language Impairment, Other Health Impaired, and Developmental Delay
<b>Level 2</b>	Emotional Disability, and Cognitive Disability
<b>Level 3</b>	Deaf/Blind, Hearing Impairments, Orthopedic Impairments, Visually Impaired, Deafness, and Traumatic Brain Injury
<b>Level 4</b>	Autism Spectrum Disorder
<b>Level 5</b>	Multiple Disabilities (must include 2 or more level 2, 3 or 4 disabilities, not including Deaf/Blind)

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## Multiple Disability



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# Autism Spectrum Disorder

Requires two areas:

- Social Communication
- Restricted/Repeated Behaviors

Skill based in these areas

IEP should address the areas along with any others the team determines with data

Non-Compliance Noted

- Documentation is missing in the file
- Not addressing both areas in skill based which impact severity level determinations and addressing needs in IEP



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## Eligibility Tools and Resources

SOCIAL COMMUNICATION		
Level 1: Requires Support:	Level 2: Requires Substantial Support:	Level 3: Requires Very Substantial Support:
Without supports in place, deficits in social communication cause noticeable impairments Difficulty initiating social interactions and clear examples of atypical or unsuccessful responses to social overtures of others May appear to have decreased interest in social communication.	Marked deficits in verbal and nonverbal social communication skills Social impairments are apparent even with supports in place Limited initiation of social interactions; reduced or abnormal responses to social overtures from others	Severe deficits in verbal and nonverbal social communication skills Causes impairments in functioning Very limited initiation of social interactions and minimal response to social overtures from others
For example, a person who is able to speak in full sentences and engages in communication but whose to-and-fro conversation with others fails, and whose attempts to make friends are odd and typically unsuccessful	For example, a person who speaks simple sentences, whose interaction is limited to narrow special interests, and who has markedly odd nonverbal communication	For example, a person with few words of intelligible speech who rarely initiates interaction, and when he/she does, makes unusual approaches only to meet needs and responds to only very direct social approaches
Severity Level: _____		
Need for Specialized Instruction: Yes _____ No _____		
RESTRICTED/REPETITIVE BEHAVIORS		
Level 1: Requires Support	Level 2: Requires Substantial Support	Level 3 Requires Very Substantial Support
Inflexibility of behavior causes significant interference with functioning in one or more contexts Difficulty switching from one task to another Problems of organization and planning hamper independence	Inflexibility of behavior Difficulty coping with change Other restricted/repertive behaviors appear frequently enough to be obvious to the casual observer Behavior interferes with functioning in a variety of contexts Distress and/or difficulty changing focus or action	Inflexibility of behavior Extreme difficulty coping with change Other restricted/repertive behaviors markedly interfere with functioning in all spheres Great distress/difficulty changing focus or action
Severity Level: _____		
Need for Specialized Instruction: Yes _____ No _____		

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## Evaluation Instruments

Evaluation Instruments List found at <https://doe.sd.gov/sped/IEP.aspx>

In the excel version (first tab) or the first few pages in PDF, document discusses what to consider when selecting standardized evaluations for eligibility.

The evaluation team professionals should select appropriate and updated evaluation tools that meet requirements.

List provided is not exhaustive and professionals can select evaluation tools outside list as long as it meets standardization requirements.

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## Related Services: Occupational

**24:05:27:23. Criteria for occupational therapy.** A student may be identified as in need of occupational therapy as a related service if:

- (1) The student has a disability and requires special education;
- (2) The student needs occupational therapy to benefit from special education; and
- (3) The student demonstrates performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean in one or more of the following areas: fine motor skills, sensory integration, and visual motor skills.

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## Related Services: Physical Therapy

**24:05:27:25. Criteria for physical therapy.** A student may be identified as in need of physical therapy as a related service if:

- (1) The student has a disability and requires special education;
- (2) The student needs physical therapy to benefit from special education; and
- (3) The student demonstrates a delay of at least 1.5 standard deviations below the mean on a standardized motor assessment instrument.

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## Related Services OT and PT

- As a related service, it must demonstrate benefit special education. Will it support student's disability needs?
- If a student does not meet the - 1.5 for OT or PT, the student not eligible for those related service(s) under an IEP.

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## Results Driven Accountability

Risk Rubric

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## RDA Goals



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Level 1 – Supporting	Level 2 - Guiding/Assisting	Level 3 – Coaching and Directing
<i>All Other Districts</i>	<i>3 Small, 3 Medium, and 2 Large Districts</i>	<i>2 Small, 2 Medium, and 1 Large Districts</i>
<b>Optional Activities:</b> <b>Completed Internally:</b> <ul style="list-style-type: none"> <li>• RDA Committee Development</li> <li>• RDA process templates will be accessible for districts' use.</li> <li>• Contact Accountability Manager at 605-773-3678.</li> </ul> <i>An Action Plan Template will be provided along with the data templates.</i>	<b>Required Activities:</b> <ul style="list-style-type: none"> <li>• RDA Committee Development</li> <li>• Regional Data Retreat</li> <li>• Action Planning</li> <li>• Internal Review Completion with limited support</li> <li>• Submit to state Internal Review data.</li> <li>• Limited RDA coaching guidance</li> <li>• Validation</li> </ul>	<b>Required Activities:</b> <ul style="list-style-type: none"> <li>• RDA Committee Development</li> <li>• District Individualized Data Retreat</li> <li>• Action &amp; Improvement Planning</li> <li>• Internal Review Completion with support</li> <li>• Submit to state Internal Review data</li> <li>• Validation</li> <li>• RDA Coaching support</li> </ul>
<b>All Districts Internal Review Requirements (Refer to Internal Review Section):</b> State has an Internal Review document available to use. The district may use own process or system as long it meets requirements below. <ul style="list-style-type: none"> <li>• Each case manager will conduct a minimum of one internal/self-assessment file review.               <ul style="list-style-type: none"> <li>◦ Districts must analyze the internal review data to determine internal professional development area of need around ensuring compliance.</li> <li>◦ District will submit to the state the area(s) of professional development areas determined and completed by the district. State will notify districts in May annually when and how it will be collected.</li> </ul> </li> </ul>		

RDA Level  
of  
Support

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## RISK RUBRIC UPDATE FOR RDA

Current Indicator	Proposed Change	Reason
Indicator 2: Dropout	Indicator 1: Graduation	Indicator 1 Graduation Indicator is based on annual rate of graduation instead of 4 year
Indicator 3: Proficiency Regular Assessment read/math for 3-8 and 11	Keep Indicator 3: 3-8 and 11	New SPP method is now only reporting grades 4, 8, and 11. This is not enough data to make determinations for RDA.
Indicator 6: LRE Preschool	Keep	
Indicator 7B: Preschool Outcomes	Keep	
Indicator 14: Post-School Outcomes	Keep	
Indicator 5: School Age Least Restrictive Environment	Add	Emphasis importance of students on IEPs to remain with general education peers to maximum extent
High Incidence Disability (higher or lower than state)	Keep	
Internal Review Completed and report data to state	Keep	

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## UPDATED REPORT SAMPLE

Variable	2021-22 Target	2020-21	2021-22	Difference: 2021-22 minus 2020-21	Progress to Target*	Quantile Impact	Risk Score
<i>Child Count</i>		400	400				
Indicator 1 - Graduation	67.99%	62.50%	21.74%	-40.76%	D	None	3
Indicator 3 - Reading Proficiency**	15.60%	12.99%	11.49%	-1.50%	M	None	2
Indicator 3 - Math Proficiency**	12.43%	9.38%	7.25%	-2.12%	D	None	3
Indicator 5A - LRE	75.96%	61.04%	65.56%	4.52%	I	Negative	2
Indicator 6A - Preschool LRE	21.76%	45.26%	50.17%	4.91%	T	None	0
Indicator 7B1 - Preschool Outcomes	56.71%	50.43%	52.52%	2.09%	I	None	1
Indicator 7B2 - Preschool Outcomes	51.89%	32.06%	30.57%	-1.49%	M	None	2
Average of Preschool Risks							1.00
Indicator 14 - Post School Outcomes	78.00%	.	.	.	NA		.
Primary Disability	0 flags						2
Internal Review***	Passed						0

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## UNDERSTANDING THE RISK RUBRIC REPORT

- Districts are desegregated by size.
- Overall Risk Percentage:
  - Goal is to have an overall risk percentage as close to 0% percent as possible
  - Higher the overall risk percentage, more likely in level 2 or 3

District Size	District Risk Rubric Analysis								
Large	<table> <tr> <td>Sum of Risks</td><td>5.00</td></tr> <tr> <td>Total Risk Score Possible</td><td>21.00</td></tr> <tr> <td>Overall Risk Percentage</td><td>23.81%</td></tr> <tr> <td>Comparison to Other Districts</td><td>Moderate Risk</td></tr> </table>	Sum of Risks	5.00	Total Risk Score Possible	21.00	Overall Risk Percentage	23.81%	Comparison to Other Districts	Moderate Risk
Sum of Risks	5.00								
Total Risk Score Possible	21.00								
Overall Risk Percentage	23.81%								
Comparison to Other Districts	Moderate Risk								
<b>Report Color:</b> Red – High Risk Orange – Moderate Risk Green – Low Risk									

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### RDA Identification Level 2 and 3

- In May, Districts Superintendent and Special Education Directors will be notified if Level 2 or 3 for the 2023-2024 School Year.
- If no notification letter, than district is a level 1
- Based on the risk rubric reports from 2021-2022 data year that will be uploaded in SD STARS in May.
- Contact [Melissa.Flor@state.sd.us](mailto:Melissa.Flor@state.sd.us) or 605-773-6119 for more information.

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### INDICATOR 3: TODAY'S STAKEHOLDER DISCUSSION

SPP

- Historically 3-8 and HS (11)
- Only report on 4, 8, and high school (11)

Change  
For Risk  
Rubric

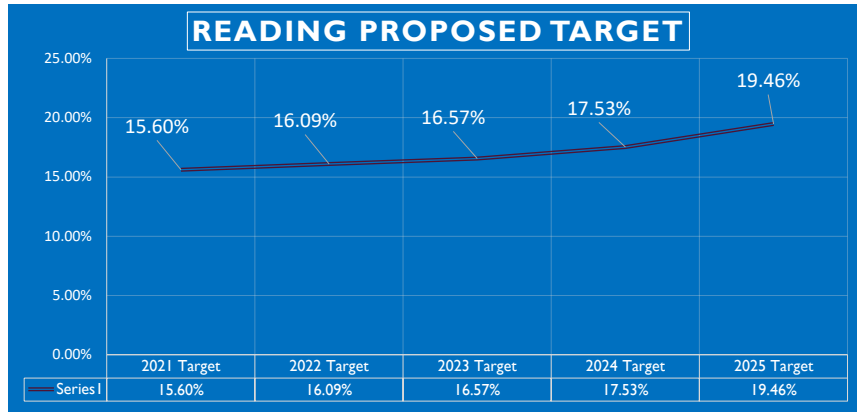
- Keep 3-8 and 11 since denominator so small for districts across size
- Regular assessment
- Set a target for 3-8 and 11

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### INDICATOR 3 TARGETS: READING

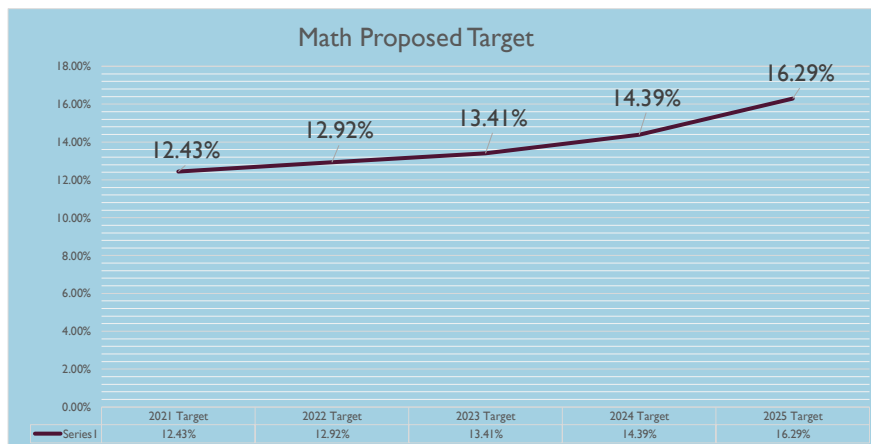
- Based on 2022 Proficiency Scores for 149 Districts
  - 2022 target: 87 districts were at 16.09% or higher
  - 2025 target: 59 districts were 19.46% or higher
  - Stakeholder Input: appropriate or proposed change



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### INDICATOR 3 TARGET: MATH

- 2022 Assessment and 149 districts
  - 2022 target (12.92%): 92 districts met
  - 2025 target (16.29%): 61 districts met
  - Stakeholder Input: appropriate or proposed change



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## Input on the Targets By April 24, 2023



Please Provide Input and Recommendations on  
Risk Rubric Indicator 3 Targets



Click on the link provided or copy and paste the  
hyperlink:

<https://forms.office.com/g/SA1XPjMyja>

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## Internal Review

- All Public Districts Required
- Internally each special education case manager must complete a file review.
- Completed by June 1 annually
- District Sped Director submit areas identified to state by June 1 annually
  - <https://forms.office.com/g/9fXysUUuP3>
- Information on [Accountability Website](#)
  - Under Section “Results Driven Accountability”
  - Contact [Melissa.Flor@state.sd.us](mailto:Melissa.Flor@state.sd.us) or 605-773-6119 for more information.



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## Internal Review for Administrators

- **Tips for Administrators**

- Encourage staff to note non-compliance or areas want additional professional development or information
- If non-compliance,
  - How can correct those issues?
  - If not able to correct, such as a timeline, what procedures should be developed or reviewed?
- Identified professional development
  - Is area that can be done for individual or group need?
  - Can it be covered in house or outside district training?

- **Administrator Responsibility:**

- Report areas identified to special education programs office by June 1 at <https://forms.office.com/g/9fXysUUuP3>



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Data

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## Indicator 7 Preschool Outcomes

- BDI Clean-up
  - Run report BDI-2 and BDI-3
  - Check for:
    - Correct spelling - IC
    - DOB – IC
    - SIMS# entered - IC
    - Program Note or Label
    - All domains and subdomains scored
- Completed July 1
- Assistance
  - [Debra.Willert@state.sd.us](mailto:Debra.Willert@state.sd.us)
  - <https://doe.sd.gov/sped/documents/BDI3-Codes.pdf>



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## BDI-3 Locations Reminder

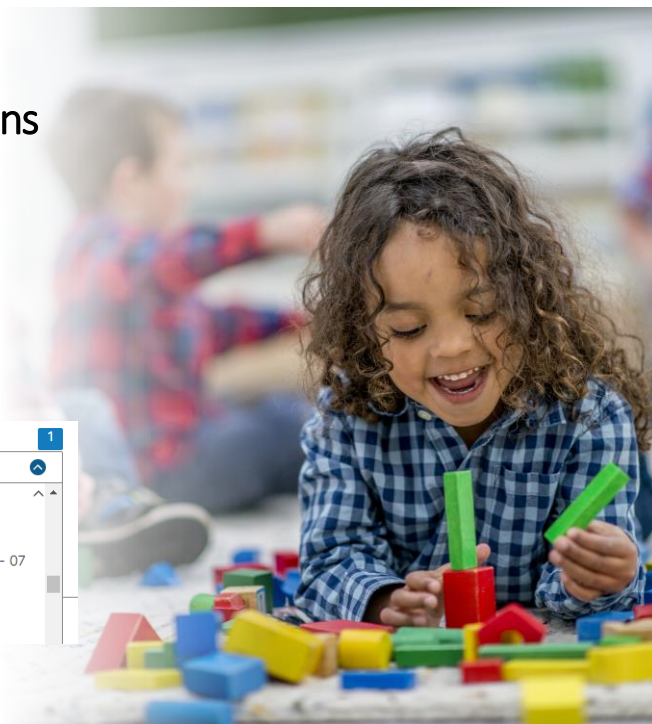
- Locations
  - District
  - School
- Ed Structure
- Due Friday, May 26

LOCATION

1 selected

- ☐ Brookings 05-1
- ☐ Camelot Intermediate - 06
- ☐ Dakota Prairie Elementary - 07
- ☐ Hillcrest Elementary - 04
- ☐ Medary Elementary - 05

[Debra.willert@state.sd.us](mailto:Debra.willert@state.sd.us)



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## Indicator 7 SD STARS

### Special Education Reports

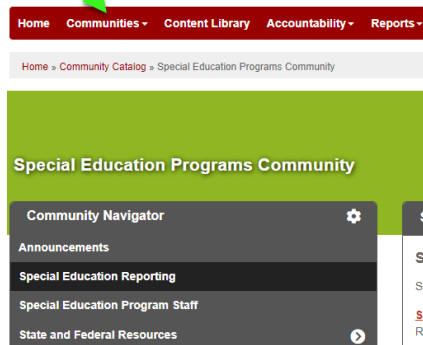
SP.008.00-X – Child Outcomes Summary Form  
 SP.009.00-X – Indicator 7 - Social Emotional Skills  
 SP.010.00-X – Indicator 7 - Acquiring Knowledge and Skills  
 SP.011.00-X – Indicator 7 - Use of Appropriate Behaviors  
 SP.012.00-A – Children with No Assignments  
 SP.013.00-A – Part B Indicator 7 Child List

[Debra.Willert@state.sd.us](mailto:Debra.Willert@state.sd.us)

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## Indicator 7 SD STARS

### • Communities



Home Communities Content Library Accountability Reports

Home > Community Catalog > Special Education Programs Community

### Special Education Programs Community

Community Navigator

- Announcements
- Special Education Reporting
- Special Education Program Staff
- State and Federal Resources

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## Indicator 8: Parent Involvement Surveys

- 2022-2023 Parent Involvement Survey deadlines:
  - **April 30** – Surveys should be distributed to all parents
  - **May 31** – Surveys must be submitted; survey window closes.
- Parents can complete the survey on-line at:
  - <https://survey.alchemer.com/s3/5697751/SDi8>
- "Improving Parent Involvement in the IEP Process" webinar is
  - **May 4, 10-11am CT**
  - **May 5, 1-2pm CT**
  - Register on GoSignMeUp.

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**Indicator 11  
and  
Indicator 12**

**EDPlan  
2022-2023**

**Dates**

- Due August 1 – Indicator 11
- Due September 1 – Indicator 12

**More information May SPED Call**

- Sign-off page
- Reporting

**Platform questions**

- [SEdplansupport@pcgus.com](mailto:SEdplansupport@pcgus.com)
- [Debra.Willert@state.sd.us](mailto:Debra.Willert@state.sd.us)

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## Indicator 11 Initial Evaluations

### Directions for Initial Evaluations Age 3-21

Indicator 11 information for the State Performance Plan is collected for all students ages 3-21.

<b>DO Report Students if:</b>	<b>DO NOT Report Students if:</b>
<ul style="list-style-type: none"> <li>• permission is received (<i>even if the student moves during the testing window OR testing couldn't be completed for some other reason</i>).</li> <li>• a student is evaluated by outside evaluators.</li> <li>• a student moves during the evaluation process.</li> <li>• a student moves into your district from another district or state and requires additional evaluations to determine S.D. eligibility.</li> </ul>	<ul style="list-style-type: none"> <li>• it is a <b>three-year</b> re-evaluation for continued eligibility.</li> <li>• a student is currently receiving special education services and now being evaluated to add related services.</li> <li>• they are an initial referral for Birth to 3 services. (These are reported on Indicator 12 only.)</li> <li>• a student moves from another district or state and <b>does not</b> require additional evaluations to determine SD eligibility.</li> <li>• permission is not obtained.</li> </ul>

<https://doe.sd.gov/sped/documents/Ind11-Reporting.pdf>  
[Debra.Willert@state.sd.us](mailto:Debra.Willert@state.sd.us)

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## Indicator 12 Early Childhood Transition

### Directions for Transition Evaluations from Part C to Part B

Indicator 12 information for the State Performance Plan is collected for all students being served in the Part C (B-3) program and now being evaluated for continued eligibility into Part B 619 (3-5).

<b>DO Report Students if:</b>	<b>DO NOT Report Students if:</b>
<ul style="list-style-type: none"> <li>• a student received Part C services and is being evaluated to determine continued eligibility into Part B.</li> <li>• you receive permission to evaluate.</li> <li>• a student whose birthday and/or eligibility meeting occurred between July 1<sup>st</sup> and June 30<sup>th</sup> of the reporting period. (Birthdates may fall outside of reporting period in some cases).</li> <li>• a student was evaluated by outside evaluators.</li> <li>• a student moves during the evaluation process.</li> <li>• a student moves into your district from another district or state who requires additional evaluations to determine S.D. eligibility.</li> </ul>	<ul style="list-style-type: none"> <li>• it is an initial referral for Part C (B- 3) services NOT Part B.</li> <li>• it is an initial referral for Part B services for students age 3-21 (<b>student did not receive Part C B-3 Services</b>).</li> <li>• a student moves from another district or state and does not require additional evaluations to determine S.D. eligibility.</li> <li>• permission is not obtained</li> </ul>

<https://doe.sd.gov/sped/documents/Ind12-Reporting.pdf>  
[Debra.Willert@state.sd.us](mailto:Debra.Willert@state.sd.us)

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# SPEDCONNECTION TOP HIGHLIGHTS

- Discipline and partial school day removals
- SmartStart: IEPs -- Graduation and Termination of Special Education Services  
Discover the IEP criteria for preparing students to graduate or otherwise end special education services.
- CASE FILE: Continuing same amount of SDI 'dooms' child's hopes for progress  
The court held that the district denied a seventh-grader with an intellectual disability FAPE under the IDEA by failing to develop an appropriate IEP, among other things.
- STAR SPECIAL ED DIRECTOR: Director promotes restorative practices to build student, teacher relationships  
Find out from a special education director in Minnesota on how using restorative practices to address student behavior builds relationships between students and teachers.

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# IDEA Flowthrough Applications

- **Anticipated opening date:** May 1st, 2023
- **Reminders**
  - Districts with private schools within their boundaries are required to consult annually with the private schools on child find, proportionate share, and services
  - Districts must review and get board approval of their comprehensive plans annually. Plans must have a current date prior to submitting your application
- **2023 Updates Coming:**
  - Allowable Cost Document
  - Private School Consultation Form

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## IDEA Legal Update Featuring Art Cernosia, Esq.

- **About the Webinar:** Join Art Cernosia, Esq. as he reviews the most important legal cases in special education and early intervention in the recent past. In addition to reviewing the cases, he will reflect upon what they may mean for the field, and encourage your questions throughout. This webinar is open to everyone, including parents, state agencies, parent centers, and practitioners.

**About the Presenter:** Art Cernosia is an attorney and an education consultant from Williston, Vermont, and has served as CADRE's IDEA legal consultant since 2017. Art previously worked as a public school teacher, an Assistant Attorney General assigned to the Vermont Department of Education, a practicing attorney, and consultant with the Northeast Regional Resource Center, a special education technical assistance center.

- Register at <https://www.cadeworks.org/events/idea-legal-update>

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## Next Monthly SPED Webinar

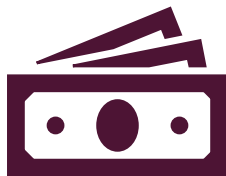
May 16th, 2023

Monthly SPED webinars are no longer posted online

Monthly handouts can be found at

<https://doe.sd.gov/sped/directors.aspx>

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## FFY 2023 IDEA PART B GRANT APPLICATION

PUBLIC COMMENT PERIOD

APRIL 5, 2023 THROUGH MAY 4, 2023

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- Notice is hereby given that the Department of Education (DOE), Special Education Programs is making available for public review for 60 days, starting March 16, 2023, the Federal Fiscal Year (FFY) 2023 Grant Application under Part B of the Individuals with Disabilities Education Act . The [application is available to download](#) and the allocations are included on the [interactive spreadsheet](#). The dollar amounts listed in the interactive spreadsheet are based on FFY 2022 allocations. The final budget submitted with South Dakota's application will be adjusted to reflect the FFY 2023 allocations when these amounts become available. Additionally the DOE is making available the Section 427 of the [General Education Provisions Act \(GEPA\) notice](#). If you are unable to view the application, copies may be obtained by contacting the SD DOE – Special Education Programs, Part B Annual State Application, 800 Governors Drive, Pierre, South Dakota, 57501.
- Written comments concerning the FFY 2023 Grant Application under Part B of the IDEA will be accepted for 30 calendar days from April 5, 2023 through May 4, 2023. Comments regarding the Part B IDEA application should be sent to Linda Turner, Part B Director, at [Linda.Turner@state.sd.us](mailto:Linda.Turner@state.sd.us) or to the address above.

<https://doe.sd.gov/sped/>

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## COMPONENTS OF APPLICATION

- Section I: Assurances of that the state has in effect policies and procedures to meet all requirements of Part B
- Section II: Outlines each policy and procedure that must be in place as well as other assurances and certifications to meet requirements
- Section III: Description of use of funds – must include an interactive spreadsheet with the distribution of funds
- Section IV: State administration of state imposed rules not required by IDEA
- Section V: Maintenance of State Financial Support (total amount of state financial support made available for services to students with disabilities) & Significant Disproportionality procedures
- For FFY23 must also update GEPA to meet Section 427 requirement changes

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TOTAL AWARD AMOUNT		\$40,923,932
Maximum Available for Administration.		\$1,196,120
How much do you want to set aside for Administration in dollars?		\$1,196,120
Set Aside for other State-Level Activities		\$3,574,721

FEDERAL APPLICATION 2023  
(BASED ON 2022 ALLOCATION)

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REQUIRED ACTIVITIES		
<ul style="list-style-type: none"><li>For monitoring, enforcement, and complaint investigation.</li><li>To establish and implement the mediation process required by 20 U.S.C. 1415(e), including providing for the cost of mediators and support personnel.</li></ul>	<ul style="list-style-type: none"><li>Ed Specialists (Accountability/Monitoring)</li><li>PCG (Web based accountability tool)</li><li>Complaint Investigators</li><li>SD Parent Connection – Navigator Program</li><li>Mediators and IEP Facilitators</li></ul>	
	\$712,100	\$164,180

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## AUTHORIZED ACTIVITIES

- For support and direct services, including technical assistance, personnel preparation, and professional development and training.

- Center for Disability
  - Sped Conference
  - Autism Evaluation Training
  - On Demand Learning
  - Community of Practice
  - ~~Autism Summer Training~~
- MTSS – Rtl
- DSS Auxiliary placement child count
- ~~Summer Conference~~
- General PD and Speakers
- TAESE
  - ~~Law Conference~~
  - General PD
- Part C Summer Services

**\$1,425,406**



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## AUTHORIZED ACTIVITIES

- To assist LEAs in providing positive behavioral interventions and supports and appropriate mental health services for children w/ disabilities.

- PBIS

**\$208,809**



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## AUTHORIZED ACTIVITIES

- To assist local educational agencies in meeting personnel shortages.

- Recruitment & Retention
- Apprenticeship

**\$30,000**



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## AUTHORIZED ACTIVITIES

- To support capacity building activities and improve the delivery of services by local educational agencies to improve results for children w/disabilities.

- Results Driven Accountability
- IEP Workshops

**\$457,970**



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## AUTHORIZED ACTIVITIES

- To support paperwork reduction activities, including expanding the use of technology in the IEP process.

- PCG (Web based accountability tool)

• IEPq

**\$140,740**



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## AUTHORIZED ACTIVITIES

- Development and implementation of transition programs, including coordination of services with agencies involved in supporting the transition of children w/disabilities to postsecondary activities.

- TSLP –Voc.Rehab.
- BHSU - Indicator 14 -Post School Outcome-collection
- Post School Outcome- data analysis site
- National Clearing House Data

**\$350,525**



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## AUTHORIZED ACTIVITIES

- Alternative programming for children w/ disabilities who have been expelled from school, and services for children w/disabilities in correctional facilities, children enrolled in State-operated or State-supported schools.

- DOC
- SDSBVI & SDSD

**\$85,000**



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## AUTHORIZED ACTIVITIES

**\$0**

- To improve the use of technology in the classroom by children w/disabilities to enhance learning.
- To support the use of technology, including technology with universal design principles and assistive technology devices, to maximize accessibility to the general education curriculum for children with disabilities.
- To support the development and provision of appropriate accommodations for children with disabilities, or the development and provision of alternate assessments that are valid and reliable for assessing the performance of children with disabilities.
- High Cost Fund

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## AUTHORIZED ACTIVITIES

- To provide technical assistance to schools and local educational agencies, and direct services, including supplemental educational services as defined in Section 1116(e) of the Elementary and Secondary Education Act of 1965 to children with disabilities, in schools or local educational agencies identified for improvement under Section 1116 of the Elementary and Secondary Education Act of 1965 on the sole basis of the assessment results of the disaggregated subgroup of children with disabilities, including providing professional development to special and regular education teachers, who teach children with disabilities, based on scientifically based research to improve educational instruction, in order to improve academic achievement to meet or exceed the objectives established by the State under Section 1111(b)(2)(G) the Elementary and Secondary Education Act of 1965.

\$0



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## GEPA SECTION 427 – LAW AND KEY PROVISIONS



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## General Overview of GEPA Section 427

**Purpose:** To ensure equitable access to, and participation in, Federally-assisted programs for all beneficiaries.

**Section 427 highlights six barriers that can impede equitable access or participation:**

Gender	National origin	Disability
Race	Color	Age

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## Identifying and Determining Barriers

An applicant must determine and define:

- The participants and community to serve
- The local circumstances
- Barriers that may inhibit participation



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## Section 427 Standard Form Changes

Original Form	Updated Form
<ul style="list-style-type: none"> <li>One overall general requirement</li> <li>Flexibility to determine and define the barriers to "equitable access" and "equitable participation"</li> <li>Discretion in how to describe plans to address the identified barriers</li> <li>Description may be provided in a separate narrative or in connection with related topics in the application</li> </ul>	<ul style="list-style-type: none"> <li>Requires applicants to respond more intentionally and specifically to four questions</li> <li>Flexibility to determine and define the barriers to "equitable access" and "equitable participation"</li> <li>Information provided is specific to the question</li> <li>A timeline for meeting targeted milestones for removing identified barriers</li> </ul>

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## Fields on the Section 427 Standard Form

**NOTICE TO ALL APPLICANTS:  
EQUITY FOR STUDENTS, EDUCATORS, AND OTHER PROGRAM  
BENEFICIARIES**

Section 427 of the General Education Provisions Act (GEPA) (20 U.S.C. 1228a) applies to applicants for grant awards under this program.

**ALL APPLICANTS FOR NEW GRANT AWARDS MUST INCLUDE THE FOLLOWING INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS PROVISION AND RECEIVE FUNDING UNDER THIS PROGRAM.**

Please respond to the following requests for information:

1. Describe how your entity's existing mission, policies, or commitments ensure equitable participation in, the proposed project or activity.
2. Based on your proposed project or activity, what barriers may impede equitable participation of students, educators, or other beneficiaries?
3. Based on the barriers identified, what steps will you take to address such barriers to equitable access and participation in the proposed project or activity?
4. What is your timeline, including targeted milestones, for addressing these identified barriers?
5. Notes:

**Question 1**

Describe how your entity's existing mission, policies, or commitments ensure equitable access to, and equitable participation in, the proposed project or activity.

The Section 427 standard form is required to be completed and submitted with an applicant's grant application package or State plan submission.

- All four questions are required
- Steps already taken to address barriers must be explained
- If no barriers exist, explanation should be included

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**Question 1**

Describe how your entity's existing mission, policies, or commitments ensure equitable access to, and equitable participation in, the proposed project or activity.

The South Dakota Department of Education (SDDOE) adheres to Section 427 of the General Education Provisions Act (GEPA). In carrying out its educational mission, the South Dakota Department of Education will ensure to the fullest extent possible equitable access to, participation in, and appropriated educational opportunities for individuals served. Federally funded activities, programs, and services will be accessible to all teachers, students, and program beneficiaries. The SDDOE ensures equal access and participation to all persons regardless of their gender, race, color, ethnicity, religion, national origin, age, citizenship status, or disability in its education programs, services, and/or activities.

The SDDOE will fully enforce all federal and state regulations designed to ensure equitable access to all program beneficiaries and to overcome barriers to equitable participation in all state level activities supported by federal assistance associated with this program. The SDDOE will hold LEAs accountable for assuring equal access and providing reasonable and appropriate accommodations to meet the needs of a diverse group of students, staff, community members, and other participants. Steps taken to ensure equitable access may include, but not be limited to:

- The SDDOE adheres to the requirement that schools provide a free appropriate public education (FAPE) to all school aged children who are individuals with disabilities as defined by section 504 and IDEA or who are English learners.
- The SDDOE implements an electronic grants management system that includes a requirement for each LEA to provide assurances that they do not discriminate against any person based on gender, race, color, national origin, religion, age, or disability.
- The SDDOE utilizes ADA accessible and compliant facilities for all program related sessions/activities.

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**Fields on the Section 427 Standard Form**

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2. Based on your proposed project or activity, what barriers may impede or participation of students, educators, or other beneficiaries?
3. Based on the barriers identified, what steps will you take to address such barriers access and participation in the proposed project or activity?
4. What is your timeline, including targeted milestones, for addressing these identified barriers?
5. Notes:

**Question 2**

Based on your proposed project or activity, what barriers may impede equitable access and participation of students, educators, or other beneficiaries?

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**Question 2**

Based on your proposed project or activity, what barriers may impede equitable access and participation of students, educators, or other beneficiaries?

Barriers identified as potential sources of inequity are geographical due to the rural communities; fiscal due to the economic disadvantages of students, families, participant beneficiaries; and cultural with regards to language barriers for beneficiaries.

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## Fields on the Section 427 Standard Form

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3. Based on the barriers identified, what steps will you take to address such access and participation in the proposed project or activity?
4. What is your timeline, including targeted milestones, for addressing these identified barriers?
5. Notes:

**Question 3**

Based on the barriers identified, what steps will you take to address such barriers to equitable access and participation in the proposed project or activity?

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**Question 3**

Based on the barriers identified, what steps will you take to address such barriers to equitable access and participation in the proposed project or activity?

The SDDOE will use IDEA grant funds to provide virtual opportunities for attendance in professional development opportunities and technical assistance in order to ensure accessibility in attendance across the state.

The SDDOE will make available trainings and materials at no cost or at minimal cost if necessary, in order to ensure financial status is not a barrier to participation.

SDDOE will continue to expand the languages in which materials are published in addition to informing parties of means to receive support in interpreting and accessing materials.

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## Fields on the Section 427 Standard Form

Select each icon to learn more.

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3. Based on the barriers identified, what steps will you take to address such barriers to equitable access and participation in the proposed project or activity?
4. What is your timeline, including targeted milestones, for addressing these identified barriers?
5. Notes:

**Question 4**

What is your timeline, including targeted milestones, for addressing these identified barriers?

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**Question 4**

What is your timeline, including targeted milestones, for addressing these identified barriers?

In carrying out its educational mission, SDDOE will ensure to the fullest extent possible the equitable participation or, and appropriate educational opportunities for those individuals involved.

The SDDOE has prioritized accessibility. Annually, the SDDOE will have growth in attendance for professional development and technical assistance in rural communities. In carrying out its educational mission, SDDOE will ensure to the fullest extent possible the equitable participation or, and appropriate educational opportunities for those individuals involved. If a fee is associated with a service, SDDOE will identify for beneficiaries opportunities for alternative participation or funding supports.

Annually, SDDOE will review the languages in which materials are provided in conjunction with the languages represented in the state to translate materials in additional languages.