

ASK AN OMBUDS

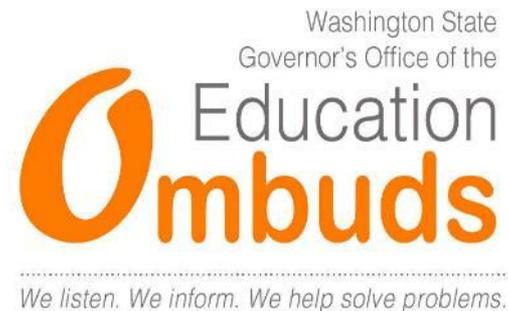
OEO LUNCHTIME WEBINAR

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NOVEMBER 14, 2017

Toll free: 1-866-297-2597

Online: www.oeo.wa.gov



WHAT IS THE OFFICE OF THE EDUCATION OMBUDS?

The Office of the Education Ombuds (OEO) is an agency within the Governor's Office created in 2006 by the Washington State Legislature to address barriers to student achievement and reduce the opportunity gap.



QUESTIONS

1. When districts convene Equity Teams, what should their scope include? Race, ethnicity, disability, gender, sexual orientation, low income?
2. How do districts apply the eligibility categories of the special education rules?
 - A. A. Are evaluation teams required to identify a child as having delays of 2 or more “standard deviations” from a norm in one or more areas of development?
 - B. B. Some IEP teams seem reluctant to identify a child as eligible in the category of Emotional/behavior disability and instead look for another category. Why might that be?
3. What does it mean when someone refers to a student as “twice exceptional”?
4. What can students do to end bullying and harassment? How many bullying/harassment complaints does OEO receive?
5. What are some strategies being tried to address a shortage in Speech Language Pathologists/Speech Therapists? Are online services effective?

November is Native American Heritage Month!

PLEASE share your FOLLOW UP and ADDITIONAL QUESTIONS via the CHAT or Q&A functions

QUESTION 1:

HOW SHOULD EQUITY TEAMS DEFINE THEIR FOCUS?

Many school districts working to tackle persistent opportunity gaps are convening teams to review data, consider factors that contribute to gaps, and develop action plans to reduce barriers and ensure equitable access.

Some are explicitly focusing on racial equity first. Others are looking broadly at various student groups. Others may not yet have specified their areas of focus.

We don't have an answer for how each Equity Team *should* define its focus, but we do have some recommendations:

1. Talk about this question and be explicit – don't assume common understandings of "equity";
2. Gather input from the community, review local data, and research what has worked well, and why, in other similar districts in defining the scope of equity teams and seeing results in outcomes;
3. Make sure those most directly and significantly impacted by inequities are part of the Equity Team and engaged in defining the problem(s) and crafting solutions

BUILDING AND DEFINING THE FOCUS OF EQUITY TEAMS

4. If the focus is specifically on race, be ready to consider how students experience the intersections of different forms of insidious bias (discrimination on the basis of national origin, religion, gender, disability, sexual orientation, etc.) and how other factors can compound impacts of structural racism;
5. If the focus is inclusive of race and other equity gaps, be ready to spend time focused specifically on how race influences decisions and perceptions about disability, gender, etc.;
6. Think about how you will articulate the decisions made regarding the team's focus.

EXAMPLES OF EQUITY TEAMS, ASSESSMENTS

- Seattle School District – Racial Equity Teams:

<https://www.seattleschools.org/cms/One.aspx?portalId=627&pageId=1681020>

- Northshore School District – Equity and Diversity Committee:

<https://www.nsd.org/domain/1734>

Gathering input, listening to voices of students:

- *Start With Us*, Black Youth in South King County & South Seattle,

<http://www.roadmapproject.org/data-center/reports/startwithus/>

- *Racing2Equity*, Edmonds School District’s Racial Equity Environmental Assessment:

https://www.edmonds.wednet.edu/departments/diversity_equity_and_outreach

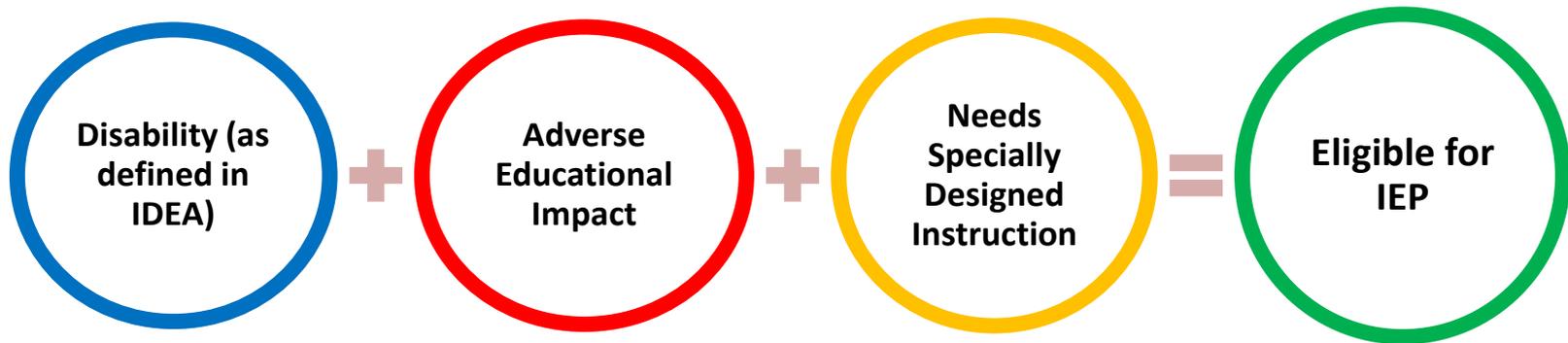
QUESTION 2: UNDERSTANDING ELIGIBILITY CATEGORIES FOR IEPs

School districts are charged with identifying and evaluating children with disabilities who may need special education services. Before a child can receive services through an “IEP” (Individualized Education Plan), the child must be evaluated and found to meet criteria for one or more of the “eligibility categories” in the Individuals with Disabilities Education Act.

A. When/how are evaluation teams required to find that a child has delays that are one or more “standard deviations” from the norm?

IDEA ELIGIBILITY – 3 PARTS

(Individuals with Disabilities Education Act)



*If student has a disability, and experiences an adverse impact, but does not need "specially designed instruction," the student may need a **Section 504 Plan***

SPECIAL EDUCATION ELIGIBILITY CATEGORIES

- Intellectual disability,
- hearing impairment (including deafness),
- speech or language impairment,
- visual impairment (including blindness),
- emotional behavioral disability,
- orthopedic impairment,
- autism,
- traumatic brain injury,
- other health impairment,
- specific learning disability,
- deaf-blindness,
- multiple disabilities, or
- for students, three through eight, a developmental delay

Find these online, with specific definitions for each, at:

<https://app.leg.wa.gov/wac/default.aspx?cite=392-172A-01035>

THE ONE ELIGIBILITY CATEGORY THAT REFERENCES “STANDARD DEVIATIONS”

(d)(i) **Developmental delay** means a **student three through eight** who is experiencing **developmental delays** that adversely affect the student's educational performance in **one or more of the following areas**: Physical development, cognitive development, communication development, social or emotional development or adaptive development and who demonstrates a delay on a standardized norm referenced test, with a test-retest or split-half reliability of .80 that is at least:

(A) **Two standard deviations below the mean in one or more** of the five developmental areas; or

(B) **One and one-half standard deviations below the mean in two or more** of the five developmental areas.

...

(iv) **If a school district uses the category "developmentally delayed," the district must conform to both the definition and age range of three through eight, established under this section.**

<https://app.leg.wa.gov/wac/default.aspx?cite=392-172A-01035>

QUESTION 2: UNDERSTANDING ELIGIBILITY CATEGORIES FOR IEPs – WHAT ABOUT “EBD”

B. Some IEP teams seem reluctant to identify a child as eligible in the category of Emotional or Behavioral Disability. Why might that be?

A student’s eligibility category should not determine placement or services – those decisions should be based on the student’s unique needs and strengths.

Still...

WHAT DIFFERENCE DOES THE ELIGIBILITY CATEGORY MAKE?

WHAT DO THE RULES SAY? WHAT DO STUDENTS/FAMILIES/EDUCATORS EXPERIENCE?

Potential fears/concerns:

- Has there been an unwritten policy or a practice that identifying a student with a particular category generally means a particular placement will or will not be considered?
- Would it “label” a student in a way that would follow them through their school years and outside of school?
- Would it potentially lead to a more restrictive placement?
- If recommended for a specialized placement, would the student have access/appropriate focus on academics as well as behavior?

Concerns about disproportionality:

- What does data say about racial/ethnic differences in identification under different eligibility categories?
- What does data say about placement decisions for students identified under different eligibility categories ?
- What assumptions might a person draw when seeing the eligibility category on an IEP?

QUESTION 3: WHAT IS “TWICE EXCEPTIONAL”?

It is a term commonly used to refer to students who are advanced learners in some areas and also have a disability or disabilities.

It is not a specific “legal” term used in special education or highly capable rules or laws, but it is used by educators and families.

For an older report with examples of students who might fit the description, and questions and concerns connected with serving them well, See NEA’s 2006 Report, *Twice Exceptional Dilemma*, available here: <http://www.nea.org/home/17676.htm>.

SERVING “TWICE EXCEPTIONAL” STUDENTS

From the highly capable lens: be careful not to miss identifying and serving students with disabilities who might be eligible for highly capable programs and be ready to provide needed accommodations, related services and/or or specially designed instruction.

From the special education lens: be careful not to rule out eligibility for special education services just because a student shows high cognition or advanced abilities in some areas.

Avoid Discrimination: conditioning participation in advanced learning or highly capable programs on a student’s forfeiture (or giving up) of special education services they are entitled to violates anti-discrimination laws (Section 504 and the ADA).

References:

- **US Department of Education’s Office for Civil Rights 2007 Dear Colleague letter: Access by Students with Disabilities to Accelerated Programs**
<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-20071226.html> and
- **US Department of Education’s Office of Special Education Program’s Memo on Twice Exceptional Students:**
<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/041715osepmemo15-082q2015.pdf>

QUESTION 4: HIB – WHAT CAN STUDENTS DO?

If you are a student who is being harassed or bullied:

- Let the person know that their behavior/action is unwelcome (if it's safe to do that);
- Seek help in the moment;
- Talk with an adult – at school and at home as soon as you can;
- Explain what is happening, and how it makes you feel.

If you think someone is targeting you because of race, color, religion, disability, gender, or sexual orientation (whether they are right about your race, religion, sexual orientation, etc. or just making assumptions), share that with a trusted adult, and explain what makes you think that.

If you're worried about reporting, or not sure what to do, you, your family or another support person can call our office. We can try to help: 1-866-297-2597.

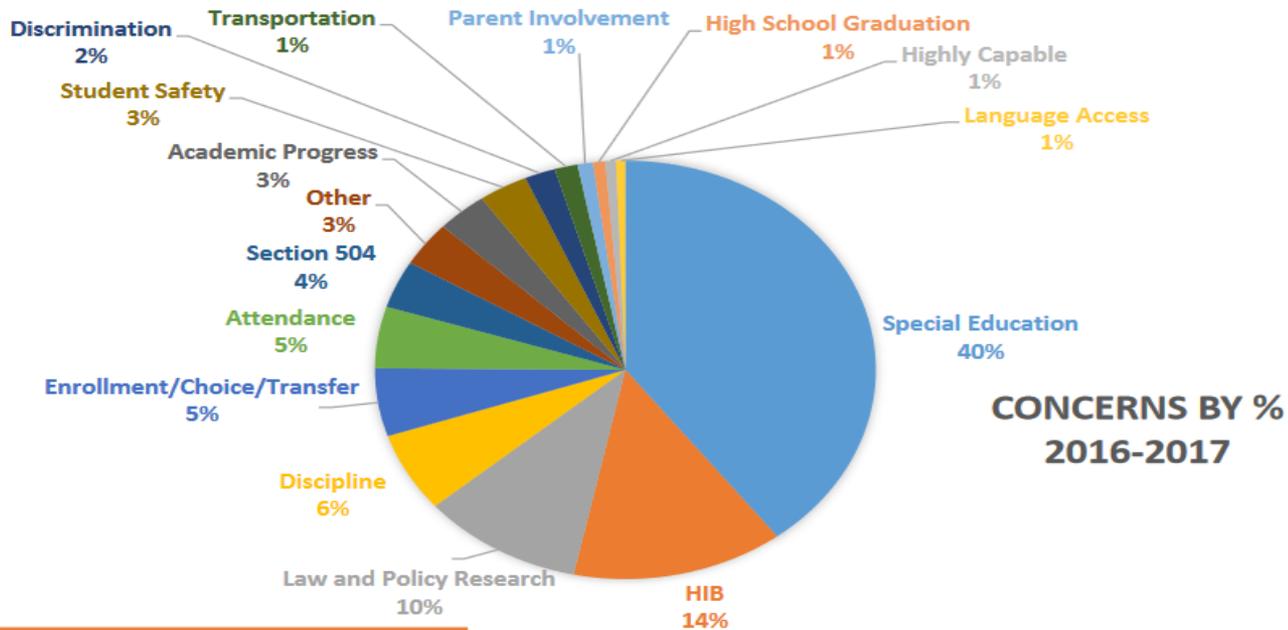
QUESTION 4: HIB –HOW MANY CALLS DO WE GET?

OEO's 2016-17 ANNUAL REPORT

Data

2016-2017 Data Overview

Of the 1017 concerns opened during 2016-2017, 590 (58%) involved students with disabilities. Calls regarding Harassment, Intimidation and Bullying (HIB) increased from 7% last year to 14% this year. These numbers could reflect changes in our internal data collection or represent a spike in HIB calls to our office. Special education and HIB issues were the top two issues across *all* student race/ethnicity groups. Other areas of concern included academic progress, discipline, discrimination, student safety, and questions involving law and policy research.



QUESTION 5: WHAT IS BEING DONE TO ADDRESS THE SHORTAGE OF SPEECH LANGUAGE PATHOLOGISTS IN WA STATE?

One (of several) areas of shortage for candidates is Speech Language Pathologist.

- See <https://www.sbctc.edu/resources/documents/colleges-staff/programs-services/tuition-fees/waivers/state-identified-shortage-areas-2016-17.pdf>

Information on teacher shortage and strategies to address it:

- <http://www.k12.wa.us/LegisGov/TeacherShortage.aspx>

For Speech Therapists and use of online/video technologies to deliver services:

- American Speech-Language-Hearing Association's Information regarding Telepractice: <https://www.asha.org/Practice-Portal/Professional-Issues/Telepractice/>

ADDITIONAL LINKS TO PRACTICE TIPS, RESEARCH RE TELEPRACTICE

Here are just a couple of the many research and practice articles regarding Speech Therapy Telepractice:

ASHA online chat “Telepractice in Schools: What Works Best?”

<http://leader.pubs.asha.org/article.aspx?articleid=2643072>

(look on the right hand side of the page for a list of related research articles)

The Efficacy of Telehealth-Delivered Speech and Language Intervention for Primary School-Age Children: A Systematic Review:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5546562/>

(additional articles linked on the right hand side of the page)

Thanks to one of our viewers for the additional information!

NATIVE AMERICAN HERITAGE MONTH



UNITED INDIANS
OF ALL TRIBES FOUNDATION

2017 NATIVE AMERICAN HERITAGE MONTH ACTIVITIES AT UNITED INDIANS OF ALL TRIBES FOUNDATION

November 16th and 17th— 2017 Native Voices Film Festival 6-9pm at Daybreak Star

Reception, art installation, and performance begins at 6:30pm, Films begin at 7:30pm
Frybread Sales by 12th Frybread starting at 4pm on 11/16 and 11am until sold out on 11/17

**November 16th—22nd— HOME BODY CALLI: Rafael/a Luna-Pizano Exhibition at
Daybreak Star in the Sacred Circle Gallery**

November 18th—Harvest Feast 3-8pm at UIATF Labateyah Youth Home

November 18th and 19th—Native Art Mart 10-4pm at Daybreak Star

Come out and support local Native Artists this holiday season and find a one of kind gift for your loved one!
Native performance at 1pm as well as salmon lunches and frybread sales.

November 23rd—Community Thanksgiving Dinner 1-4pm at Daybreak Star

Please join us at Daybreak Star to share a meal together. The 12th Frybread crew will be cooking up a feast!

Daybreak Star Indian Cultural Center
5011 Bernie Whitebear Way
Seattle, WA 98199

Labateyah Youth Home
9010 13th Ave NW
Seattle, WA 98117

www.uiatf.org www.facebook.com/uiatf

Tribal Nations in WA State

WASHINGTON
TRIBES

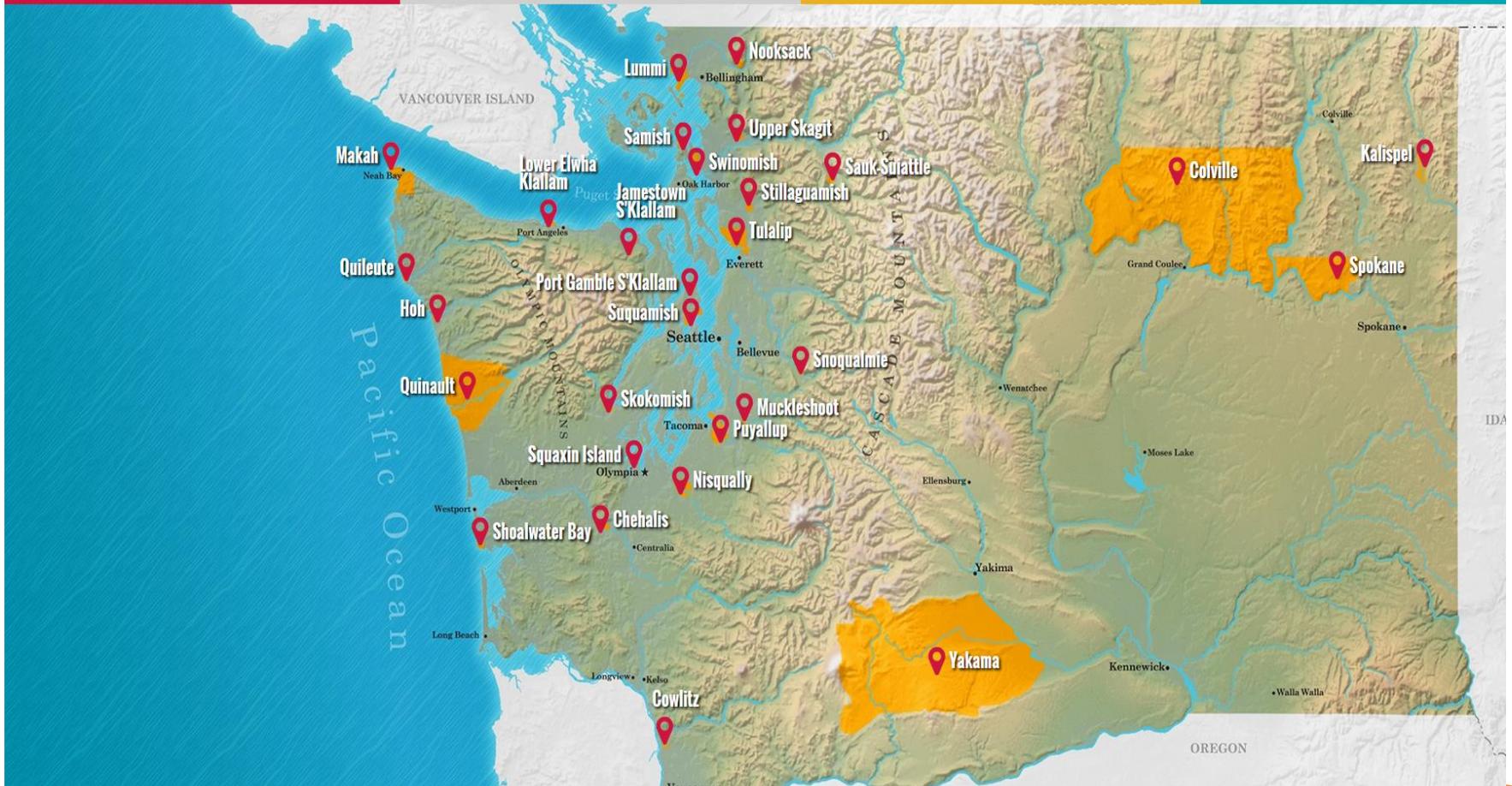
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From: www.washingtontribes.org/tribes-map

- Additional Questions?
- Thoughts?
- Requested themes for next month?

Please share your Feedback on this Webinar!

OEO Webinar Survey:

https://www.surveymonkey.com/r/November_14_2017

Thank you for your participation!

www.oeo.wa.gov

oeoinfo@gov.wa.gov

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