

EDUCATION TEAM FY 2017

I. Priority:

Education – Children, ages 3-21, with disabilities who are receiving or are in need of special education services will receive a free appropriate public education in the least restrictive environment.

II. Programs: PADD, PAIMI, PAIR, PAAT, PATBI, PABSS, PAVA

III. Focus Areas/Objectives:

- A. Meaningful educational benefit in the least restrictive environment (LRE) – The rights of students with disabilities to an appropriate education in the least restrictive environment with appropriate services and supports will be protected and advanced (PADD, PAIMI, PAIR, PAAT, PATBI).
- B. Discipline – The rights of students with disabilities to appropriate services, supports, practices, procedures and policies with respect to discipline and youth court referrals will be protected and advanced (PADD, PAIMI, PAIR, PAAT, PATBI).
- C. Testing/evaluation—The rights of students with disabilities to appropriate testing/evaluations will be protected and advanced (PADD, PAIMI, PAIR, PAAT, PATBI).
- D. Transition—The rights of students with disabilities to effective school and community-based transition services will be protected and advanced (PADD, PAIMI, PAIR, PAAT, PATBI, PABSS).
- E. Accessibility—The rights of students with disabilities to school buildings and programs that are physically accessible will be protected and advanced (PADD, PAIR, PATBI, PAAT).

IV. System Advocacy Projects:

- A. Systemic Complaint: DRMS will file a systemic state administrative complaint or a systemic OCR complaint, on behalf of its individual clients and a class of similarly situated and treated students (students with an emotional disturbance ruling in special education or who have social, emotional, and/or behavioral manifestations that are a result of their disability/disabilities and have been subjected to three or more disciplinary removals or placement in the alternative school), against a school district for denying DRMS's individual clients and the class members a free appropriate public education (FAPE) in the least restrictive environment (LRE) (PAIMI).
- B. School District Accessibility: DRMS will inspect a school district for accessibility issues and make recommendations for improvements (PADD).

C. Systemic OCR/DOJ Complaint: DRMS will determine the appropriate means for addressing discriminatory policies and procedures by a school district against students with disabilities (PADD, PAIMI).

D. Special Education Task Force 2017: DRMS will participate in the Task Force meetings addressing MDE's Strategic Plan and other relevant issues (PADD, PAIMI).

E. Monitoring Projects: DRMS will monitor compliance by school districts with individual and systemic relief as provided for in findings and decisions to state complaints and pursuant to settlement agreements (PADD, PAIMI).

V. Case Selection Criteria:

For eligibility as an education case, in addition to meeting the criteria for one of the given programs PADD, PAIR, PAIMI, PAAT, PABSS, PATBI, or PAVA, **the education team client must a) be enrolled in a Mississippi Public School or in the process of enrolling or re-enrolling in one and b) meet the following criteria:**

For students not yet eligible for special education services:

Discipline-

Child must

1) Have been suspended out of school for at least 20 days (partial-day removals of the child by the school district count as .5 days) the current school year, or have been referred for expulsion, or have been referred to the District's Alternative School for more than 45 days the current school year, or have been referred to Youth Court by the District for an alleged incident that allegedly occurred in its entirety while at school during school hours

AND

2) The school district must have been made aware the child has a diagnosis and/or medication that indicates a diagnosis of some disability that would likely qualify him/her for special education services or the school district is deemed to have knowledge the student is a child with a disability

AND/OR

Academic-

1) The child's parent has evidence that she/he has requested in writing the school district conduct a comprehensive evaluation of the child for special education or the child's parent has sent a DRMS form letter to the school district (with a copy to DRMS)

requesting a comprehensive evaluation of the child for special education and the school district has refused to conduct a comprehensive evaluation of the child for special education

AND

2) The child must have failed a core subject (English/language arts, reading or math) for two consecutive grading periods and have been retained at least one time in the past

AND

3) The school district must have been made aware the child has a diagnosis and/or medication that indicates a diagnosis of some disability that would likely qualify him/her for special education services or the school district is deemed to have knowledge the student is a child with a disability

For students who already have a special education ruling:

1) Have been suspended out of school for at least 20 days (partial-day removals of the child by the school district count as .5 days) the current school year, or have been referred for expulsion, or have been referred to the District's Alternative School for more than 45 days the current school year, or have been referred to Youth Court by the District for an alleged incident that allegedly occurred in its entirety while at school during school hours

OR

2) Have failed a core subject (English/language arts, reading or math) for two consecutive grading periods and have been retained at least one time in the past or other documentation shows the child has not made academic or functional progress for one school year or if the child takes a modified curriculum, he/she has failed to make progress for two consecutive grading periods on a goal or objective on his/her IEP or other documentation shows the child has not made academic or functional progress for one school year

OR

3) Information indicates the child is being kept in a more restrictive placement than is necessary and has the ability to function at a higher level in a less restrictive placement