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## Special Education Newsletter from the Indiana Department of Education



Indiana Department of Education sent this bulletin at 01/22/2024 08:00 AM EST



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

## Special Education Newsletter

This monthly newsletter from the Indiana Department of Education (IDOE) Office of Special Education (OSE) includes resources, guidance, and support for special education directors, educators, and administrators who provide essential services that Indiana's students with disabilities need to learn and thrive.

### Fiscal

#### Fiscal Year (FY) 2024 Proportionate Share Monitoring Reports

The Individuals with Disabilities Education Act (IDEA) Part B proportionate share monitoring reports format for FY 2024 has changed. Each local educational agency (LEA) must maintain records and provide OSE with the following information related to parentally placed private school children:

1. The number of children evaluated
2. The number of children determined to be children with disabilities; and
3. The number of children served.

Please note, the deadline for submission of FY 2024 Part B proportionate share monitoring reports has been extended to Thursday, February 15. Proportionate share monitoring reports for all other Part B grants are due Wednesday, January 31. Plan to attend the January Part B Grants Office Hours sessions below and contact your LEA's assigned fiscal specialist with any questions.

#### January Part B Grants Question-and-Answer Office Hours Sessions

The Part B fiscal team will host office hours this month to assist LEAs with completion of the new FY 2024 611 and 619 Part B grants semi-annual proportionate share monitoring reports. These sessions will also be a forum for help with all Part B grants-related questions and issues. Each session is structured as a time to address individual questions. Use the links below to join at any time during these 60-minute sessions to get answers to Part B questions or help with the new monitoring reports completion and submission process:

- [Monday, January 29 at 10 a.m. ET - Proportionate Share Monitoring Reports Office Hours](#)
- [Tuesday, January 30 at 1 p.m. ET - Proportionate Share Monitoring Reports Office Hours](#)

#### Reminder: Submit Part B Grant Reimbursement Requests in the Month After Expenditures Occur

OSE is implementing new fiscal monitoring of Part B grant funds. Part B reimbursements must be requested the month after the expenditures occur. Submit reimbursement requests on the first and fifteenth of each month. School corporations, cooperatives, and interlocals will no longer be permitted to keep reimbursement requests open until the end of the grant award period. Please contact the LEA's assigned Part B fiscal specialist with questions.

## Reminder: Obtain Informed Consent Before Billing Medicaid for Covered Mandated School-Based Services

Public school corporations, charter schools, and state schools must give prior notice and obtain consent from students' parents/guardians (or from the emancipated student who is aged 18 years or older and has no appointed legal guardian) before disclosing student records for purposes of Medicaid billing. Please note that, as of Thursday, January 18, different notice and consent requirements still apply for services required under IDEA Part B versus the Rehabilitation Act of 1973.

IDEA Part B notice and consent requirements apply for IEP, Service Plan (SP), and Behavioral Intervention Plan (BIP) services:

- Although a currently pending federal rule change may revise Medicaid notice and consent requirements under IDEA Part B, at present [34 CFR 300.154\(d\)](#) still requires one-time prior notice, written consent, and annual notice thereafter to disclose student records for purposes of billing services required per a student's IEP, SP, or BIP. A prior Medicaid notice and consent form is available in multiple languages in the IEP system, and annual notice language is included under #4 on page four of Indiana's sample [Notice of Procedural Safeguards](#)

Family Educational Rights and Privacy Act (FERPA) notice and consent apply for billing other types of medically necessary services:

- As of December 22, 2023, [34 CFR 99.30](#) requires prior notice and consent to disclose students records for purposes of billing services in an IHP or other plan developed under the [Rehabilitation Act](#). FERPA consent must: (1) specify the records to be disclosed; (2) state the purpose for disclosure; (3) identify the entity to receive the disclosed records, and (4) be signed by the parent/guardian or emancipated student who is age 18 years or older.

[This video](#) provides more information about Medicaid consent.

## Special Educator Licensure, Recruitment, and Recognition

### Nominations Due for Indiana Council for Exceptional Children (INCEC) Awards

INCEC celebrates achievements of exceptional individuals in special education through the presentation of various awards. These awards cover a wide range of categories, including distinctive service, outstanding administration, advocacy, student membership, chapter advising, teaching, paraeducator excellence, rising star recognition, and student accomplishment. Please review [award descriptions and criteria](#) and submit nominations [here](#). The deadline for nominations is Friday, January 26, and the award ceremony will be held on Wednesday, March 6, during the INCEC spring conference Beyond Barriers: Educating Exceptional Children in Bloomington. Contact [Meghan Highfield](#) with any questions.

### Educator Supply and Demand Marketplace Webinar Series

This webinar series will provide an overview of posting jobs, look at the complete Applicant Tracking System, highlight the Indiana Educator Supply and Demand Marketplace, and answer any questions. For more information, contact [Rebecca Estes](#).

- [Thursday, January 25 at 2 p.m. ET](#)
- [Tuesday, January 30 at noon ET](#)
- [Thursday, February 8 at 3 p.m. ET](#)
- [Tuesday, February 20 at 1:30 p.m. ET](#)

## Dispute Resolution

### Educational Representatives

In the December 2023 newsletter, the Dispute Resolution Team reminded schools to review their policies and procedures for the transfer of rights to students. This month, we remind schools to review their procedures for the appointment of an educational representative.

#### When must a public school appoint an educational representative?

Public schools must appoint an educational representative for a student with a disability who has become eighteen (18) years of age and has not had a guardian appointed under IC 29-3, if the student requests such an appointment, or if two qualified professionals certify in writing that the student is incapable of providing informed consent. 511 IAC 7-43-6.

#### Does Article 7 require a student who elects to have an educational representative to submit the request in writing?

Yes. See 511 IAC 7-43-6 (a)(1).

#### May the student revoke their consent of the appointment?

Yes. A student may request, in writing, that the appointment be revoked.

#### What are the requirements for the appointment of an educational representative if it is determined that the student is unable to provide informed consent?

Two people must, based on personal examination or interview, certify in writing that the student is incapable of providing informed consent and that the student has been informed of this decision. Review 511 IAC 7-43-6(a)(2) and (f)-(i) to learn more about persons who may certify and what "incapable of providing informed consent" means under 511 IAC 7-43-6.

**Who should the school appoint as the educational representative if an appointment is determined necessary because the student is incapable of providing informed consent?**

A student's parent must be appointed to act as educational representative under this section.

**What if the parent is unavailable?**

The school must appoint another appropriate individual to serve as the educational representative. The educational representative must meet the same criteria as an educational surrogate parent. 511 IAC 7-43-6(b); 34 CFR §300.520(b).

## Technical Assistance and Professional Development

### Indiana IEP (IIEP) Virtual Open Office Hours

The statewide IIEP contractor, Public Consulting Group (PCG), hosts virtual office hours on the third Wednesday of each month. Session topic examples include IIEP system updates, potential issues, and frequently asked questions. Registration is required and sessions are recorded for those unable to attend. Contact [Xelpha Profancik](#) with any questions.

Click the links below to register for upcoming sessions:

- [PCG Office Hours: February](#)
- [PCG Office Hours: March](#)
- [PCG Office Hours: April](#)
- [PCG Office Hours: May](#)

### Assistive Technology (AT) in the Individualized Education Plan (IEP)

Join the [PATINS Project](#) for a 5-part training series on AT in the IEP. These 30 minute sessions cover questions about including AT in the IEP and how to navigate collaboration, funding, transition, and more. Click the links below to register for one session or all five.

- [Getting the Money \(Funding\)](#)
- [Boots on the Ground \(Collaboration with IT\)](#)
- [What Happens at the Table \(IEP Meetings\)](#)
- [Bringing Them In \(Collaboration with the AT Team\)](#)
- [Making it Stick \(Transitioning Student\)](#)

### Individualized Education Program Technical Assistance Center (IEP TA Center) 2024 Training Catalog

The IEP TA Center 2024 Training Catalog is now available and offers a robust list of workshops delivered in a variety of formats and locations, presented at no cost to Indiana educators. Click [here](#) to view or download the catalog, or [browse the schedule and register](#) for an upcoming workshop. Please contact [info@iepta.org](mailto:info@iepta.org) with any questions.

## Updates from the U.S. Department of Education

### Data Collection Public Comment Period Extended

The U.S. Department of Education seeks public comment on FERPA Data Collection. The notice published in the *Federal Register* states the Department is especially interested in comments addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. See the [Federal Register notice](#) for details on how to review all the documents related to this information collection and submit comments through the Federal eRulemaking Portal. Please note that written comments received in response to this notice will be considered public records.

## Additional Updates, Resources, and Opportunities

### From IDOE's Office of Student Assessment: Hard of Hearing (HoH) Accommodation for ILEARN

The following updates apply to use of the HoH accommodation for ILEARN:

- Students who have the HoH accommodation indicated in the Test Information Distribution Engine (TIDE) for ILEARN Science (i.e., grades four and six) will have items that contain audio components filtered.
- Students with the HoH accommodation for ILEARN Science **and** ILEARN English/language arts will not receive items that may be sensitive to students who are deaf or hard of hearing (e.g., items that require a student to write a narrative about how music makes them feel or items requesting students to draw upon experiences pertaining to sound and/or music).
- Updates to the process for requesting and receiving this accommodation have been made in Indiana IEP. In order to receive the HoH accommodation, students must have the new assessment accommodation, "student is provided a hard of hearing feature," indicated in their current, finalized Individual Education Program (IEP). The case conference committee (CCC) must determine that the accommodation is appropriate for the student. If a student requires revisions to their IEP, parent permission is required.
- The [HoH Request Jotform](#) is only required for students who require the accommodation per a Section 504 Plan or Choice Special Education Plan (CSEP).

Contact IDOE's [Office of Student Assessment](#) with additional questions.

### From IDOE's Office of Teaching and Learning: Public Comment for Draft Content Connectors Now Open

Pursuant to Indiana Code (IC) 20-31-3-1 requiring the streamlining and prioritization of the Indiana Academic Standards, IDOE convened committees of general and special educators to review proposed revisions to Indiana's alternate standards, known as Content Connectors. New and updated Content Connectors for six areas ([English/language arts](#), [mathematics](#), [science](#), [computer science](#), [social studies](#), and [integrated STEM](#)) are available now through Friday, February 9, for public comment. Contact IDOE's [Office of Teaching and Learning](#) with any questions.

### From the Indiana Learning Lab

[Making Digital Learning Materials Accessible to Every Student](#) is a workshop that explores accessibility musts and digital tools to help educators provide personalized access for every learner.

### From the Indiana Commission for Higher Education (CHE): Next Generation Hoosier Educators Scholarship Application is Now Available

CHE is accepting applications for the [Next Generation Hoosier Educators Scholarship](#) and Next Generation Hoosier Minority Educators Scholarship. High-achieving high school and college students who plan to teach in Indiana for at least five years can receive up to \$10,000 per year (\$40,000 total). Current college students who apply must be able to use the scholarship for two full academic years. Apply through [ScholarTrack](#) by Wednesday, January 31. Please contact [CHE](#) for more information.

### Upcoming Dates



|                                   |   |
|-----------------------------------|---|
| Thursday, January 25 at 2 p.m. ET | <a href="#">Educator Supply and Demand Marketplace Webinar Series</a>   |
| Monday, January 29 at 10 a.m. ET  | <a href="#">Proportionate Share Monitoring Reports Office Hours</a>   |
| Tuesday, January 30 at noon ET    | <a href="#">Educator Supply and Demand Marketplace Webinar Series</a>   |
| Tuesday, January 30 at 1 p.m. ET  | <a href="#">Proportionate Share Monitoring Reports Office Hours</a>   |
| Wednesday, January 31             | Next Generation Hoosier Educators Scholarship and Next Generation Hoosier Minority Educators Scholarship Applications Due |
| Wednesday, January 31             | Proportionate Share Monitoring Reports for all but FY 2024 Part B grants due  |

|                                      |  |
|--------------------------------------|--|
| Thursday, February 8 at 3 p.m. ET    | <a href="#">Educator Supply and Demand Marketplace Webinar Series</a>  |
| Friday, February 9                   | Public Comment Deadline for Draft Content Connectors   |
| Thursday, February 15                | FY 2024 Part B Proportionate Share Monitoring Reports deadline extension                                       |
| Friday, February 16                  | <a href="#">LEArn and LEAd Leadership: IEP Meeting Facilitation and Legal Compliance registration deadline</a> |
| Tuesday, February 20 at 1:30 p.m. ET | <a href="#">Educator Supply and Demand Marketplace Webinar Series</a>  |
| Thursday, February 22                | <a href="#">Indiana Work-Based Learning Conference</a>   |
| Sunday, May 26                       | <a href="#">Distinguished Educators Recognition nominations due</a>  |

## Additional Resources

- [Office of Special Education](#)
- [Office of Special Education Moodle Community](#)



## Department News

- 01/10/24 Secretary Jenner Unanimously Elected as State Board of Education Chair for Fourth Consecutive Year
- 01/09/24 Key Literacy Data Publicly Available for the First Time

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