

Orange County Public Schools



Collaborative Practices between Districts and Stakeholders to Enhance Dispute Resolution

WINNER

the broad prize
for urban education



**CADRE's Sixth National Symposium
October 20-22, 2015**

T E A M W O R K



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OCPS Vision

To be the top producer of successful students in the nation.

OCPS Mission

To lead our students to success with the support and involvement of families and the community.

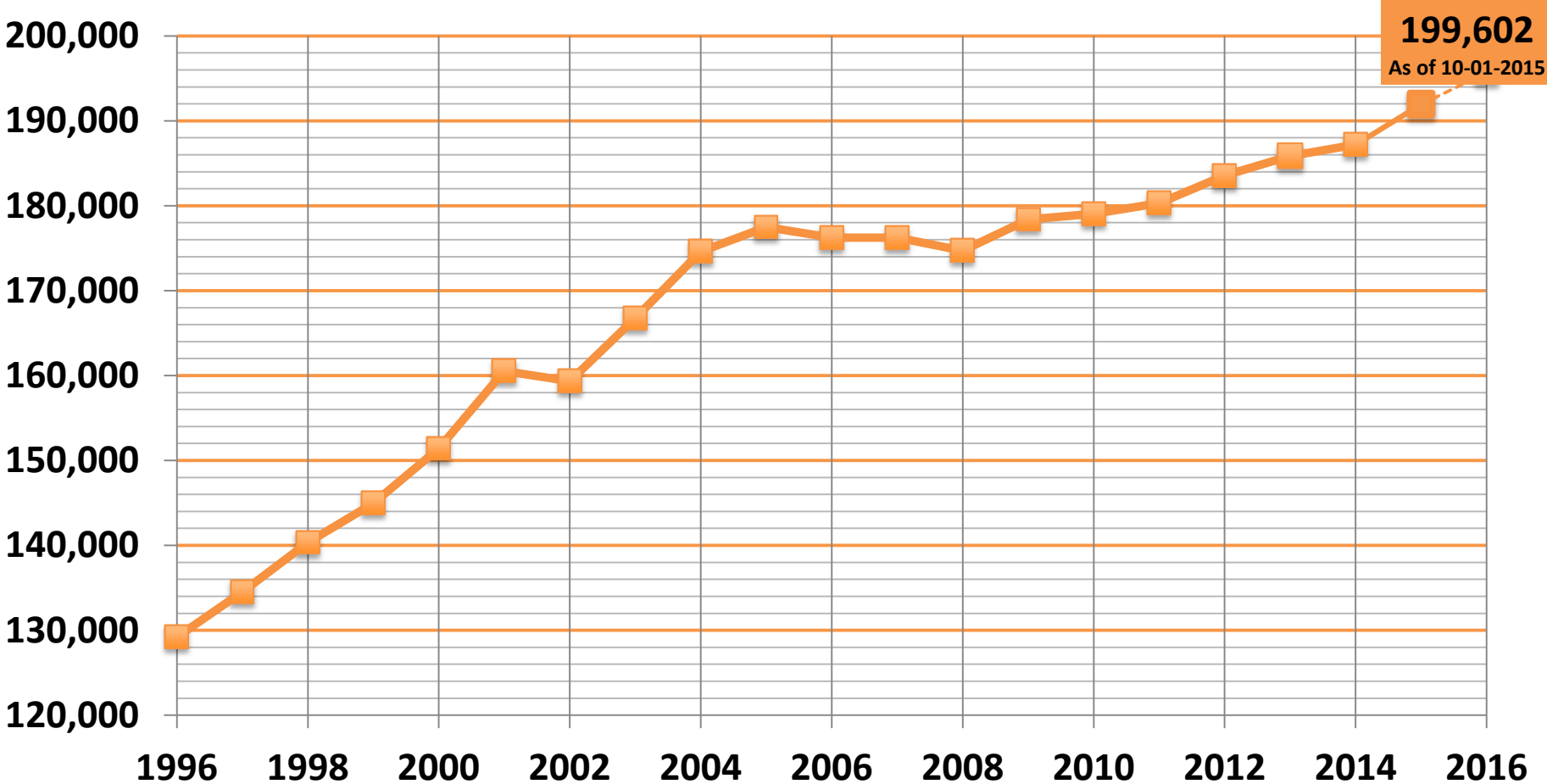


10th-Largest District in the Country



Student Enrollment

Traditional, Charter, Exceptional and Alternative Schools



Second-Largest Employer in Central Florida

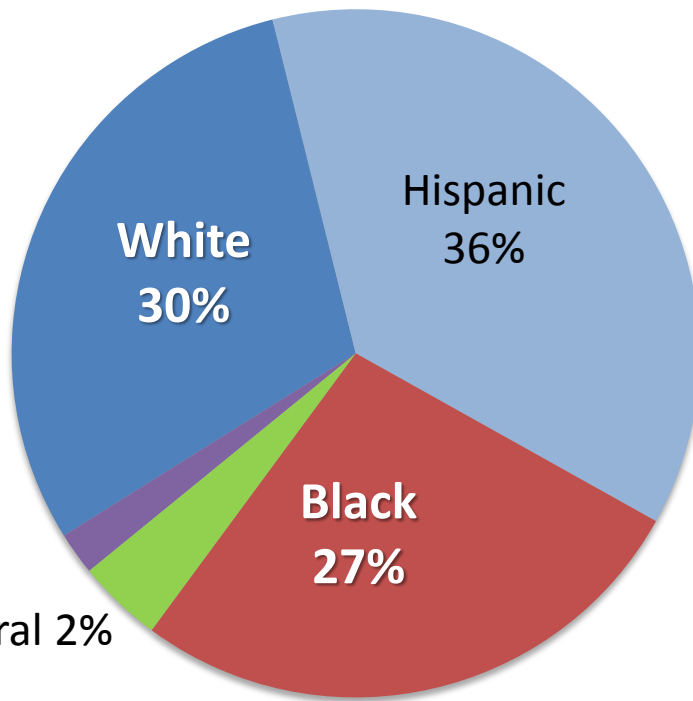
- Instructional: 13,664
- Administrators: 1,029
- Classified: 7,870



As of Sept. 15, 2015

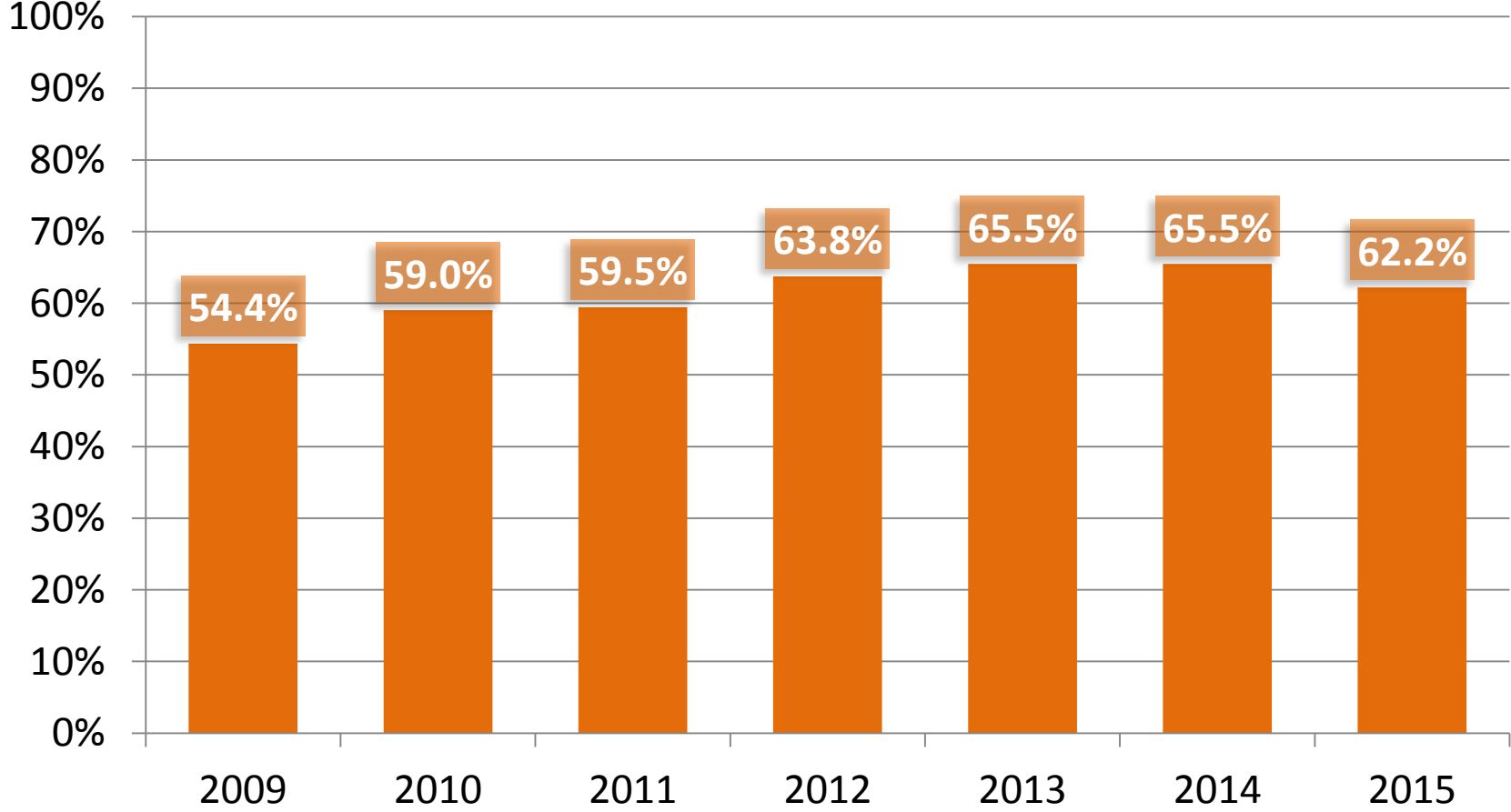
Diversity

- Students come from **201** countries and speak **163** different languages and dialects.



Socio-Economic Status

Free and Reduced Meals



OCPS Operations

- **125** elementary schools
- **35** middle schools
- **3** K-8's
- **19** high schools
- **40** charter schools
- **6** ESE sites
- **22** alternative education sites
- **929** school buses
- **168,000** meals served per day



High Student Performance

Graduation Rate
(Traditional High Schools)

88.1%



the **broad prize**
for urban education

WINNER



Exceptional Student Education

Exceptional Education

33,648 students, ages 3-21 are served by Exceptional Student Education.

Gifted

12,619 students are identified as Gifted students.

Students with Disabilities

22,029 students are identified as Students with Disabilities.

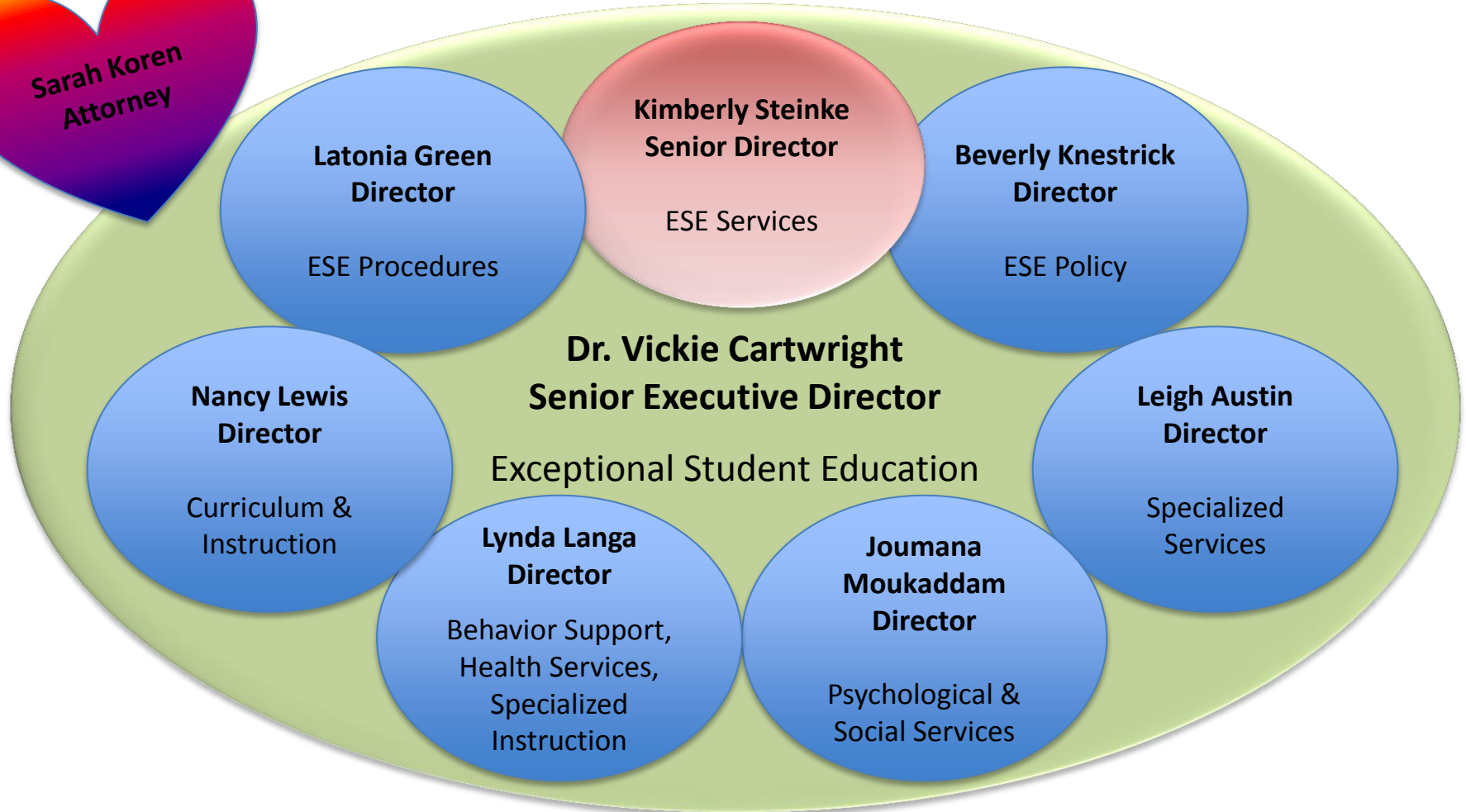


Exceptional Student Education

Orange County Public Schools

38% Gifted	3% Speech Impaired
27% Specific Learning Disabilities	2% Emotional Behavior Disorder
5% Intellectual Disabilities	1% Deaf or Hard of Hearing
6% Language Impaired	1% Other Disabilities <ul style="list-style-type: none"> • Hospital Homebound • Orthopedically Impaired • Traumatic Brain Injury • Visually Impaired
7% Other Health Impaired	
6% Autism Spectrum Disorder	
4% Developmentally Delayed (Pre-K)	

ESE Department



Collaborative Practices





FOCUS ON PROFESSIONAL DEVELOPMENT FOR SCHOOL ADMINISTRATORS

Research on ESE Leadership

“Across the United States, school district leaders face the challenge of increasing the numbers of highly qualified principals who can meet the demands of closing achievement gaps and raising student achievement.”

Goor, Schwenn, & Boyer, 1997; Shellard, 2003; Wakeman, Browder, Flowers, & Ahlgrim-Delzell, 2006; Whitaker, 2006

“The majority of school leaders may not be fully prepared with the knowledge and skills needed to effectively lead special education programs in their schools.”

M. F. DiPaola & Walther-Thomas, 2003

Research on ESE Leadership

“In order to protect the educational rights of all students it is critical that school leaders have a high level of familiarity and understanding of the rules and regulations that are required by legislation.”

Litchka, 2007

“School leaders who fully recognize the academic, behavioral and instructional challenges of working with students with disabilities and their families are much better prepared to provide support and resources leading to improved student outcomes and performance.”

M. F. DiPaola & Walther-Thomas, 2003

OCPS ESE Administrator Modules

More than 700 Administrators have completed:

- Module 1: IDEA and Legal Requirements
- Module 2: Providing specialized instruction and related services
- Module 3: Monitoring Academic Achievement
- Module 4: Transition from Elementary through Post-Secondary
- Module 5: Meeting the needs of SWD and their families
- Module 6: Section 504 of the Rehabilitation Act of 1973
- Module 7: Building Inclusive Schools
- Module 8: Meeting the Needs of Gifted Learners

OCPS ESE Administrator Modules

Your modules are exactly what I needed to help me take things to the next level for not only our students but also our faculty, staff, parents and other community stakeholders.



*~Assistant Principal
OCPS Middle School*

Post-Module Survey

- Six months after administrators completed initial modules
- Five true/false statements related to the implementation of information gleaned from modules
- 275 responses out of 666 surveyed = 41% response rate

Post-Module Survey

45% = When faced with a situation regarding an ESE student, I have referred back to information in the ESE Administrator's module for guidance or assistance.

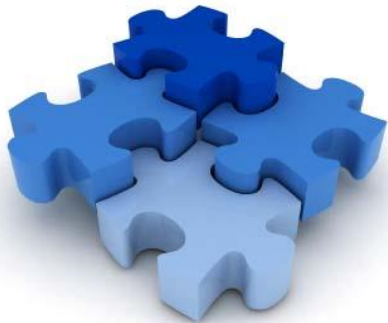
55% = I have implemented a practice or strategy with my staff that I specifically learned in the ESE Administrator's modules.

87% = The ESE Administrator's module helped me understand more about my specific role and responsibilities as an administrator when meeting the needs of students with disabilities and gifted learners.

Post-Module Survey

71% = After completing the ESE Administrator's modules I have paid closer attention to the needs of ESE students, including responding to and working with their parents or guardians.

67% = The ESE Administrator's modules provided me with information related to ESE students that I have not been exposed to previously.



Post-Module Survey

Survey Comments:

- *I found it very informative and helpful especially with parent sensitivity and administrator responsibilities.*
- *I personally feel that this training was exemplary for my quest to become more aware of the needs and accommodations of ESE students.*
- *Everyone should have to do this not just admin. It was incredibly useful! Thank you!!*



LEGAL: DUE PROCESS & MEDIATION

OCPS Due Process Case History

2011-12	2012-13	2013-14	2014-15	2015-16
10	13	19	10	0
	Two closed by final order in favor of district	One closed via final order for parent	One resolved via final hearing in favor of district	

- Most other cases closed via resolution, mediation, voluntary dismissal, etc.
- Many cases have telephonic conferences and hearings on auxiliary issues such as standing, jurisdiction, continuances, etc.

Collaboration through the Legal Process

- Legal proceedings between parents and schools are inherently adversarial
- Reaching the point of legal proceedings means there has most likely been a breakdown in the process
- It is important to realize that ultimately everything is about the child
- Collaboration is critical in maintaining focus on the needs of the child

Focus the Attention of the Staff

- Remind staff that this is not about them; but rather a parent exercising their right to address their children's needs
- Focus the faculty to remember the education of the student is paramount regardless of the pending legal matter



Initial Legal Filing

- The District's first step is to review all documents pertaining to the student
 - initial review helps legal counsel gather general information on the student
 - legal counsel can identify procedural or material concerns that need to be reviewed with faculty



Initial Legal Filing

- The District's second step is to meet with all faculty that have worked with the student (usually for the past two years; statute of limitations)
 - allows legal counsel to discuss the proceedings with staff and remind them of their duties to continue focus on the child
 - reminds staff to keep the process collaborative regardless of the legal proceeding

Initial Legal Filing

- Meeting with Faculty: Part 2
 - attorney can review with each teacher, paraprofessional, etc. the allegations in the complaint to the extent that the attorney needs to gather information
 - time for the attorney to probe the staff and understand the nature of the issues so the attorney can advise the client on the recommended course of litigation

Consult with Senior Management to Consider Options

- Attorney should provide a legal recommendation to district decision makers in the district
- Develop a framework in which the key players understand parameters of mediation/resolution meetings
- Analyze all legal liability
- Consider costs of settlement vs. hearing costs
- Calculate compensatory education
- Consider position of district moving forward in light of settlement and/or court hearing

Mediation/Resolution Session

- Use this time as a true attempt to address the needs of the student
- If mistakes have been made, address the concerns and offer a good faith resolution to the issues
- Consider what forum will best address the District and the needs of the family
- Assure the appropriate persons participate and are fully prepared prior to the meetings

Mediation/Resolution Session

- If the District believes an appropriate education has been provided use this time to explain the needs of the student and measures the district has used to help the student
- Documentation should be provided to illustrate to the parents/parent's attorney what the student needs are and how the District has been implementing appropriate services

Settlement Agreements

- Utilize a binding document
- Clearly document services to be provided
- Clearly document costs associated with services
- Clearly document how to address make-up missed services
- Clearly document a date certain to which services will be voided if not used
- Include a full and complete release of claims including prohibition of filing a similar claim through a different forum
- Before presenting final settlement assure that all terms have been discussed so there are no surprises

Prior to Hearing

- If the matter cannot be resolved at a mediation/resolution meeting the following is recommended:
 - meet with school faculty and staff to provide guidance as to remaining focused on the student
 - provide school staff recommendations on how to deal with parent inquiries regarding the legal matter

Hearings

- Witness Preparation
 - prioritize the hearing testimony
 - include recommendations on how the faculty can be confident and continue a positive student relationship once the hearing is complete
 - *It is recommended that school based faculty focus on the student and refer all legal matters to administration or legal counsel*

Post Hearing/Closing of Case

- Counsel faculty and staff on any new requirements
- Provide recommendations on how to avoid a legal matter in the future
- Provide recommendations regarding post hearing collaboration
- Remind faculty and staff that the ultimate goal is provision of FAPE to the student

Office for Civil Rights Complaints

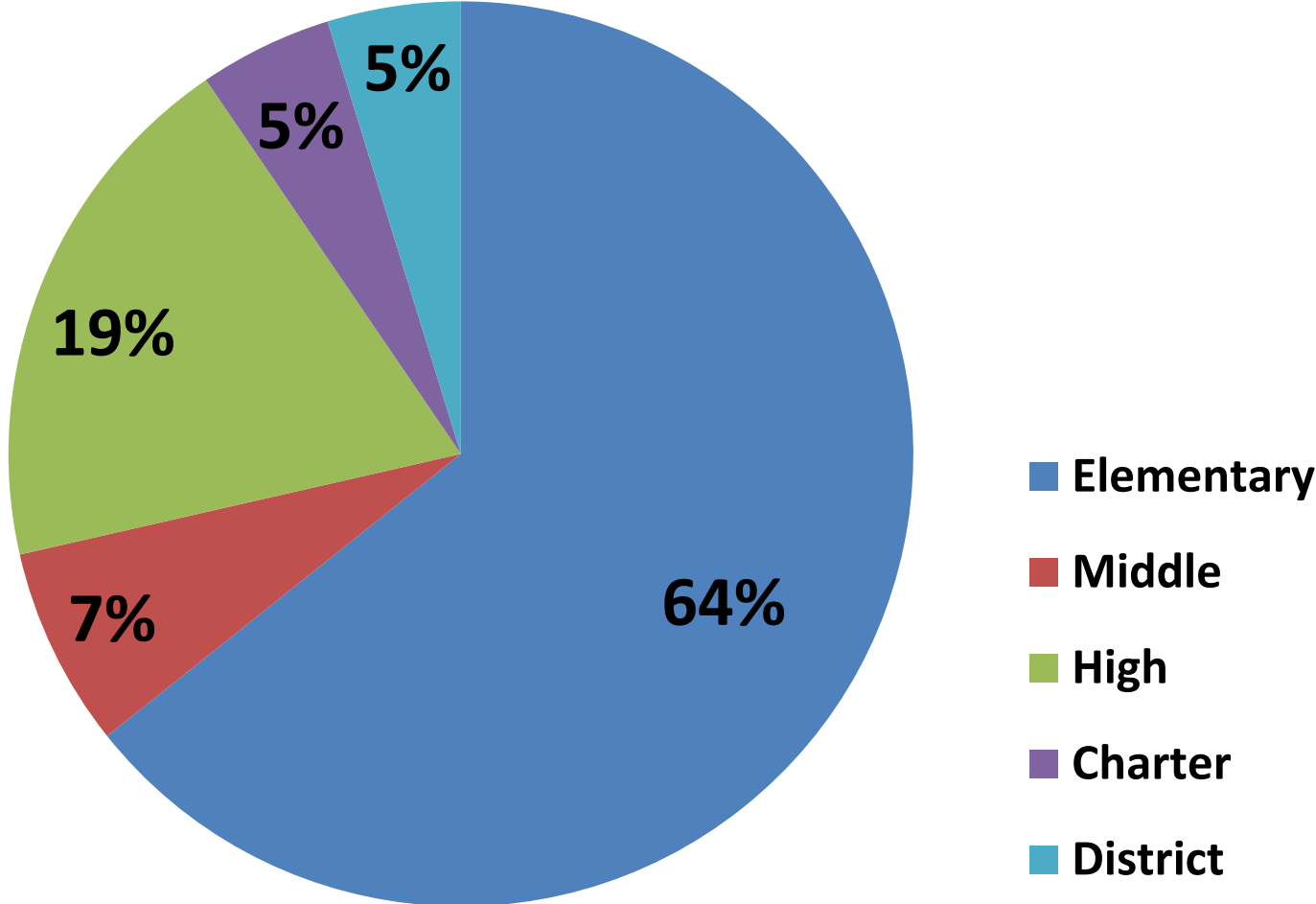
- Since August 2011, OCPS has processed approximately 11 Office for Civil Rights Complaints
 - approximately three have required corrective actions and were subsequently closed
- Continue cooperation with parent during pendency of matter so as to assure that the district is not retaliating for parent's filing
 - cooperation with parent may result in voluntary withdraw of complaint
- Consider entering into a 302 Agreement with the Office for Civil Rights or mediation with the family regarding the issues



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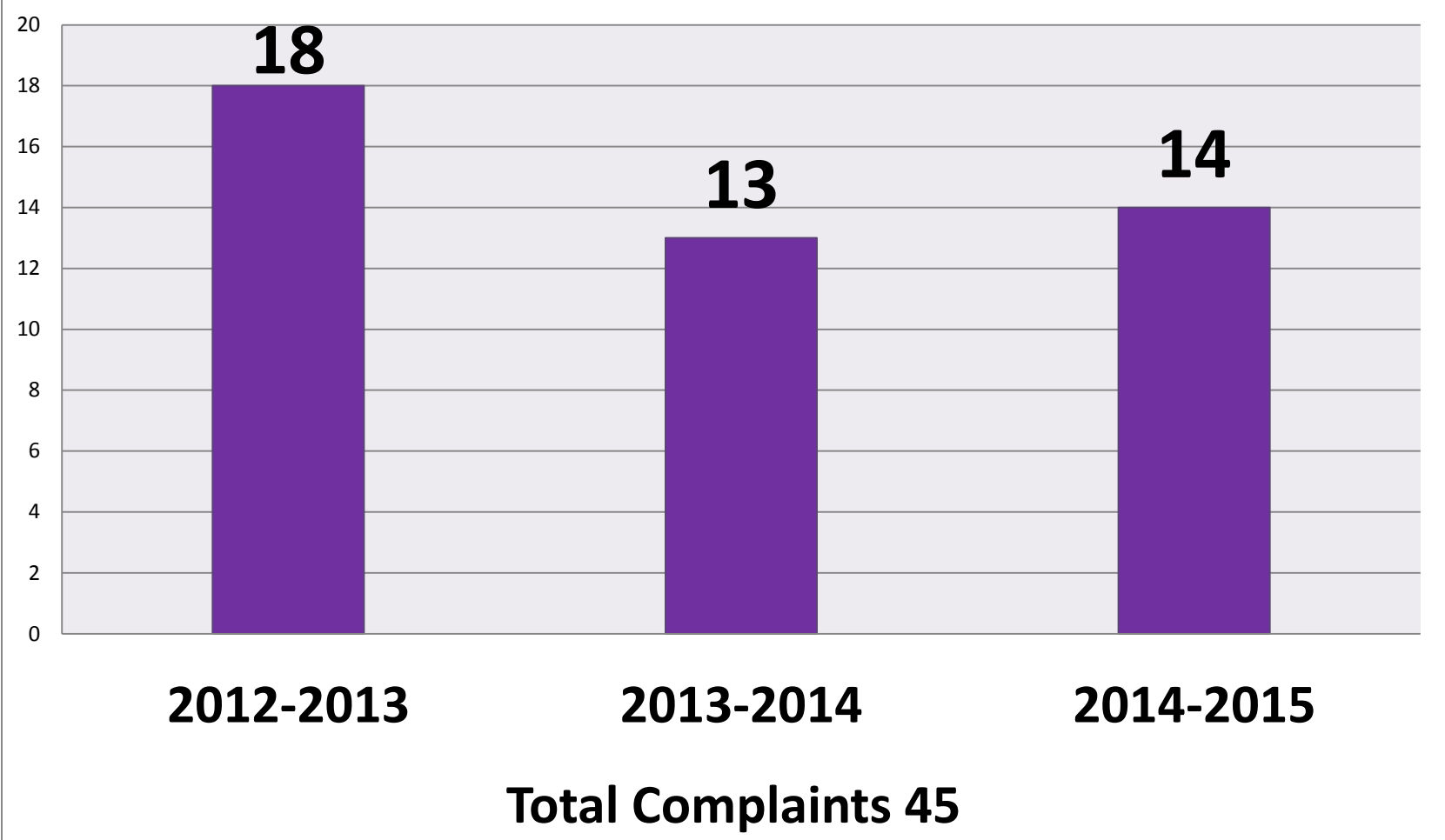
STATE COMPLAINTS

State Complaints by School Level



2012-2015

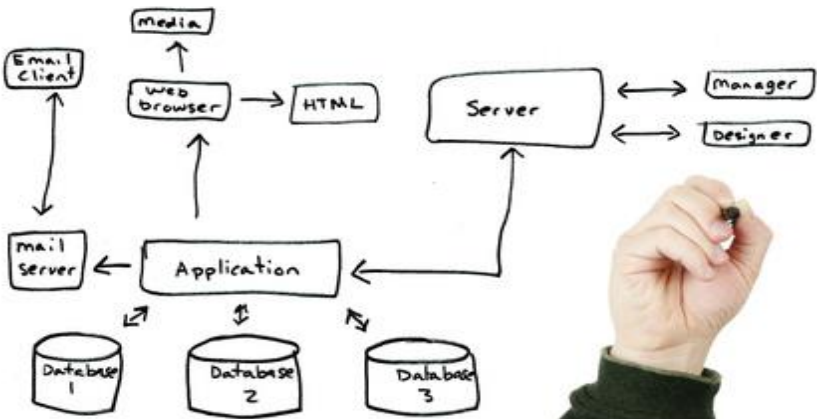
OCPS State Complaints



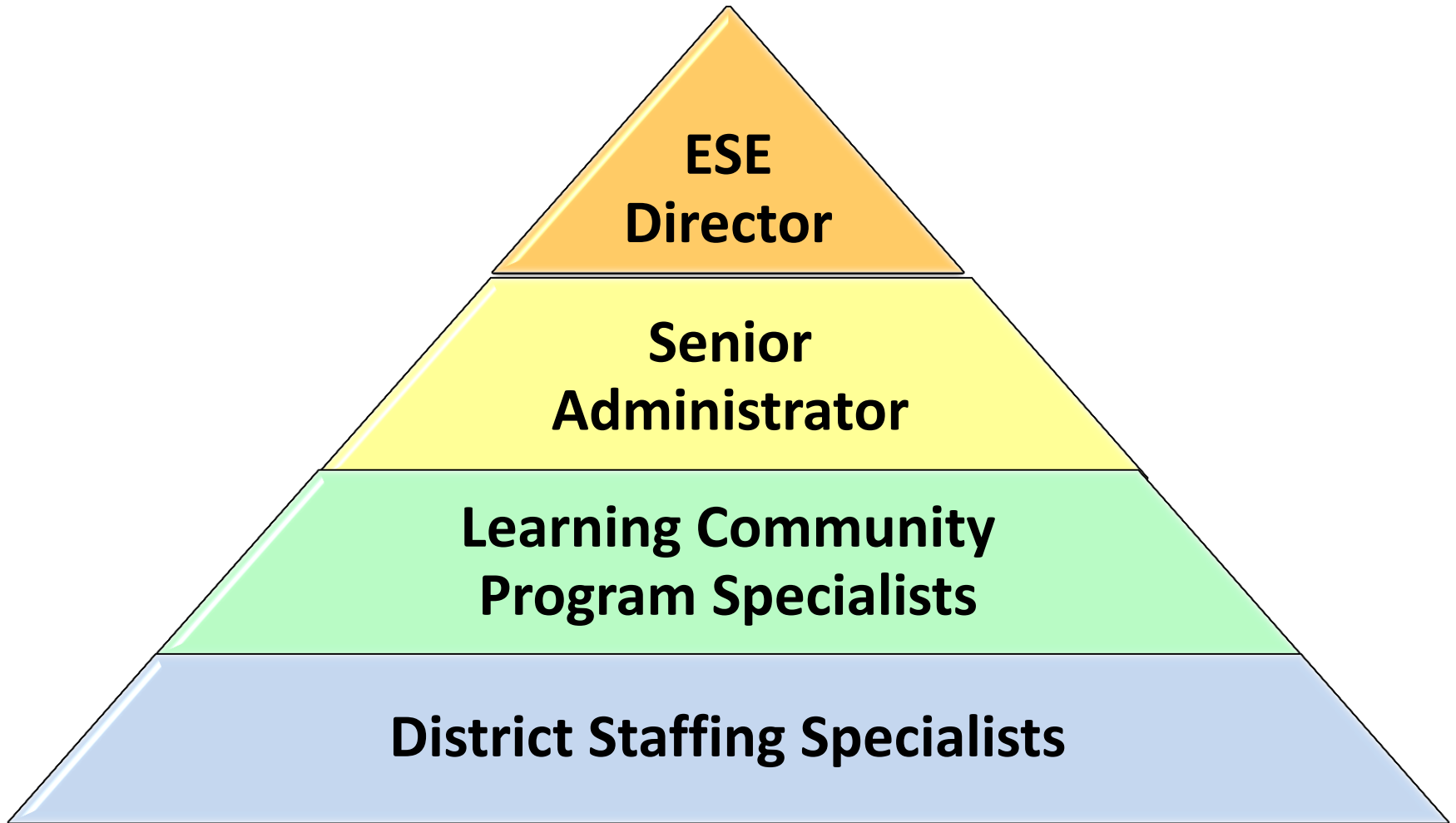
Top Issues Investigated

School Year	IEP Implementation	Child Find	Parent Participation	*Total Complaints
2012-13	22%	16%	0%	18
2013-14	15%	26%	26%	13
2014-15	33%	26%	0%	14
Total	43%	24%	8%	45
<i>* includes all complaints</i>				

The Process



Building a Proactive Infrastructure



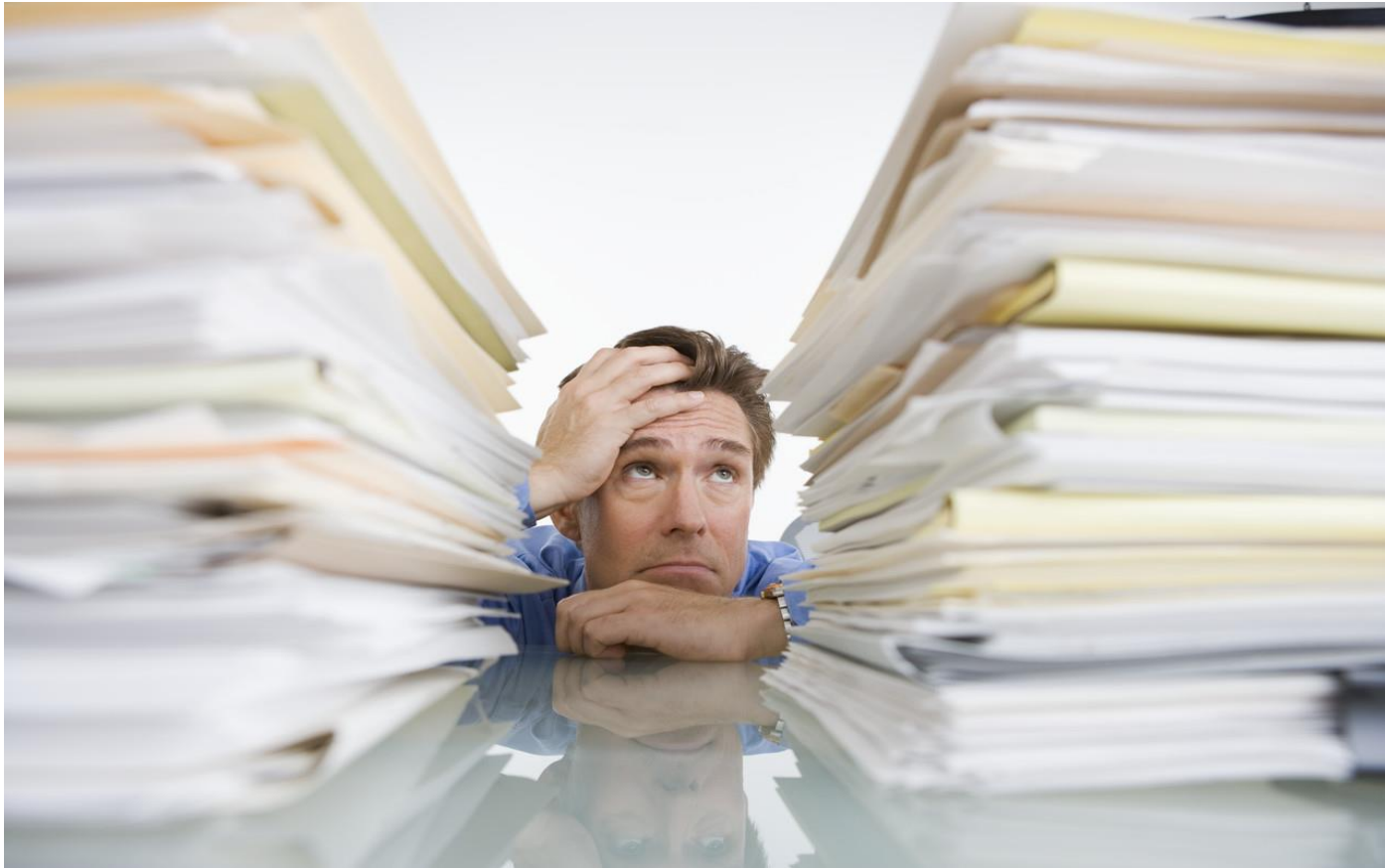
Building a Proactive Infrastructure

- The *Learning Community Program Specialist* supports and works with school based representatives to review student and teacher records for verification of services
- A *District Staffing Specialist* contacts the school's compliance monitor to ensure that all compliance paperwork is current and up to date

Building a Proactive Infrastructure

- Professional Development Opportunities regarding trends of non-compliance
 - Districtwide Trainings
 - Mini-trainings
 - Administrative Modules
 - Summer Institutes

Investing State Complaints and Reviewing Relevant Documentation



Upon Receipt of a State Complaint from the FLDOE (Acknowledgment Letter)

- *Forward the acknowledgement letter* from the Bureau to the school's Area Superintendent and Principal for review
 - outlines the specific allegations
 - serves as a notification that an investigation is forthcoming
- *Request* immediate submission of documentation from the school's perspective that addresses or counters the specific allegation(s)

Strategies to Investigate the Issues

- *Consultation* with the Bureau representative regarding the school's documentation of the events that may have led the parents to initiate the complaint
- *Collaboration* between district and school based administration to discuss the specifics of the case and to determine the merit of the allegations as indicated

Strategies to Investigate the Issues

- *Communication* with the family to determine whether they are willing to attempt resolution by reconvening the IEP team with district participation or through state facilitated mediation



Strategies to Investigate the Issues

Develop a plan of action once all options have been exhausted, including but not limited to:

- Initiating the process to reconvene the IEP team including district representation ← or →
- Notification to the Bureau that the district would like to move forward with the State Complaint investigation process with submission of requested documentation to the Bureau representative

Findings of Non-compliance

- A *Letter of Inquiry* is submitted to the district with the Bureau's findings
- If *corrective or required* actions are issued, the district develops a corrective action plan which creates an internal timeline to complete the activities that are required by the state
- Case management and follow up is the responsibility of the Learning Community Program Specialists and District Staffing Specialists

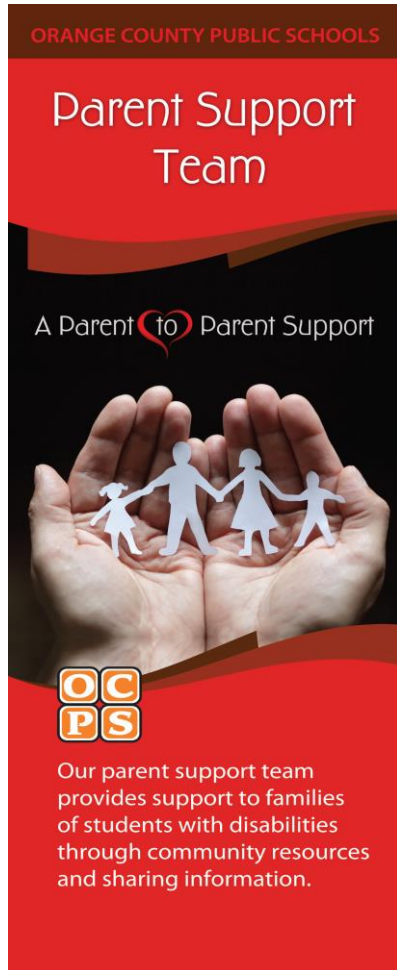
Tips to Use During the Investigation

- Self Assessment: fix your own non-compliance
- Submit only the documentation requested
- Provide narratives to plead your case
- Utilize the data to create the story
- Carefully organize the data prior to submission
- Exceed the Bureau's requirements for Corrective Action to prevent reoccurrence



PARENT SUPPORT TEAM

Parent Support Team



- Parent to parent partnership funded through the Individuals with Disabilities Education Act
 - five parents of SWD
 - available for parents 24/7
- Offers peer support, community resource access, district information important to families, and acts as a conduit between schools and families in need

Parent Support Team

- Provide information to help parents make informed educational choices for their child, especially those that have students newly identified as needing special education services
- Program is designed to empower parents to advocate for their own children and to help parents teach their children self-advocacy skills

Parent Support Team

- Work with Learning Communities and schools to give parents expanded opportunities to resolve their disagreements in positive and constructive ways
- Respond to parents via email/phone, attend IEP meetings and community events
- Host routine family forums throughout school year to address needs of families of SWD

Parent Support Team

- Host parent training sessions (face-to-face and online)
 - Introduction & Overview of ESE for Parents
 - IEP Basics
 - Collaborative Communication
 - Parental Advocacy
 - Standardized Testing
 - Parent-Teacher Conferences
 - Skills for Independence
 - Middle to High School Transition
 - Behavior: Firm, Fair, & Consistent
 - Making your Case (Educating Policymakers)



Parent Support Team

- Host annual PULSE Conference
 - *Parents United with Leaders Students and Educators*
- Focus is to provide awareness and strategies to inform, promote, and support the achievement of students with disabilities and their families
- Attendance increased from 233 attendees in 2010 to 487 in 2015





**Exceptional
Student Education**
Orange County Public Schools

