# OSEP Updates

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Priorities from the OD

1.  Recovering from COVID

2.  Attract, Prepare, Retain

3.  Better dissemination of our technical assistance resources

4.   Reconceptualizing Transition from birth to grade 12

# Update on IDEA Funding: Formula Grants

## From the FY 2022 Omnibus bill

▶ IDEA Section 611 Special Education Grants to States and LEAs: $13.3 billion, up $406.2 million over the FY 2021 level

▶ IDEA Section 619 Preschool Grants to States and LEAs: $409.5 million, up $11.9 million over the FY 2021 level

▶ IDEA Part C Grants to States for Infants and Families: $496.3 million, up $14.5 million over the FY 2021 level

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# Update on IDEA Funding: Discretionary Funds

▶ Educational Technology, Media, and Materials: $30.4 million

▶ Parent Information Centers: $30.2 million

▶ Personnel Preparation: $95 million

▶ State Personnel Development: $38.6 million

▶ Technical Assistance and Dissemination: $44.3 million

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# Comparison of Federal Funding

▶ Total IDEA funds: Approximately $14 billion

▶ Total COVID aid awarded by the Department approximately **$200 billion.**

▶ ESSER and GEER funds at the State and local levels can be used for <u>any</u> purpose under IDEA (IDEA Parts B, C and D).

▶ See Question C-5 of the <u>ESSER/GEER use of funds fact sheet</u>

▶ CARES Act funds (awarded in March 2020), period of availability ends on September 30, 2020

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# Regulatory Update

- ▶ The Department's Office for Civil Rights is requesting comments on revising the Section 504 regulations. Comments can be posted at https://www2.ed.gov/policy/rights/reg/ocr/index.html

- ▶ In response to stakeholders OSERS is contemplating revising our parental consent prior to accessing Medicaid regulation

- ▶ A notice of proposed rulemaking may be released this fall

- ▶ If we do issue a proposed rule, all stakeholders will have an opportunity to comment through Regulations.gov

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# Monitoring and State Improvement Planning Updates

## Monitoring

- Our MSIP Division has resumed on-site DMS monitoring

- Conducted Phase II activities in May/June: AK-B, AR-C, MI-C, and MT-C

- Remaining Phase II activities in November/December: AR-B, CO-C, NY-C, and SC-B

- Link to DMS resources

## ▶ SPP/APR

- FFY 2020 SPP/APR State submissions have been reviewed and State Determinations have been issued

- State assessment data was not included in making determinations

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# MSIP National Technical Assistance (TA) Calls

▶ OSEP conducts National Technical Assistance (TA) calls on a monthly basis (generally on the second Thursday of the month at 4pm EDT).

▶ All registration links and past recordings/materials are available on the MSIP program page of the OSEP IDEAs that Work website.

# RTP Updates

▶ Our Research to Practice Division continues to fund programs through the discretionary grant process.

▶ Recent Awards include:

▶ Refunding the National Center on Educational Outcomes

- The National Center on Educational Outcomes (NCEO) focuses on the inclusion of students with disabilities, English learners, and English learners with disabilities in instruction and assessments.

- www.nceo.info

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# Research To Practice Updates

- ▶ NCII
  - Refunding the National Center for Intensive Intervention
  - https://intensiveintervention.org/

- ▶ Grant Competitions
  - Collaboration for Effective Educator Development, Accountability, and Reform (CEEDAR) Center
  - Early Childhood Personnel Equity Center
  - National Center for Development and Dissemination of Digital Open-Educational Tools and Resources Supported by Evidence to Enhance Preparation and Professional Development for Personnel Serving Students with Disabilities
  - State Implementation and Scaling-up of Evidence-based Practices (SISEP) Center
  - Early Childhood Systems Technical Assistance Center (ECTA)
  - National Technical Assistance Center for Inclusive Practices and Policies

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# OSEP Technical Assistance Newtork

## Office of Special Education Programs Technical Assistance Network

### TA&D Program Centers

- Center for Appropriate Dispute Resolution in Special Education (CADRE) cadreworks.org
- Center on Positive Behavioral Interventions and Supports (PBIS) pbis.org
- Early Childhood Technical Assistance Center (ECTA Center) ectacenter.org
- Literacy for Leaders (L4L) leadforliteracy.org
- National Center for Pyramid Model Innovations (NCPMI) challengingbehavior.cbcs.usf.edu
- National Center for Systemic Improvement (NCSI) wested.org/project/national-center-for-systemic- improvement
- National Center on Deaf-Blindness (NCDB) nationaldb.org
- National Center on Educational Outcomes (NCEO) nceo.info
- National Center on Intensive Intervention (NCII) intensiveintervention.org
- National Deaf Center (NDC) nationaldeafcenter.org
- National Technical Assistance Center on Transition (NTACT) transitionta.org
- PROGRESS Center: Promoting Rigorous Outcomes and Growth by Redesigning Educational Services for Students with Disabilities Center promotingprogress.org
- State Implementation and Scaling-up of Evidence-based Practices Center (SISEP) sisep.fpg.unc.edu
- TIES Center: Increasing Time, Instructional Effectiveness, Engagement, and State Support for Inclusive Practices for Students with Significant Cognitive Disabilities ici.umn.edu/projects/view/203

### Parent Program Centers

- Center for Parent Information and Resources (CPIR) parentcenterhub.org
- Community Parent Resource Centers (CPRCs) parentcenterhub.org/find-your-center
- Parent Training and Information Centers (PTIs) parentcenterhub.org/find-your-center
- Regional Parent Technical Assistance Centers (RPTACs) parentcenterhub.org/rptacs

IDEAs that Work
U.S. Office of Special Education Programs

### Technology, Personnel, and Data Centers

- Bookshare bookshare.org/cms
- Center for IDEA Fiscal Reporting (CIFR) cifr.wested.org
- Center on Inclusive Software for Learning (CISL) cisl.cast.org
- Center on Technology Systems in Local Educational Agencies/Center on Inclusive Technology & Education System (CITES) cites.cast.org
- CEEDAR Center: Collaboration for Effective Educator Development, Accountability, and Reform Center ceedar.education.ufl.edu
- DIAGRAM Center diagramcenter.org
- Early Childhood Personnel Center (ECPC) ecpcta.org
- Early Childhood STEM Center (STEMIE) stemie.fpg.unc.edu
- IDEA Data Center (IDC) ideadata.org
- IRIS Center iris.peabody.vanderbilt.edu
- National Center on Accessible Educational Materials (AEM) aem.cast.org
- National Center on Improving Literacy (NCIL) improvingliteracy.org
- National Instructional Materials Access Center (NIMAC) nimac.us
- The Center for IDEA Early Childhood Data Systems (DaSy) dasycenter.org
- The Center for the Integration of IDEA Data (CIID) ciidta.grads360.org/#program

For an interactive copy of this PDF with live links, please visit https://osepideasthatwork.org/.

# OSEP Resources - https://sites.ed.gov/idea/

# ED's Coronavirus Website

▶ At the bottom of the page, click on

▶ Program Information: FAQs and Responses
- https://www.ed.gov/coronavirus/program-information

▶ Has a compilation of all resources by office within the Department

▶ Including a just released DCL between OSERS and Headstart

▶ Improving Access to High-Quality Resources That Equitably Support Social-Emotional Development and Mental Health of Young Children (June 14, 2022)

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# Bipartisan Safer Communities Act

## *The Contents*

▶ **Sec. 11001. Expansion of Community Mental Health Services Demonstration Program**

- Expands the existing Medicaid certified community behavioral health clinic (CCBHC) demonstration program.

▶ **Sec.11002. Medicaid and Telehealth**

- Requires CMS to provide guidance to States on how they can increase access to health care, including mental health services, via telehealth under Medicaid and CHIP.

▶ **Sec. 11003. Supporting Access to Health Care Services in Schools**

- Improves access to mental health care in schools by requiring CMS to provide states with critical tools and resources to implement, enhance, and expand school-based health programs under Medicaid.

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*Supporting the Needs of Children with Disabilities and IDEA's Discipline Provisions*

**A Brief Overview of the Recently Released Guidance**

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# New Discipline Guidance

Released on July 19, 2022

The package contains three documents:

1.  Dear Colleague Letter

2.  Questions and Answers: Addressing the Needs of Children with Disabilities and IDEA's Discipline Provisions: provides information on 12 key topic areas

3.  Positive, Proactive Approaches to Supporting Children with Disabilities: A Guide for Stakeholders a technical assistance document that provides resources, strategies, and evidence-based practices to improve outcomes for children with disabilities.

During the 2004 reauthorization of IDEA Congress identified:

▶ The law's implementation has been impeded by low expectations

▶ An insufficient focus on applying research-based methods of teaching and learning for children with disabilities.

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# New Discipline Guidance: DCL

[Dear Colleague Letter on Ensuring Equity and Providing Behavioral Supports to Students with Disabilities](#) (August 1, 2016)

Highlights:

▶ Many children with disabilities, particularly Black children with disabilities, were subjected to high rates of disciplinary removals

▶ The need to enhance efforts to support and respond to the needs of children with disabilities

▶ The importance of creating safe and supportive learning environments

# New Discipline Guidance: DCL

Disparities in the use of exclusionary discipline have continued, including:

▶ The use of school discipline for children with disabilities compared with their nondisabled peers and for

▶ Children of color with disabilities compared with all other students

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# New Discipline Guidance: DCL

Exclusionary disciplinary practices place children with disabilities at risk for short- and long-term negative outcomes, including:

▶ Lower achievement

▶ An increased likelihood of not graduating

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# New Discipline Guidance: DCL

▶ IDEA's Section 618 Data Collection and the Department's Civil Rights Data Collection (CRDC)

▶ Both illustrate the pervasive disparities in the use of aversive practices such as restraint and seclusion, and in student disciplinary practices such as suspensions and expulsions

▶ More info:  https://www2.ed.gov/programs/osepidea/618-data/state-level-data-files/index.html

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# New Discipline Guidance: DCL

IDEA *Section 618 2019-20* School Year Data

▶ Black children with disabilities made up 17.2 percent of children with disabilities aged 3-21 served under IDEA[4]

▶ Black children with disabilities represented 43.5 percent of children with disabilities aged 3-21 served under IDEA who were suspended out of school or expelled for more than 10 school days.

The 2022 Q&A supersedes the 2009 Questions and Answers on Discipline Procedures published by the Department

All children have access to:

- High-quality education

- Safe, supportive, and predictable6 learning environment

- Free from discrimination

- Filled with healthy, trusting relationships

- Ensures each child's social, emotional, academic, and functional7 growth and development

**Content Addresses:**

▶ 12 Key Areas Related to IDEA's Discipline Provisions

▶ Glossary of Key Terms and Acronyms

This document:

- Outlines the legal requirements related to behavior support and discipline for eligible students with disabilities under IDEA

- Provides information about resources, strategies, and evidence-based practices that can help efforts to meet IDEA requirements and, in doing so, improve outcomes for children with disabilities

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**This Guidance is Organized into Four Sections:**

I. Proactively Addressing Disparities in, and Negative Outcomes from, Exclusionary Discipline

II. Investing in School and Educator Capacity

III. Federal Funding Available to Address Disparities in, and to Reduce the Use of, Exclusionary Discipline

IV. Federal Resources to Support State and Local Efforts to Address Disparities in, and Reduce the Use of, Exclusionary Discipline

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OSEP hopes that this guide will assist our nation's educators, parents, and others in our school communities in taking the steps necessary to effectively support children with disabilities particularly in light of the significant challenges they have faced over the last two years.

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Redoubling Efforts

▶ Examine existing policies, practices, and procedures to unpack the causes of discipline disparities.

▶ Identify ways to better prepare and develop educators, including administrators, teachers, and service providers, to implement effective, preventative, and responsive practices in place of exclusionary discipline

▶ Utilize strategies to ensure students with disabilities receive FAPE.

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Prompting meaningful action

▶ Improve IDEA implementation and how schools and programs support and respond to the educational needs of children with disabilities,

▶ Support behavior that prevents access to appropriate instruction

▶ Ensure children with disabilities are not subject to avoidable and unnecessary discipline

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Targeted Assistance Programs (TAS): Instructional and Programmatic Strategies

- ▶ In-class support
- ▶ Extended day/year programs
- ▶ Summer programs
- ▶ Multi-tiered Systems of Support (MTSS)/Response to Intervention (RTI)
- ▶ Positive Behavior Intervention & Supports (PBIS)
- ▶ Transition programs
- ▶ Test prep classes
- ▶ Specified professional development
- ▶ Blending funds

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# Save the Date!

▶ <u>Title</u>:  *Smart Beginnings 2022/2023*

▶ <u>Event Dates</u>:  8/9/22 - 8/11/22

▶ <u>Purpose</u>:  *Smart Beginnings* is a virtual, three-day technical assistance event, that highlights important OSEP Leadership Conference presentations from 2021 and 2022.

▶ <u>Intended audience</u>:  Local education administrators, service providers, teachers, and parents.

▶ <u>Registration</u>:  ==A link will be sent prior to the event.==

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# Questions?

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