

The questions have been answered and divided into categories; however, if the writing was illegible, or the not clear as to what was being asked it was not included.

QUESTION	ANSWER	LOOK IT UP 34 C.F.R. & Chapter 7
<b>SEAS</b>		
1-If we are halfway through doing reports, etc. on old forms in SEAS – start over? Will it transfer to new forms or do we cut and paste?	All forms and packets that are not archived have been updated.	
2-Could you go back to the forms where we could type more about the child’s progress – instead of the boxes on the goal page?	We cannot. If we changed the forms created by WDE in SEAS, the result of that would be that when a doc was printed, it would go on and on without proper page breaks or numbering. The solution to this issue is to attach as many additional pages as necessary.	
3-Are COSFs going to be deleted ☺ or changed to reflect IN?	The information collected on the Child Outcome Summary (COS) is information that we are required to collect for Indicator 7 showing the progress of preschoolers in specific areas. It is not required that the COS relates to the specialized instruction categories, so it will not be changed, or deleted.	
4-Instead of just yes/no for ESY, could you give us space to make comments under this section? On initial IEPs we don’t know the answer yet – we haven’t work with them. We used to be able to type in on new kids that we would note progress during the year and if needed ESY would be discussed with parents.	Explanation about anything more than yes/no should come on the ESY section on bottom of the PLAAFP page. IF a team is writing that they will revisit ESY after they have more information, the team must provide written documentation that they have revisited ESY.	
5-Can we just take IEP pages 3 & 4 out for preschoolers?	Page 3 which covers transition services out of high school and page 4 which covers independent living goals have already been taken out of the packet in SEAS.	
<b>Prior Written Notice &amp; Notice of Team Meeting</b>		
6-Can PWN go out with eligibility/IEP meeting when both occur at the same time and cover both eligibility and IEP? (RE: PowerPoint slide #39)	Holding the meetings together is not recommended and teams should allow for the possibility of splitting up the meetings or at the request of the parent; however the PWN may include both eligibility meeting and IEP meeting if both areas are clearly described on the notice.	

<p>7-Explain why a PWN for eligibility needs to be sent with the Team Meeting Notice. Sometimes evaluations are not completed by the time the meeting is scheduled. Evals are scheduled to be completed prior to the meeting, but due to timelines the meeting needs to be scheduled. (RE: PowerPoint slide #39)</p>	<p>In this case, one would infer that the eligibility meeting was held separately from the IEP meeting; therefore, the Notice of Team Meeting for the IEP meeting would be sent along with the PWN for eligibility.</p> <p>The BHD acknowledges that regions may be holding both these meetings together and in that case everything would be on one PWN and a separate PWN would <i>not</i> be sent with the Notice of Team Meeting.</p>	
<p>8-Do we fill out a PWN to decline an evaluation for every child we screen?</p>	<p>No, not for every child that you screen; however, if the parent wants further evaluation after the screening information has been shared and there is NO need for further evaluation, then you must complete a PWN for refusal of evaluation.</p>	
<p>9-Does the team need to provide PWN whether child is eligible or not? (RE: PowerPoint slide #39)</p>	<p>It depends if this is before or after consent for evaluation. If it is <i>before consent</i> and only after screening, then no. If it is <i>after consent</i>, then yes because the child did not qualify and the parent should be informed of the reasons for refusal. PWN is a useful tool to document the actions taken or refused, but the first and most important purpose is to communicate information to the parents.</p>	
<p>10-PWN: Description – Are you saying that formal assessments must be described in detail and not just the MDT report – because it is not just the formal assessment used to determine eligibility?</p>	<p>A <i>brief</i> description of <b>all</b> determining factors and not just the assessments must be communicated to the parent in the PWN. BHD does not expect, nor want, a regurgitation of the MDT report on the PWN.</p>	
<p>11-Where do you write sources for parents to contact for assistance?</p>	<p>In the last section of the PWN “Other relevant factors”.</p>	
<p>12-IEP Meal Deal</p> <ul style="list-style-type: none"> <li>• Eligibility Determination Meeting</li> <li>• IEP Meeting</li> <li>• Initial Consent for Services</li> </ul> <p>Can the team discussion to have separate meetings or to have one meeting be documented on PWN as “Other Options Considered”?</p>	<p>Yes, it’s a great idea for the PWN to reflect options and discussion about holding the meetings together or separately. Holding the meetings together is not recommended and teams should allow for the possibility of splitting up the meetings at the request of the parent; however the PWN may include both eligibility meeting and IEP meeting if both areas are clearly</p>	

	described on the notice.	
13-At the transition IEP meeting with the public school when children transition to school (K) the public school brings the entire K-2 SPED staff and related service people. Is it not legal is it?	The IEP team membership is determined through a collaborative process between the district and the region/preschool. All members in attendance must be providing relevant information for that child's IEP.	
14-Notice of team meeting: since it says "or provider if appropriate" under Special Ed teacher – then that would also mean that the OT, PT or counselor could be the one that provides special instruction in that area for the child, right? (not the SPED teacher)	Yes, someone other than the SPED teacher <i>could attend</i> the meeting and provide that feedback. Additionally, in the state of Wyoming, specialized instruction can be <i>provided</i> by a SLP if the student is eligible under speech/language but this requirement could NOT be met by a related service provider such as an OT.	
15-Do we have to do a PWN for referral to SpEd?	Yes, you must do a referral and PWN –consent for evaluation.	
<b>Consent for Evaluation</b>		
16-Can a parent sign consent the same day of assessments?	Yes, a parent may sign consent the same day as assessments, so long as consent is given before the assessments are administered.	
17-If a consent has extended past 60 days, do we obtain consent again?	As the common practice, you would not obtain a second consent, you would note in SEAS the reasons that the action had not been completed – making note of all attempts to contact parents, actions that the region took, etc., and mark the child's file as inactive.	
18-Where do we document in SEAS if parents don't come in for eval and we go over 60 days?	In SEAS, while you are in the child's file, click on the Conference Tab, then Dates – there you will find open text boxes which have the heading "Initial IEP Notes/Justification for Delay". Note that in order for the exception to the 60-day evaluation period to apply, the parent must repeatedly fail or refuse to produce the child, and the public agency and parent must agree to a definite time when the evaluation will be completed.	34 CFR § 300.301(d)(2), (e)
19-Do we state suspected disability in PWN/Consent for Eval?	On the consent for eval, use the check boxes to note any/all areas that you are going to evaluate. On the PWN you must document any areas of eligibility that were evaluated, but the child was not found eligible.	

## Screenings & Comprehensive Evaluation & Eligibility

20- If a child qualifies in Gross & Fine Motor, Cognitive-Adaptive, and Speech, we have been putting them in the DD category. Is this correct?	No, DD eligibility is the category of last resort. Meaning a child cannot qualify in <i>any other category</i> in order to be a child with DD eligibility.	WDE Rules, Ch. 7, DD Eligibility
21-If a child has a normal score at screening in fine motor and gross motor, do we still need to do a full evaluation in gross & fine motor skills?	The comprehensive evaluation must be conducted for any and all areas of suspicion. In this case, gross and fine motor are not areas of suspicion. To conduct an evaluation in those areas would not be an efficient and effective use of resources for the parents or region.	
22-If screening shows a speech concern, do we need to evaluate cognitive/academic/motor skills also?	If the screening shows only a speech concern, you must do a comprehensive evaluation in speech (area of suspected disability).	34 CFR § 300.304 (c)(4) and 300.304 (c)(6)
23-What would determine a child not needing additional data to determine eligibility?	The team needs to make sure that all questions of eligibility have been answered with the current data.	
24-How many observations are necessary?	A team must complete at least one observation to help inform the team in determining the needs of the child; but should conduct more than one observation if necessary to answer all questions asked in the comprehensive evaluation.	
25-For a child transitioning from another state, is an evaluation needed if the previous state's eligibility criterion are different? Is it needed in any/all cases or can we adopt that plan (IEP)?	Always follow WDE Special Education Rules, Policies, Procedures and Guidance Document, Chapter 7 to determine eligibility. The team may decide whether or not to use the information to help inform the eligibility determination. If child is eligible in Wyoming, the team must exercise its discretion, and in so doing, may decide to use the out-of-state plan as a whole or in part as the team sees fit.	
26-The Federal Dept. of Education states on their website that observations are only needed when SLD is suspected. SLD will never be suspected at the pre-school level. Why are we required to complete observations on every child that comes into our Part B program?	According to federal regulations, observations are part of the additional requirements for evaluations and reevaluations.	34 CFR § 300.305 <b>Additional requirements for evaluations and reevaluations</b> 34 CFR § 300.305(a)(1)(ii)(iii) "observations"
27-You state we do not have to evaluate in every single area, yet say a comprehensive evaluation is needed – what is the difference?	The child must be assessed in all areas related to the <i>suspected disability</i> . The "comprehensive evaluation" is what the team uses to determine eligibility which will include but is not limited to,	34 CFR § 300.304 <b>Evaluation procedures</b> 34 CFR § 300.304(c)(4) "suspected disability" 34 CFR § 300.304(c)(6) "sufficiently comprehensive"

	assessments, observations, and parent information.	
28-Can we write observations from screening when consent is signed after that?	No, observations are part of the evaluation for the child. Any observations that will be used in determining eligibility can only occur after consent for evaluation has been completed.	34 CFR § 300.300 <b>Parental Consent</b>
29-Is Pass/Fail sufficient on MDT for reporting hearing and vision?	Pass/Fail is sufficient; however, any fail should document how the region/preschool is going to follow-up or address those needs.	
30-Explain what no single measure for qualification means. Do you need 2 instruments for each area assessed?	No single measure may be used for <i>the eligibility determination</i> . The BHD interprets this to mean that you must do a comprehensive evaluation (assessment, observation, and parent input). For example, you could not qualify a child with only parent input, you must have all pieces of the comprehensive evaluation or “multiple” measures.	34 CFR § 300.304 <b>Evaluation procedures</b> 34 CFR § 300.304(b)(1, 2) “variety of assessment tools, not use any single measure”
31-Eval report, Section II for preschoolers – Do you want Yes & Yes Reading and Math or No & Not for each if appropriate?	The team doing the evaluation must answer the question for the child. For the most part BHD would expect to see a No/Lack of education is not the reason marked.	34 CFR § 300.306(b) “special rule for eligibility”
32-We’ve been doing areas & scores & qualification in summary section on MDT. Is that enough or do you want narrative?	On the MDT – there should be a brief narrative plus the other information that is mentioned (scores, areas, qualification criteria). On the PWN, there should be a brief description.	
33-In preschool what determines the need for Special Education?	Need for special education is determined if a child’s disability requires specialized instruction.	34 CFR § 300.8
34-Where do we record the date the MDT report is given to parents? – this is often given separately from the Eligibility Determination form	This date is not monitored by the division; however, when the MDT report is given to parents it could be tracked in your contact log, or on the bottom of the MDT.	
35-Do we still have to put multiple eligibility sheets with eligibility determination report to prove we considered other eligibility categories?	No, attach only the sheet for which child has met eligibility. Any other areas which the child did not meet criteria must be documented on PWN.	
36-Dates on the Eligibility Determination: Is the date on the form, the date it was generated or is it the date of the meeting? If the date a copy of report and eligibility given to parents after date of meeting or can it be the same?	The top date on the form is the date that particular document was written. The date on the bottom of the form is the date of the meeting and the date that should be recorded in SEAS.	

## IEP

37-How many people HAVE to be at the meeting? (E.g. speech only @ home for annual IEP – are mom and SLP enough?)	Refer to the mandatory participants listed on the Notice of Team Meeting for a list.	34 CFR § 300.321 <b>IEP Team</b>
38-If we want to add services or change goals – can we just complete an amendment and discuss with team or do we have to hold a meeting?	Yes, you may add a service or change a goal with an amendment.	34 CFR § 300.324 <b>Development, review, and revision of IEP</b> 34 CFR § 300.324(a)(6) “Amendments”
39-If you hold multiple IEP meetings during a year, is the annual based on the initial IEP date or does it change due to the other meetings?	The annual IEP meeting date will change <i>each time the IEP is redrafted</i> , but not each time it is amended.	34 CFR § 300.324 <b>Development, review, and revision of IEP</b>
40-So we have to get an excusal for regular ed teacher if the child is in a community preschool and the teacher cannot attend IEP meeting?	Yes, if there is no regular ed teacher or his/her designee at the meeting, you must get an excusal.	34 CFR § 300.321(e)(2)(i)
41-What do we do for children with degenerative disorders to support FAPE? And not meeting goals?	The IEP team must create an IEP that is reasonably calculated to enable the child to receive educational benefits. If a child is not making progress you must reconvene, review, re-strategize, revise as many times as necessary to address lack of expected progress.	34 CFR § 300.324(b) “Review and revision” <i>Board of Education v. Rowley</i> , 458 U.S. 176 (1982).
42-Can we still write the joint goals where more than one discipline works together? How would that look on the grid page?	The team should write the goal that best meets the child’s need. On the special education page, you may break it out or leave it all together.	
43-Under Program Modifications on IEP can the frequency be recorded “as needed”?	You may not use “as needed.” The team must describe what situation may occur to need the particular program modification and then estimate how frequently such situations may occur.	
<b>Consideration of Special factors</b>		
44-Under Consideration of Special Factors – what constitutes “communication needs”? (second bullet)	How the child does or does not communicate in his/her mode of communication with peers, teacher, etc.	34 CFR § 300.324(a)(2)(iv) “communication needs”
45-Under Special Factors if you check yes that the child’s behavior does impede his/her learning... do you <u>have</u> to have a behavior plan in place, or can you just address in a goal?	If the team indicates a yes to this section, the behavior <b>MUST be addressed in the IEP in some manner</b> : PLAAFP and goals, special education, related services, supplementary aids & services, accommodations, modifications <b>OR</b> a behavior intervention plan	34 CFR § 300.324(a)(2)(i) “behavior impedes” Also access <a href="http://www.pbis.org">www.pbis.org</a> for ideas.
46-Do we mark “yes” under consideration of special factors for “does child have communication needs” if the child received S/L?	Yes, if the S/L impedes his/her mode of communication with peers, teacher, etc.	34 CFR § 300.324(a)(2)(iv) “communication needs”

## Related Services

47-Does a child have to qualify for related service if already qualified for another and has concerns but won't qualify for other service?	A child does not qualify for a related service, just as the need for a related service does not qualify them special education. Related services are provided to the child according to their individual needs so that the child may benefit from special education.	34 CFR § 300.34 <b>Related services</b> 34 CFR § 300.34(a) General
--	--	---

## ESY – Extended School Year

48-Instead of just yes/no for ESY, could you give us space to make comments under this section? On initial IEPs we don't know the answer yet – we haven't work with them. We used to be able to type in on new kids that we would note progress during the year and if needed ESY would be discussed with parents.	Explanation about anything more than yes/no should come on the ESY section on bottom of the PLAAFP page. IF a team is writing that they will revisit ESY after they have more information, the team must provide written documentation of some type that they have revisited ESY.	
49-If I have a child stays 15 min after class for therapy, is that considered ESY?	If the team determines that ESY is necessary to continue to provide FAPE, then ESY must be provided.	
50-With budget cuts at Head Starts they have shortened their school year. Do we write ESY? Do we offer outpatient services for the 2-3 wks that are left in the school year?	If the team determines that ESY is necessary to continue to provide FAPE, then ESY must be provided.	
51-If ESY is needed for <u>maintaining</u> a child's skills, why do we need to document progress on goals after ESY? ESY is not for making progress, but for maintaining of skills.	ESY is necessary to ensure FAPE, and part of FAPE is to show progress.	

## Special Education Services

52-Do speech services go on page 6 of the IEP under spec. ed. services if the child is <u>only</u> receiving speech services or if they meet the S/L eligibility criteria?	Yes, under Speech-Language Pathology.	
53-Do you use SS only on the demographics page, or as a Specially Designed Instruction?	Yes, on the demographics page dropdown menu.	
54-What are the definitions of PE-Adaptive and TT-Travel Training?	PE – Adaptive PE: development of physical and motor fitness, fundamental motor skills and patterns. TT – Travel Training: instruction for eligible children which enables them to develop an awareness of the environment in which they live and learn skills necessary to move safely	34 CFR § 300.39 <b>Special Education</b> “physical education” and “travel training”

	within that environment (school, home, work, community).	
55-Under Sp Ed Services – if we see the child 3 times/month for 15 min, do you have to put 2 times classroom, 1 time therapy room? Or can we put preschool setting under location?	You may just use preschool as the location on this page.	
56-Can we write IN – pre-academics or do they have to be separated out in pre-math, pre-literacy, etc.?	You may complete this section in whichever way the team chooses as long as it is clear to the parent and the team how the specialized instruction relates to the goals.	
57-I understand the “pre-academic” component. Would it also be okay to specify and identified area of need? For example: IN – adaptive, IN-personal social, IN-cognitive This question is in reference to BDI domains.	Yes, that is fine.	
58-If SpEd services are indicated in 2 or more areas on the service delivery page, do we put 2 or more “INs” on the demographic pages of SEAS?	No, in SEAS you only have to note each different category a single time.	
<b>Etc.....</b>		
59-To exit a child from services, what constitutes a reevaluation? (can we use observations and completion of goals, etc.)	A re-evaluation must be completed in order to exit a child. You must only complete the re-evaluation in that area of disability for which you are providing services. Yes, you may use observations and completion of goals as additional data for the evaluation	34 CFR § 300.305 (e)