



JANET BARRESI
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
STATE OF OKLAHOMA

MEMORANDUM

TO: The Honorable Members of the State Board of Education

FROM: Janet Barresi

DATE: June 12, 2013

SUBJECT: Adoption of Oklahoma State Policies for Special Education

Under the IDEA 2004 and the IDEA regulations of 2006, which took effect on October 13, 2006, the state of Oklahoma must document its requirements through state adopted policies. The existing Policies and Procedures for Special Education in Oklahoma were approved in 2007 and amended May 2010. Any revisions or amendments to those existing policies require approval from the State Board. The Special Education Services (SES) division is required to adopt policy through the State Board of Education.

In accordance with 34 CFR § 300.165, prior to the adoption of any policies and procedures needed to comply with Part B of the Act (including any amendments to those policies and procedures), the State must ensure that there are public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities.

To ensure public participation, the OSDE-SES sent a Public Notice (see attached) on March 31st, 2013 detailing the availability of draft IDEA Part B policies and procedures. Public hearings were held on April 9th from 4pm to 6pm in the OSDE State Board Room and April 11th from 4pm to 6pm in the OSDE State Board Room and at the SoonerStart office in Tulsa. Written comments were received until May 10th, 2013. The public was also invited to participate online, via <https://wiki.ok.gov/display/specialeducation/Home>.

The OSDE-SES is providing additional guidance to districts through a special education handbook. Although the handbook is a guidance document which does not require approval from the State Board of Education or public comment under the APA, the OSDE-SES has made available all drafts of the handbook and requested comments via <https://wiki.ok.gov/display/specialeducation/Home>. Individuals also participated in reviewing



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comments for the handbook drafts posted online. Additionally, individuals were encouraged to email or call staff at the OSDE-SES for any additional comments regarding the handbook.

Having finalized our policies, the OSDE-SES is now requesting approval from the State Board for the adoption of the Special Education Policies 2014.

JB/ra
attachments

PUBLIC NOTICE

SUBMISSION OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) PART B POLICIES AND PROCEDURES FOR PUBLIC COMMENT (AVAILABLE FOR REVIEW) IN ACCORDANCE WITH THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AS AMENDED 2004.

MARCH 31, 2013

THE OKLAHOMA STATE DEPARTMENT OF EDUCATION HEREBY NOTIFIES ALL INTERESTED PARTIES OF ITS INTENT TO MAKE AVAILABLE THE DRAFT IDEA PART B POLICIES AND PROCEDURES. THE DRAFT POLICIES AND PROCEDURES HAS BEEN DEVELOPED FOR PUBLIC REVIEW AND COMMENT PRIOR TO THE FINAL DRAFT BEING SUBMITTED TO THE BOARD OF EDUCATION.

COPIES OF THE DRAFT IDEA PART B POLICIES AND PROCEDURES ARE AVAILABLE FOR PUBLIC REVIEW AT THE EARLY INTERVENTION OFFICES IN THE FOLLOWING LOCATIONS: CLINTON, WOODWARD, GUYMON, KINGFISHER, ENID, STILLWATER, GUTHRIE, LAWTON, ALTUS, CHICKASHA, ADA, ARDMORE, DURANT, NORMAN, SHAWNEE, OKLAHOMA CITY, TULSA, TAHLEQUAH, CLAREMORE, BARTLESVILLE, MUSKOGEE, OKMULGEE, SAPULPA, MCALESTER, POTEAU, AND IDABEL. ADDITIONAL COPIES ARE AVAILABLE FOR PUBLIC REVIEW AT THE OKLAHOMA STATE DEPARTMENT OF EDUCATION, SPECIAL EDUCATION SERVICES LOCATED AT 2500 NORTH LINCLON BOULEVARD, SUITE 412, OKLAHOMA CITY. THE DRAFT POLICIES AND PROCEDURES MAY ALSO BE VIEWED ON THE OKLAHOMA STATE DEPARTMENT OF EDUCATION WEB SITE AT www.sde.ok.gov.

PARTIES INTERESTED IN REVIEWING THE DRAFT POLICIES AND PROCEDURES SHOULD CONTACT THE OKLAHOMA STATE DEPARTMENT OF EDUCATION AT 405-521-3351. ANY PARTY IS INVITED TO SUBMIT WRITTEN COMMENT TO THE OKLAHOMA STATE DEPARTMENT OF EDUCATION, SPECIAL EDUCATION SERVICES, 2500 NORTH LINCOLN BOULEVARD, SUITE 412, OKLAHOMA CITY, OKLAHOMA 73105-4599. ALL COMMENTS SHOULD CITE THE SECTION AND THE PAGE OF THE DRAFT POLICIES AND PROCEDURES.

ALL WRITTEN COMMENTS MUST BE RECEIVED BY NO LATER THAN **May 10, 2013**.

PUBLIC HEARINGS HAVE BEEN SCHEDULED FOR APRIL 9, 2013, FROM 4:00 P.M. TO 6:00 P.M. AT THE OKLAHOMA STATE DEPARTMENT OF EDUCATION, STATE BOARD ROOM, 2500 NORTH LINCOLN BOULEVARD, OKLAHOMA

CITY, OKLAHOMA 73105-4599 AND TWO MEETINGS ON APRIL 11, 2013, FROM 4:00 P.M. TO 6:00 P.M. AT THE OKLAHOMA STATE DEPARTMENT OF EDUCATION, STATE BOARD ROOM, 2500 NORTH LINCOLN BOULEVARD AND IN TULSA AT THE SOONERSTART OFFICE, 6128 EAST 38TH STREET, SUITE 400, TULSA, OKLAHOMA 74135.

ALL SOLICITATIONS FOR THE PUBLIC COMMENT ARE BARRIER FREE. INDIVIDUALS WHO SPEAK A LANGUAGE OTHER THAN ENGLISH OR HAVE A HEARING IMPAIRMENT AND REQUIRE AN INTERPRETER, ARE ASKED TO EITHER REQUEST INTERPRETER SERVICES FOR THE PUBLIC HEARING OR COMMENT TO THE OKLAHOMA STATE DEPARTMENT OF EDUCATION VIA EMAIL AT LaDonna.Shirley@sde.ok.us OR TDD AT (405) 521-4875.

Special Education Directors/Contacts –

At the Winter 2013 ODSS Conference, the Oklahoma State Department of Education - Special Education Services section shared that we would be updating our state policies and procedures for special education. The updating of those policies and procedures will be completed as a two part process. The first part of the process will comprise of policies. This part will include information related to the federal regulations and the four areas where Oklahoma has chosen to go above and beyond the federal regulations. Those four areas are: 1) the 45 school day timeline for evaluations; 2) secondary transition services to begin at the first IEP meeting held during the ninth grade year or by age 16, whichever comes first; 3) an IEP for move-in students must be in place within 10 school days; and 4) caseload/class-size requirements. This information must go before the Oklahoma State Board of Education for approval.

The second part of the process will comprise of our procedures. Our procedures will be detailed in a handbook and will serve as a living document. This handbook, as a living document, can be updated on an ongoing basis in order to better meet the needs of our schools and the provision of programming options and services to students with disabilities.

While at the Winter 2013 ODSS Conference, we shared broad headings to be included in the “Handbook” and asked for any input as to additions, deletions, or information to contain within a particular section. The broad headings are: Overview, Free and Appropriate Public Education, Child Find, Evaluation and Eligibility, Individualized Education Programs, Least Restrictive Environment, Procedural Safeguards, Discipline, Early Childhood, Private School students, Discontinuation of services, graduation, and grading, Improving Results (monitoring), Dispute Resolution, and Forms. The “handbook” will also have two additional sections – OSEP letters and OSDE memorandums. If you would like to provide feedback on the “Handbook” sections, please email Carrie Howell, Division Support Coordinator, at carrie.howell@sde.ok.gov

We also shared that we would be setting up small committees on Thursday afternoons during the month of March to complete drafts of each section. If you are interested in serving on a committee, you may sign up through Eventbrite at specialedhandbook1.eventbrite.com, specialedhandbook2.eventbrite.com, and specialedhandbook3.eventbrite.com. to know which group you would like to participate in, please see the chart below. Once the sections have been drafted through the committee, the drafts will be posted through a ZOHIO blog at <http://www.zoho.com/> for comments by stakeholders.

Memo: Update on Policies/Procedures and Forum for Public Comment

Currently, the Oklahoma State Department of Education - Special Education Services section shared that we would be updating our state policies and procedures for special education. The updating of our policies and procedures is being completed as a two part process. The first part of the process is comprised of policies. These policies direct local education agencies (LEAs) and other interested parties to information regarding responsibilities under the IDEA 2004 and the IDEA regulations of 2006, which took effect on October 13, 2006, and requirements by the state of Oklahoma that exceed federal regulation. This information will go before the Oklahoma State Board of Education for approval on May 30, 2013. You can view the policy draft, released March 31, 2013, on our webpage [here](#).

The second part of the process comprises procedures regarding special education. These procedures will be detailed in a handbook and will serve as a living document. The handbook is a guide, not a regulatory document; hence it does not provide legal advice, nor should it serve in lieu of the Oklahoma Administrative Code. This handbook will be updated on an ongoing basis in order to better meet the needs of our students and schools. We have uploaded several documents for public comment via [Special Education Wiki](#) and will be adding more as they become available. All documents will be uploaded by April 15, 2013 and will be available on the wiki for public comment until May 15, 2013.

Policy Dates*:

- 1) Public Hearings:
 - a. April 9 from 4pm to 6pm (OSDE State Board Room)
 - b. April 11 from 4pm to 6pm (OSDE State Board Room and Sooner Start Tulsa Office)
- 2) Written comments must be received by May 10, 2013
- 3) Policy submitted for OSDE State Board of Education approval on May 30, 2013

*For details, please see attached "Public Notice".

Handbook Dates:

- 1) Handbook documents available on or before April 15, 2013
- 2) Public comment for handbook closes May 15, 2013
- 3) Handbook available July 1, 2013

We will continue to use the [Special Education Wiki](#) as a collaborative tool while we develop new technical assistance documents and resources. Feel free to comment on all information posted.

As always, the best way to seek assistance is to visit our [website](#) or call us at (405) 521-3351.

TO: OKLAHOMA STATE DEPARTMENT OF EDUCATION
SPECIAL EDUCATION SERVICES
2500 NORTH LINCOLN BOULEVARD, SUITE 412
OKLAHOMA CITY, OKLAHOMA

FROM: Mona Ryan, M.S., CCC-SLP
ASHA Fellow
University of Oklahoma Health Sciences Center
Clinical Educator/Assistant Professor

Policies for Special Education in Oklahoma Draft

Section Caseload for Speech/Language – Page 5

I applaud the reduction in caseload as one way of addressing issues for utilization of speech-language services in Oklahoma. This number is still above the national recommendation. I however, recommend OSDE review the current best practice model strongly recommended by the American Speech Language Hearing Association (ASHA) – using a workload model. Numbers alone do not describe what the speech-language pathologist, speech language therapist, or speech language pathology assistant is actually doing.

ASHA has done much research in the appropriateness of the workload model and it has greatly affected change in retention and recruitment of SLPs for schools as well as increased the outcome of students. Workload model should be at least an option for Oklahoma schools to choose. When we look at the workload of providing services for severe needs children, it is quite different from serving just an articulation case for example. The resources for utilizing a workload approach are available: http://www.asha.org/SLP/schools/schools_resources_caseload/

Page 6: The table for Caseload Size

This table header and the table sections should read: **SLPAs not SLTAs**. The **SLTA** category is no longer a viable category. It was intended as interim category which ended June 2012. The professionally recognized term for assistants is **speech language pathology assistants (SLPAs)**.

Thank you for the opportunity to make suggestions for the Policy document. Please contact me at (405) 664-2594 if you have questions.

Sincerely,

Mona Ryan, M.S., CCC-SLP
ASHA Fellow

From: Kathy Wheat [<mailto:kwheat28@gmail.com>]
Sent: Thursday, May 09, 2013 11:50 AM
To: LaDonna Shirley
Subject: OSDE Policy Comment

To Whom It May Concern:

Comment on OSDE Policies page 6 re: Caseload size for SLPs supervising SLTAs

The acronym SLTAs meaning Speech-Language Therapy Assistant should be changed to SLPA meaning Speech-Language Pathology Assistant.

Rationale:

There are no teaching certificates issued now that are SLTA. That was a short term certificate (2 years) that was granted to bachelor's level speech-language therapists who did not take the last certification exam or who failed it and later completed a "Retraining-Retooling Class" offered by OSDE. Anyone who held an SLTA Teaching Certificate was (after 2 years) granted an SLPA Teaching Certificate.

Regards,
Kathy Wheat, PhD., CCC-SLP
Oklahoma Speech-Language Hearing Association
Schools Issues Chair
580.467.1768