



Indiana Department of Education
SUPPORTING STUDENT SUCCESS

Implementation of Article 7

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THE OVERALL PROCESS FOR WRITE/REWRITE

There is a reason for revision presented
The Federal law has changed, a court ruling brings something to light, a complaint investigation reveals an issue, etc.


There SBE gives approval to move forward
The SBE votes to have the process begin.

The SAC works on proposed language & votes to recommend wording
The DOE has final 'say' on what wording is presented to SBE.



THE STATE ADVISORY COUNCIL

- By Federal law is comprised of a majority of members who are either parents of children being served under Part B of IDEA or are themselves disabled
- Are not attorneys per se so a draft proposal of language for any amendment is typically provided
- Through discussion and deliberation final wording for the proposed revision is recommended to be moved forward



THE CURRENT PROCESS

- Revision due to a IDEIA amendment in December 2008
 - Revocation of Parent Consent
 - Representation by Non-Legal Counsel in Due Process
- The SAC has voted to move forward regarding these two IDEIA amendments
- The SBE voted to deregulate Article 7 further on March 4, 2009
 - Board of Special Education Appeals
 - Community Supported Services / State Funding of Excess Costs
- No language on these two have been moved forward to the SAC

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THE CURRENT VERSION

Went into effect on August 13, 2008

Some of the more 'major' changes include:

- Revisions to serving parentally-placed nonpublic school students
- Removing the requirement to administer an IQ test to all students
 - Only required for cognitive disability, multiple disabilities or traumatic brain injury
- Added comprehensive and coordinated early intervening services (Rtl)
- Amended educational evaluations to a 50 instructional day timeline (20 if Rtl is fully implemented)

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THE CURRENT VERSION

Some of the more 'major' changes include:

- Written notice within 10 instructional days of request for initial evaluation
- Written notice prior to the CCC meeting that describes proposed action(s) to be taken
- Parent permission only required upon initial referral, reevaluation, initial placement, to bill insurance/medicaid, to release/exchange educational records, to invite a representative from an agency to the CCC, or to excuse someone from the CCC
- Allows an IEP to be amended without actually convening a CCC meeting

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THE CURRENT VERSION

- Some of the more 'major' changes include:
- Permits IEP to be implemented on 11th day after CCC meeting if parent has not challenged changes
 - Removed class size and caseload requirements for EC
 - Removed definition of full time EC program
 - Students transitioning from First Steps must have IEP in place by 3rd birthday (ready to be implemented unless CCC determines otherwise)
 - Specifically prohibits a school to require a parent to seek out medication for the child as a requisite of the child's

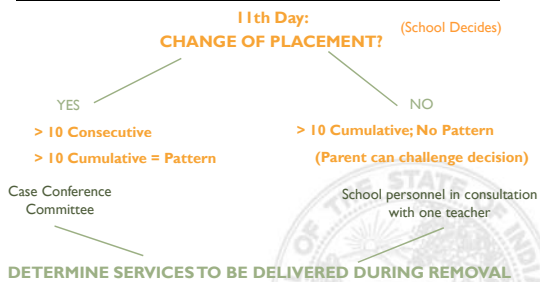
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THE CURRENT VERSION

- Some of the more 'major' changes include:
- 10-day local option for resolving a complaint
 - Resolution session for all DP hearings
 - Complainable issues pursued through mediation
 - Specifically states that any part of a day of suspension counts as one day of suspension
 - National Instructional Materials Accessibility Standard (NIMAS)
 - Highly Qualified Teacher provisions from NCLB
 - Removed ITP and changed it to a Transition IEP or T-IEP for all eligible students aged 14 years or older

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10 DAYS REMOVAL (FAPE Free Zone)



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