

From: Bishop, Cathy
Sent time: Monday, February 20, 2012 1:20:21 PM
To: Mary Laura Bragg (MaryLaura@excelined.org) <MaryLaura@excelined.org>
Cc: Tappen, Mary; Stewart, Pam; Denbroeder, Karen
Subject: RE: question about ESE centers

Mary Laura – see below.

 Please consider the environment before printing this e-mail.

Sincerely,

Cathy Bishop

Interim Chief, Bureau of Exceptional Education and Student Services
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cathy.bishop@fldoe.org

From: Mary Laura Bragg (MaryLaura@excelined.org) [mailto:MaryLaura@excelined.org]
Sent: Monday, February 20, 2012 9:46 AM
To: Bishop, Cathy
Subject: RE: question about ESE centers

Cathy,
Thanks – this is very helpful.

I want to make sure I understand this correctly. Because a parent is part of the IEP team, if the team decides that the child would be better served in a center, the child can be placed there, but the parent would be involved in that decision, because they are part of the team (was that a circular sentence or what?)

Yes – that is correct. However, the parent would not be asked to sign a formal consent form for that placement, if the child was already a student with a disability receiving services. The parent would receive a written notice of this as a change of placement.

With regard to how IDEA and our corresponding state regulations work, parents sign consent for special education and related services – not for a particular school. So for example, if a student with an IEP with emotional/behavioral disabilities was attending Leon High; but because of significant changes in behavior needed more intense service – the IEP team (and hopefully the parent would be there) may determine that the most appropriate placement for the student is at the PACE secondary school. The parent would receive a prior written notice of this as a change of placement.

But what I also hear you saying is that the fact that the parent signed off on the IEP earlier is all the team needs to place the child in the center. I guess I'm trying to figure out if there would ever be an instance when the parent wouldn't be aware that the child was moving from their zoned school to a center, but the district did it because the parent had signed the initial IEP plan (giving consent), which stated that if needed, the child **could** be placed in a center.

Parents are always invited to attend IEP meetings and districts are required to do their best to hold meetings at times that are mutually agreeable. That said, sometimes parents do not attend the meetings. In the example I used above, if the IEP determined that the child was best served at PACE, and the parent was not there, prior written notice of this change of placement would have to be provided before moving the child from Leon to PACE. The district would have to wait a period of time before making this change to insure that this information has been communicated to the parent. In general I believe that districts try to go the extra mile to make sure that parents are involved in an IEP meeting when a decision of this significance is being made.

Sometimes parents disagree with some decisions. There are procedural remedies that are available to parents such as 3rd party mediation and due process.

Hope this helps.

Mary Laura

From: Bishop, Cathy [mailto:Cathy.Bishop@fldoe.org]
Sent: Monday, February 20, 2012 9:36 AM
To: Mary Laura Bragg (MaryLaura@excelined.org)
Cc: Tappen, Mary; Denbroeder, Karen
Subject: RE: question about ESE centers

Hi Mary Laura,

Good to hear from you. I had learned that you left JP II. Martha retired as well last summer.

All placement decisions are made by the individual educational plan (IEP) team. IEP teams are composed of both parents and school/district staff. In accordance with federal and state regulations, parents must be invited to participate in IEP meetings.

Consent for exceptional student education services happens one time – upon initial eligibility determination and following the development of the first IEP. After that, if the IEP team determines that the nature of the services needed by the child can most

appropriately be provided in a special school setting – only prior written notice is required (unless of course it would be the circumstance of the initial provision of services.)

Hope this makes sense. Let me know if you need more information.

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Sincerely,

Cathy Bishop

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From: Mary Laura Bragg (MaryLaura@excelined.org) [<mailto:MaryLaura@excelined.org>]

Sent: Monday, February 20, 2012 8:58 AM

To: Bishop, Cathy

Subject: question about ESE centers

Hi Cathy,

I don't know if Martha told you or not, but I left JPPII and am working for Patricia Levesque at the Foundation for Florida's Future. I miss school, but it is fun to be back in the policy world.

I have a quick (I hope) question for you:

In districts with ESE centers, do parents have to sign off on their child being placed in the center instead of their zoned school, or does the district get to decide what students are placed in centers? We are getting questions about the proposed school grading rule, and want to make sure we are giving the right answer.

Thanks,
Mary Laura

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