



ECKCE

# Focus

*A newsletter for the employees of the  
East Central Kansas Cooperative in  
Education*



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National Stressed Out Director  
Month (Well, it should be)



## Ensuring Procedural Compliance Important to Serving Kids

Probably the biggest complaint in special education has nothing to do with serving the students themselves. Surprisingly it has nothing to do with the behavior problems that sometimes go with the disabilities. The biggest complaint almost to a person is the amount of paperwork that comes along with working in the greatest profession in the world.

We all got into this profession to make a difference in the lives of some pretty awesome kids, but a big part of that mission is to ensure that all of the rules associated with providing each of our students a free appropriate public education are followed and documented appropriately. I want to take a minute to thank you for all the work you do in getting this paperwork completed, and also to re-emphasize the reason behind the need for taking the time to do it right. I'm going to go through some of the most common mistakes that IEP teams make—things that cause parents to question the process and sometimes file complaints against us that we may not be able to defend in good conscience. Please understand that when I see these things occurring in an IEP meeting that I'm not going to point them out at



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## Frequently (Recently) Asked Questions

### Every month I will include questions that you have asked – others probably need the answers

**Q:** Last week I got an email saying that I had an RMTS to fill out and to click on a link to do so. What is an RMTS and do I have to do this?

**A:** First of all, yes. You need to complete it. The RMTS is a random moment time sample and is sent out by the Medicaid School District Administrative Claiming system, or SDAC. The why behind the what is very important to us in this case, so let me explain, because I didn't understand it for the longest time.

So a long time back, Medicaid began paying school districts for special education students who qualified for Medicaid in a couple of different ways. The first way is that special education providers, like speech language pathologists, social workers, nurses, psychologists, physical therapists and occupational therapists, can bill for services that they provide directly and the special education agency, namely us, gets money from the federal government. The second way is through the SDAC system, which allows us to claim a certain amount of time for the meetings that we attend and the IEPs that we write. The only way that they can verify that the time we claim is actually being spent on working with IEP eligible

students is to send out randomly generated emails to the folks on the list who are supposed to be involved in the students' programming. These emails specify a certain random moment in time that you have to note what you are doing. The hope is that you are working with a student on an IEP at that time, which validates the need for reimbursement. The number of these validated random moment time samples determined the amount of administrative costs that can be reimbursed back to us.

Now the fun important part. When you receive this email, **DO NOT IGNORE IT.** You must fill it out. When you don't, I'll be coming and asking you to do it again. Also important. **MAKE SURE THAT YOU ARE WORKING WITH A STUDENT AT THAT MOMENT WHENEVER POSSIBLE!** No, I'm not asking you to do anything dishonest. I want you to read the RMTS email that comes 3 days ahead of time carefully and plan to be working with a student at that time. Working on a student's IEP is OK as well. And lastly, be very detailed in your description of what you were doing. If you don't, you will get a frustrating follow-up email from SDAC requesting more information. If this happens, just give them the details that they request. Each time you do this, it generates money from the federal government that we don't have to ask for from local sources. Thanks SDAC!



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the time, but you can be assured that I will probably find you later with a little corrective guidance.

First of all, just a quick note about making sure that the IEP paperwork is completed in a timely fashion and sent over to our office with all of the appropriate signatures. This includes the LEA signature on amendments and PWN's. One of the biggest mistakes that is made across the nation is that the prior written notices are not specific enough and given to the parents, signed when appropriate, prior to the services discussed actually going into effect. When problems arise and parents file a due process complaint, the first thing that hearing officers will look at is whether or not the paperwork is complete, particularly the IEP and the prior written notice. If it isn't, someone will be on the hook for making things right, usually in the form of compensatory services.

Another big no-no is bringing the IEP paperwork to the meeting already completed with no mention of the fact that the IEP is in draft form and can and should be modified during the course of the meeting. On initial evaluation IEPs, make certain that no boxes are checked with regard to disability category or placement, as that is predetermination of a decision that must be made at that meeting. Never finalize paperwork prior to the meeting happening, and if you are not making changes either at the meeting on a projected IEP or directly after the meeting, you will have a hard time convincing anyone that you are encouraging meaningful participation on the parents' part.

Another mistake that we make is failing to make recommendations with sufficient clarity and finality based upon the individual student's needs. When you leave the IEP meeting, there should not be any questions about services that are to be delivered and their frequency, duration and location of delivery. Remember that the IEP is a legal contract and must be put into place to ensure that the student has access to general education. If there are things that come up at the meeting that require additional evaluation or investigation, that's fine. But don't bring the IEP to a grinding halt—whenever possible, continue the meeting, finalize the IEP and set an additional meeting to make any necessary modifications. You never want to have an interim where services are not clear. You can always hold and write multiple IEP's during the year.

Two last things can really cause problems and unfortunately I see them way too much. First, the whole reason for holding the IEP is to ensure that the student has access to the general education curricula. There should always be a general education teacher at the IEP meeting for the duration of that meeting. Things will come up in the course of the meeting that the general ed teacher should have input on, or at the very least should be aware of, and that's not going to happen unless they are present. I know this is hard, because of scheduling issues, but try to take this into consideration when setting the meeting. And finally, always make sure that the parents are aware of their rights, as this is a federal requirement on an annual basis. 95% of the time they will refuse their copy of the rights at the meeting, but that doesn't mean you shouldn't offer them anyway. And as always, call me with any questions.



## DOs & DON'Ts

Here are things to consider when holding IEP meetings to ensure procedural compliance

**DO** always come to the IEP meeting prepared and with a very solid draft IEP from which to work.

**DO** schedule meetings at appropriate times to allow enough time for meaningful discussion around the student's needs and with sufficient input from the general education teachers and parents.

**DON'T** forget to offer parents their procedural safeguards and even explain them when there are questions. At the very least, put your number or the director's number on the packet so they know they can call.

**DON'T** ever lose sight that the end goal is providing the best possible outcome for the students we serve. Be specific on the services that are to be carried out and make certain that all of your paperwork is complete and that appropriate signatures are obtained before concluding.

# News and Notes Around the Interlocal

## SEAC Parent WEB to attend BV Resource Fair

The ECKCE SEAC, which met on January 29 in Eudora, will forego meeting this month in favor of attending the BV Resource Fair on Feb 26<sup>th</sup> at the Hilltop Center in Overland Park. Check out our Facebook page which you can access using the URL below.

[https://www.facebook.com/WEB-of-Compassion711766132538996/?modal=admin\\_todo\\_tour](https://www.facebook.com/WEB-of-Compassion711766132538996/?modal=admin_todo_tour)

## ESY Applications Still Sought

The dates for ESY are Monday- Thursday the weeks of June 10 and June 17, with two weeks off for Independence Day and resuming the weeks of July 8 and 15.

If you are interested in being considered for employment for the summer, please fill out the application on the website. The deadline for those applications is February 22. If you have any questions regarding either ESY eligibility or ESY employment, please contact us.

## PARA CORNER

Please share this newsletter with your paras, just in case they did not receive it via email. If you have questions about paras as a group, don't hesitate to now contact Shelly McCart @ [smccart@eckce.com](mailto:smccart@eckce.com).

Just a few reminders-- please remember that the training hours that you are required to have (for most of you this is 20) must be completed in a timely fashion and submitted to Shelly McCart in our office. While the actual deadline is March 15, I will begin my visits with each of you who haven't turned them in the week of February 19. Also, remember that there is an incentive to not use all your discretionary days. Our kids need you in school so keep this in mind!!!

## Medicaid Replacement Fund Window Open February 22-March 8

The dates for determining how much ECKCE will receive in Medicaid replacement aid have been set for the week beginning February 22 and running through March 8. All providers who give service to Medicaid billable services to eligible kids, typically SLPs, OTs, SWs, and Psychs, must log the minutes they serve during these two weeks prior to the March 8 window closing.

The state of Kansas receives a few million dollars annually that is divided between all districts submitting claims during these weeks according to the number of claims submitted. This makes it critical to accurately account for the services delivered these two weeks prior to the March 8 deadline. *Even if you have not had time to put all of your eligible services in the system to date, make certain that services for these two weeks are put in* as we essentially get reimbursed for them in two ways. If you have any questions, please let me know.

## Requests for Movement on Salary Schedule Due April 15

If you have taken additional classes or received advanced degrees and would like to move across columns in the schedule, please submit that paperwork to me by April 15<sup>th</sup>. The form can be found on the website.

## Para Evaluations Due March 31st

Teachers are responsible for evaluating the paraprofessionals they supervise by March 31<sup>st</sup> using the form found on the ECKCE website. If the evaluation shows areas of improvement to the extent that the employee may not be asked to return, that notification needs to be given to the para no later than April 30.