

Mitigating Manifestations

—

Slowing Down the Train!

Introduction

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President: Indiana Council of Administrators of Special Education

14th year as a director

My Path:

Anderson Preparatory Academy(Charter)

Elwood Community Schools(Small/Rural)

Greater Clark County Schools(Large Urban/Suburban)

Old National Trail Special Services (5-District Interlocal)

Begin With The End In Mind

LITIGATION-MITIGATION

Key Point Indicator(KPI): Total number of manifestation determination conferences annually

Why it matters: Most due process requests and complaints originate from discipline matters resulting in OSS.

Why it REALLY matters: KEEPING KIDS WITH EXCEPTIONAL NEEDS
IN SCHOOL BUILDINGS

Slowing Down the Train...

Systems level approach to navigating suspension days

- **Days 1-3:** Stay in close contact with family and team.
 - Implement FBA/BIP if necessary
- **Days 4-5:** Schedule a case conference to review plans.
 - Adjust BIP
 - Add/revise services
 - Revise SDI for behavior goals
- **Days 6-7:** Schedule another case conference to review plans.
- **Days 8-9:** Schedule another case conference to review plans.
- **Day 10:** Schedule a Manifestation Determination Conference
 - Must be held within 10 days of 10th day of suspension

Following a systematic schedule documents your due diligence through the CCC process

Dealing with the “but birds”

But that’s a lot of meetings...

But we’ve got 100 students with IEPs...

But how do we track this...

But the handbook says...

Yes, but far less time than you would spend in due process or corrective action...

Great. This maybe applies to 5% of the caseload...

I’m so glad you asked. My gift to you: [OSS Days Heat Map](#)

Please let me introduce you to the gray zone(fair is not equal!)

Closing Thoughts

- Most of us try to do the right thing for kids as the standard
- Parents generally want to work with you through challenging situations
- Emotions cloud logic on all sides
- Hope does not address challenging behaviors
- Documented issues need documented services in the IEP
- You are best served to figure out services in-house
- Keep TOR/Coordinator updated on OSS days

Establish systems now to have a defensible IEP when the train ultimately reaches your station.

Q&A Time

If I was the teacher, I'd give this kid an A...

