



## SEAP Quarterly Narrative Report

**Name of Contractor:** The Arizona Center for Disability Law

**Contract Period:** 10/01/2022 to 09/30/2023

**Reporting Period:** Quarter 3, 04/01/2023 to 06/30/2023

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**1. Provide a summary of the project for the period ending 6/30/2023, summarizing the work based on the contractor's approved implementation plan and activities. This includes summary totals for the quarter of Basic TA, Complex TA, and Trainings provided.**

ACDL met or exceeded all contract year benchmarks during Q1 and Q2 of this contract year, expending a disproportionate amount of the grant funding. Therefore, work on the grant was scaled back significantly during Q3 to avoid overspending. During Q3, ACDL has primarily utilized SEAP funding to follow up on/wrap up existing SEAP basic/complex technical assistance cases, rather than opening new cases or undertaking new trainings.

That said, we have reassessed the level of SEAP funding that remains available, and determined that we do have enough funding to take on some additional activities during Q4, so please expect to see some additional SEAP activities next quarter.

Those activities we did complete this quarter, as well as the overall benchmarks for the contract year, are detailed in the table below.

	Number of New Activities Started this Quarter	Number of Existing Activities Worked on this Quarter	Total Number Completed So Far this Contract Year	Total Number Required by Contract	Additional Details
<b>Basic Technical Assistance</b>	0	3	76	50	1 (33%) of the activities worked on this quarter has foster care/juvenile justice associations
<b>Complex Technical Assistance</b>	0	44 <sup>1</sup>	28	15	12 (27%) of the activities worked on this quarter have foster care/juvenile justice associations
<b>Trainings</b>	0	0	9	8	

<sup>1</sup> The number of existing complex technical assistance activities worked on this quarter is greater than the total number of complex technical assistance activities completed in this contract year because of the ongoing and long-term nature of complex technical assistance. Several of the complex technical assistance activities that were worked on this quarter began in an earlier quarter or in the previous contract year, but work has continued on those activities during this quarter.

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**2. Provide a fuller written narrative on how SEAP is implemented, partners involved this quarter, and feedback from participants. Include any staff changes, if applicable.**

As described above, because ACDL had already exceeded all contract requirements and already used more than half of the SEAP grant funding by the end of Q2, ACDL determined to stop providing technical assistance or presenting new trainings under the SEAP grant in order to avoid overspending the grant funding. However, some staff time was still spent on existing SEAP basic and complex technical assistance activities to continue to provide services to those callers/clients, and SEAP interns also provided in-kind services by working on those active and ongoing SEAP cases.

Additionally, ACDL continued to conduct follow-up surveys with recipients of complex technical assistance during this quarter. We received four completed surveys during Q3, and are continuing to follow up with those who have not completed and returned their surveys yet. Three of the four surveys that were completed were very positive, all stating they “strongly agree” with the statements “I have a greater understanding of my rights/my student's rights after working with ACDL” and “The lawyer or advocate I worked with was knowledgeable and effective.” One of the respondents wrote in an area for free response: “All of the external links were very useful. I printed out a lot to back reference. Great service. Very personable. Thank you for your help!”

The fourth survey came back with more negative responses because the caller is frustrated with how long it is taking for an enforcement agency to act on the complaint ACDL drafted for her to file. The limited scope of service ACDL agreed to provide in that case was to write a complaint for the caller to file with the U.S. Department of Education's Office for Civil Rights regarding inappropriate treatment of her child by a school staff member. ACDL timely completed the agreed-upon service and provided the drafted complaint to the parent, who moved forward with filing the complaint in accordance with ACDL's instructions. Unfortunately, as we explained to the parent, OCR is back-logged with complaints at this time and it can take several months or even years for complaints to be fully investigated and resolved. At the time this survey was administered, the parent was still waiting for a resolution to her complaint with OCR and was understandably frustrated.

**3. Provide a success story if any to report on. Ensure one story is captured by the end of the contract period.**

During Q3, ACDL provided basic technical assistance to three callers. All three callers were provided ample self-advocacy resources, including: packets of template letters they can use to request meetings/assert their procedural safeguards; links to blog posts with information about relevant topics; tables with statutory timelines; links to animated explainer videos discussing dispute resolution options; referrals to community support agencies; one-pagers with information and links about different special education processes (such as “How To Have a Successful IEP Meeting” and “504 vs. IEP Fact Sheet”); among others. Several of these resources were developed during the first year of the SEAP grant, when resource development was included in the grant.

Below is one example of the successful provision of complex technical assistance in Quarter 3:

This SEAP complex technical assistance case started during the last SEAP contract year, but work has continued on the case and it was finally resolved during quarter 3 of this contract year. This case involves a student, “Robert,” who has multiple disabilities, including being Deaf, and living with autism and cerebral palsy. His primary language is American Sign Language (ASL). His parents homeschooled him using an Empowerment Scholarship Account for several years, but decided to try to place him in their local school district so he would be able to socialize and spend time with his peers. After difficulty enrolling, the district conducted an evaluation of Robert, but failed to use an ASL-fluent school psychologist or appropriate ASL interpretation during the evaluation, resulting in inaccurate and unreliable evaluation data. The district relied on the inappropriate evaluation results to place Robert in a self-contained classroom for students with autism, where Robert was not provided an ASL signing aide or interpreter. At Robert's parents' request, the district did make multiple referrals to the Arizona State School for the Deaf and Blind for Robert, but he was rejected twice because the evaluation conducted by the district did not support Robert's need for immersive ASL instruction. Robert went to school in the District without any type of interpreter or signing aide for almost a full year before the district finally hired a signing aide to work with him. Unfortunately, the signing aide had no certification or expertise in ASL—she was an employee of the district who happened to know a little sign language, and the district believed that would be sufficient to

provide Robert with effective communication. That was not the case, as the aide often used incorrect signs, reinforcing the wrong way of signing with a student who was still developing his ASL language skills.

Through this SEAP complex technical assistance, ACDL was able to provide representation to Robert regarding the district's denial of effective communication and failure to provide him with a free and appropriate public education. ACDL drafted and filed a complaint with the U.S. Department of Education's Office for Civil Rights, and attended multiple IEP meetings with Robert's parents. ACDL also requested an independent educational evaluation (IEE) for Robert, which required the district to pay for an ASL-fluent school psychologist to reevaluate Robert. As a result of the updated evaluation, Robert was finally accepted by the Arizona State Schools for the Deaf and Blind, and was able to begin attending in an ASL-immersive environment at the beginning of Q2 of this grant year. ACDL engaged in informal negotiations with the district's legal counsel to try to resolve this issue without the need to proceed with a full OCR investigation or engage in other enforcement mechanisms. Ultimately, ACDL was able to negotiate a favorable settlement result that included substantial monetary damages for Robert to use to pay for compensatory education and summer programming in ASL, as well as wide-reaching policy changes and training requirements for the district that should prevent students with hearing impairments from experiencing this type of denial of effective communication in the future.

#### **4. Describe any barriers that have been encountered and how it was managed and addressed.**

After quarters one and two of this contract year, ACDL had already met all benchmark/outcome requirements of the contract and had spent more than three-quarters of the total grant year funding. As a result, after Q2, ACDL adjusted our practices by significantly scaling back our work in this grant. In our caution to not overspend the total grant amount, we over-adjusted and ended up doing very little work in the SEAP grant during Q3, and are now going into Q4 with a balance of approximately \$11,000 of grant funding to expend. With that remaining funding, ACDL will plan to provide additional basic and complex technical assistance and may provide one additional training this quarter in the hopes of spending down the grant funding and furthering the goal of the grant.

Going into next contract year, where the total award amount will be \$150,000, ACDL will aim to pace out our provision of trainings and technical assistance so that it is more evenly distributed over each quarter of the contract year.

#### **5. Are there any programmatic or fiscal changes to make that require a contract amendment?**

There are no programmatic or fiscal changes to make to the contract.

#### **6. Is financial expenditure reporting on track?**

ACDL has submitted 9 invoices as of 6/30/2023. The total invoiced is \$88,882.78, with an in-kind of \$34,129.34. ACDL has \$11,117.22 to spend over the next quarter and expects to expend the entire amount of the funding. ACDL has exceeded the in-kind expectation. The expenditures for the contract are on track.