



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 4, 07/01/2023 to 09/30/2023

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1. Provide a summary of the project for the period ending 9/30/2023, 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 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.

We reassessed the remaining level of SEAP funding and determined that there was enough funding to take on some additional activities during Q4, as reflected below.

	Number Completed this Quarter	Total Number Completed This Contract Year	Total Number Required by Contract	Additional Details
Basic Technical Assistance	33	109	50	3 (9%) of the activities this quarter have foster care/juvenile justice associations
Complex Technical Assistance	11	39	15	5 (56%) of the activities this quarter have foster care/juvenile justice associations
Trainings	3	12	8	<ul style="list-style-type: none"> • Provided a training in Payson, AZ for Gila County CASAs and DCS workers. 1 hour, 8 attendees. • Presented at the Pima County Juvenile Court Bench meeting on new juvenile court rule requiring courts to identify child's IDEA

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				parent in court orders, Ariz. R. P. Juv. Ct. 310(c). 1 hour, 20 attendees. <ul style="list-style-type: none"> Presented at the FosterEd Conference on the Rights of Foster Youth with Disabilities Facing School Discipline. 1 hour, 30 attendees.
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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.

After halting new SEAP activities in Q3 due to concerns about budget, ACDL determined there was sufficient funding in the SEAP grant to initiate new activities in Q4. Both basic and complex technical assistance resumed this quarter, three additional trainings were provided, and in-kind services from our interns continued as well.

This quarter, the SEAP project collaborated with Raising Special Kids, the University of Arizona’s Education Clinic, the Arizona Department of Education’s Foster Care Education Department, FosterEd, and the Arizona Commission for the Deaf and Hard of Hearing.

We have received positive feedback both from recipients of technical assistance and from training attendees. We administer surveys to recipients of complex technical assistance about 3 months after their service is completed. One such recipient reported “Agreeing” with the statement “After working with ACDL, I feel equipped to more effectively advocate for myself/my student,” commenting “[The ACDL lawyer] takes the time to explain everything, very good communications.” The same recipient reported “Strongly agreeing” with the statement “The lawyer or advocate I worked with was knowledgeable and effective,” commenting “5 stars” and “[The ACDL lawyer] is amazing!”

In the surveys administered after providing trainings, feedback has also been overwhelmingly positive. For example, all survey responses from the Gila County CASA training indicated attendees “agreed” or “strongly agreed” that the training was relevant and informative; that the attendee had a better understanding of the educational rights of students with disabilities after the training; that the attendee would use the information learned in the presentation to advocate for themselves or a student with a disability in their life; and that the attendee would recommend the training to others.

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

Below is one example of the successful provision of complex technical assistance in Quarter 4:

“Damien” is a 9-year-old elementary school student in a rural part of Arizona. At the time of SEAP’s initial involvement in Damien’s case, he qualified for an IEP under the eligibility categories of Hearing Impairment and Other Health Impairment.

On August 8, 2023, local police came to Damien’s home and told his parent that they had determined through his IP address that Damien had hacked into the school’s Class Dojo application and was messaging parents, pretending to be an adult school staff member. Damien was messaging the parents of other students who had bullied him because of his disability and race, telling the parents their children were bad and should be punished. Messages escalated and Damien made statements that were interpreted as threats. As a result, the school moved to long-term suspend Damien from school.

A manifestation determination review was conducted and the school determined that Damien’s behavior was not related to his disabilities, even though his parent provided the school with a 2022 psychological

evaluation from Damien's behavioral health provider that diagnosed Damien with F91.1 Conduct disorder, childhood onset type; F90.2 Attention-deficit/hyperactivity disorder, combined presentation; and F34.1 Persistent depressive disorder. The District conducted a long-term suspension hearing and decided to suspend Damien from school for 180 days. Because Damien had an IEP, he remained entitled to receive the services in his IEP in an interim alternative educational setting. The district placed Damien in an online school setting.

SEAP became involved in Damien's case after he had been in online school for about 3 weeks. Damien's parent called the SEAP program for help because she believed the manifestation determination decision was wrong, that the school had failed to adequately address the bullying Damien had experienced for over a year before this incident despite reports of the bullying being made to school leaders regularly, and that Damien's educational needs were not being met in the online setting.

The SEAP program wrote a demand letter to legal counsel for the school district explaining parent's position and requesting the school district either 1) reverse the findings of the manifestation determination and return Damien to his original educational placement without delay, or 2) immediately schedule and hold a new manifestation determination review, at which ACDL would be representing Damien. The letter also requested Damien's educational records from the district.

The school district's legal counsel initially deflected, stating that there was an IEP meeting already scheduled for Damien and that he believed the district would resolve the parent's concerns at that meeting. The district's legal counsel did not attend the meeting, but the SEAP attorney did. The meeting was frustrating and disappointing—the IEP team focused only on amending Damien's IEP to reflect his new placement in online school, and refused to revisit the manifestation determination decision or his long-term suspension.

After the IEP meeting, the SEAP attorney followed up with the district's counsel via email, explaining what happened in the IEP meeting and that our concerns had not been resolved. The SEAP attorney and the district's attorney had a phone call the following week, and the district's counsel agreed he would work with the school to reverse the manifestation determination decision and reverse the long-term suspension. Damien was permitted to return to on-campus learning about a month after his initial suspension. There was a school re-entry meeting for Damien that the SEAP attorney attended, where a safety plan was developed and accommodations were put into place to help Damien feel safe at school and understand who he could talk to at school if he was bullied. Additionally, the school district agreed to conduct a reevaluation of Damien in order to update his IEP to better reflect his needs. The SEAP program has agreed to participate in a MET/IEP meeting for Damien to review the results of his reevaluation and ensure an appropriate new IEP is developed for him.

As a result of the complex technical assistance provided by the SEAP program, Damien has been able to return to his regular classroom at school, the inappropriate suspension has been expunged from his discipline records, and additional data is being collected so the school can better meet Damien's needs going forward.

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. This meant we went into Q4 with a balance of approximately \$11,000 of grant funding to expend. ACDL re-adjusted and began providing basic and complex technical assistance under the SEAP grant again, as well as providing community trainings.

Having recently begun the next SEAP contract year, ACDL aims to pace out our provision of trainings and technical assistance so that it is more evenly distributed over each quarter of the contract year. We are accomplishing this by being more intentional when assigning basic and complex technical assistance cases, prioritizing those callers who fit the SEAP grant's target populations (students impacted by foster care or juvenile

justice systems; Native American students; refugee students) specifically. We will also be reviewing the amount of SEAP funding being spent more regularly and increase communication between ACDL's finance department and the SEAP program administrators and service providers in order to maintain a steady rate of spending throughout the grant 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 11 invoices as of 9/30/2023. The final invoice to reimbursement for expenses from September 2023 (12) was submitted 10/17/2023. The total invoiced was \$100,000 with an in-kind of \$38,932.08. ACDL expended the total funds provided through the contract. ACDL has exceeded the in-kind expectation.