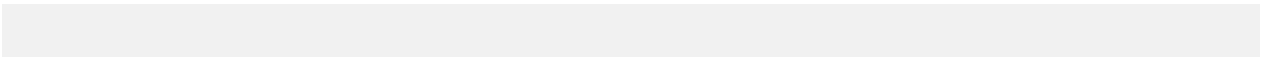


WHITMAN-HANSON RSD

Educação Especial
Manual de
Procedimentos



Atualizado em março de 2015

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O Departamento de Educação Especial está comprometido com a filosofia e os requisitos legais para educar todas as crianças no ambiente menos restritivo, maximizando a educação regular em um ambiente livre e apropriado. Não nos afastaremos dessa posição, pois aderimos à prática de inclusão em todo o distrito e no desenvolvimento de nosso programa.

Uma educação apropriada, conforme definido na Seção 504 da Lei de Reabilitação de 1973 e regulamentos de educação especial, é a provisão de educação regular e especial e auxílios e serviços relacionados, projetados para atender às necessidades educacionais individuais de pessoas portadoras de deficiência, assim como não portadoras de deficiência. pessoas são encontradas. Uma educação apropriada é baseada na adesão a procedimentos que atendem aos requisitos das leis estaduais e federais apropriadas.

O programa e a colocação da criança devem garantir que a criança seja educada com crianças que não precisam de educação especial. Isso deve ser determinado em reuniões individuais da equipe e colocado no IEP da criança. As crianças do Distrito Escolar Regional de Whitman-Hanson, identificadas com necessidades especiais, têm acesso a todos os programas, classes e atividades oferecidas aos seus pares adequados à sua idade na educação regular.

Somente quando ajudas e / ou serviços complementares não forem apropriados, conforme determinado na reunião da Equipe, a criança receberá educação especial fora da educação regular. A equipe deve sempre identificar isso no IEP.

O Distrito Escolar Regional de Whitman-Hanson utilizará serviços colaborativos quando programas e serviços não estiverem disponíveis nas escolas da cidade. Somos membros da North River Collaborative e da Pilgrim Area Collaborative e podemos acessar qualquer outro programa colaborativo na área. Os alunos podem se inscrever em escolas profissionais e receber os serviços necessários lá. Os programas de colaboração nas escolas regulares de educação são analisados primeiro em relação à busca de um programa fora do distrito.

Serviços e atividades não acadêmicos e extracurriculares estão disponíveis para cada aluno matriculado no distrito. Isso pode incluir serviços de aconselhamento, atletismo, transporte, serviços de saúde, atividades recreativas, grupos ou clubes de interesse especial, encaminhamento para agências que prestam assistência a crianças portadoras de deficiência, oportunidades de emprego, alimentação e quaisquer outros serviços que estejam dentro do alcance do sistema escolar .

O Distrito Escolar Regional de Whitman-Hanson oferece um continuum de opções de colocação, colocações alternativas e serviços complementares. O Distrito Escolar Regional de Whitman-Hanson está comprometido com a prestação de serviços para nossos alunos nas escolas distritais. Para esse fim, o distrito analisa os programas anualmente, desenvolvendo e / ou transferindo serviços para as áreas onde são necessários ou identificados. Em todos os casos, nenhum estudante será negado serviços devido a questões orçamentárias ou falta de programação no distrito.

Se uma equipe determinar que um aluno precisa de um **ano letivo prolongado** devido à possibilidade de que ele **regredir seriamente** sem ele ou que precise de um componente de verão pelo mesmo motivo, espera-se que a equipe forneça o Escritório de Educação Especial com os dados relevantes para apoiar essa necessidade, juntamente com um IEP assinado. Devem ser feitos todos os esforços para fazer isso até março do ano letivo, para que o planejamento de um componente de verão possa ocorrer.

Atualizado em março de 2012

Nada nessas diretrizes de política / procedimento limitará os direitos de estudantes particulares / paroquiais / outros de receber os mesmos serviços educacionais gratuitos e adequados que qualquer estudante de educação especial matriculado receberia. Esses serviços devem ser prestados dentro do distrito escolar.

Localização da criança

Os pais de crianças em idade escolar, preocupados com o desenvolvimento de seu filho, podem entrar em contato com o escritório da escola para obter a nota que seu filho frequenta ou frequentaria ou o escritório de Educação Especial (781)

618-7462, para solicitar uma triagem ou uma avaliação a partir dos dois anos e meio. Isso inclui crianças que frequentam escolas particulares às custas dos pais. Todas as crianças são selecionadas no primeiro mês do ano do jardim de infância. Médicos locais, creches, Coalizão da Área de Plymouth para Desabrigados, Conselho Consultivo para Pais, Intervenção Precoce, Escolas Particulares, Escolas charter e pré-escolas no Distrito Escolar Regional de Whitman-Hanson são incentivados a ajudar o Distrito Escolar Regional de Whitman-Hanson a encontrar alunos elegíveis. Além disso, o Distrito Escolar Regional de Whitman-Hanson colocará anúncios de “Localização de Crianças” em jornais locais, boletins escolares e fornecerá informações aos Membros da Parceria Comunitária. Todas as escolas particulares às custas dos pais recebem anualmente uma carta de busca de crianças do escritório de educação especial.

Osintervenção precoce

encaminhamentos depara triagem e avaliação pela equipe de pré-escola são recebidos dos pais de forma independente ou com o apoio da equipe de intervenção precoce, programas comunitários de pré-escola, pediatras e / ou programas comunitários de serviços humanos. O Distrito Escolar Regional de Whitman-Hanson colocará anúncios de “Localização de Crianças” nos jornais locais e fornecerá informações aos Membros da Parceria da Comunidade e outros prestadores de cuidados.

Quando uma triagem é solicitada, uma reunião / triagem inicial é agendada com os pais, a fim de coletar mais informações sobre o desenvolvimento. Os pais recebem um pacote de material descrevendo o processo de triagem e encaminhamento na consulta de triagem. Nesse momento, os pais são solicitados a preencher questionários sobre o desenvolvimento de seus filhos. Observações adicionais, informações médicas, entrevistas com prestadores de intervenção precoce e cuidadores também podem ser agendadas. O Coordenador da Primeira Infância revisa todas as informações pertinentes e é feita uma determinação em relação à necessidade de avaliação. A participação no programa de triagem para crianças de três e quatro anos é opcional por parte dos pais.

A equipe da pré-escola, incluindo um terapeuta ocupacional, fisioterapeuta, fonoaudiólogo, psicólogo da escola e um professor da pré-escola, determina com os pais o que a avaliação incluirá. Após a notificação apropriada aos pais e o recebimento do consentimento dos pais, é realizada uma avaliação inicial. As avaliações de crianças pequenas são formais e informais. O Distrito Escolar Regional de Whitman-Hanson avalia crianças com menos de dois anos e nove meses de idade. A equipe de avaliação garante que, se a criança for considerada elegível, os serviços de educação especial comecem prontamente aos três anos de idade.

A avaliação de uma criança de dois, três ou quatro anos deve incluir avaliações em todas as áreas relacionadas à suspeita de incapacidade e uma observação da criança em um ambiente natural por um educador qualificado em observar e interpretar o desenvolvimento da primeira infância. Para crianças que estão recebendo serviço em Intervenção Precoce, a Equipe pode considerar avaliações de seus prestadores de serviços. No entanto, o Distrito Escolar Regional de Whitman-Hanson reserva-se o direito de realizar sua própria avaliação na determinação da elegibilidade para serviços escolares. Os pais são solicitados a fornecer evidências de triagem visual e auditiva pelo pediatra como parte da triagem e do registro escolar.

Testes e outros materiais de avaliação para crianças pequenas devem ser selecionados e administrados para não serem discriminatórios em termos raciais ou culturais. Eles devem ser fornecidos no idioma nativo da criança ou em outro modo de comunicação, a menos que não seja claramente viável. Os materiais e procedimentos usados para avaliar uma criança com proficiência limitada em inglês devem ser selecionados e administrados para garantir que

medam até que ponto uma criança tem uma deficiência e precisa de educação especial e não o idioma inglês da criança.

Uma variedade de ferramentas e estratégias de avaliação deve ser usada para reunir informações funcionais e de desenvolvimento relevantes sobre a criança, incluindo informações fornecidas pelos pais e informações relacionadas à capacitação da criança para participar de atividades apropriadas. Os testes e outras ferramentas de avaliação devem incluir aqueles adaptados para avaliar a área específica de alegada necessidade educacional. Os testes devem ser selecionados para garantir que, se um teste for administrado a uma criança com habilidades sensoriais, manuais ou de fala prejudicadas, o teste deve refletir com precisão a aptidão ou o nível de desempenho da criança, em vez de refletir a deficiência. Nenhuma medida isolada pode ser usada para determinar a elegibilidade. Transição da equipe do IEP: pais de uma criança em transição dos serviços da parte C (primeira infância) para os serviços da parte B (em idade escolar) podem solicitar que um convite para a reunião inicial do IEP seja enviado aos representantes do sistema da parte C para ajudar em uma transição suave de serviços. Esta disposição não exige a participação de um representante da Parte C, mas incentiva a colaboração.

Triagem do jardim de infância

Em setembro de cada ano, um aviso é colocado em boletins e jornais locais para anunciar a triagem de crianças de cinco anos. Os pais que optaram por não enviar seus filhos ao jardim de infância ou enviá-los para jardins de infância particulares também podem ter seus filhos selecionados nesse momento. A equipe de triagem pode incluir um psicólogo, um educador de infância e um fonoaudiólogo. O Early Screening Inventory (ESI) é uma avaliação usada juntamente com uma lista de verificação de desenvolvimento preenchida pelo professor da sala de aula e pelos pais / responsáveis. O psicólogo escolar reúne todos os resultados da triagem e os reporta à equipe do jardim de infância, à administração do edifício e ao administrador da educação especial. Isso geralmente ocorre nas primeiras semanas de setembro. Duas semanas após a triagem, as equipes de triagem se reúnem com os professores do jardim de infância para revisar os resultados da triagem. Nessa reunião, os alunos que podem precisar de mais avaliações são identificados e encaminhados, se apropriado. Mais frequentemente, algumas crianças são determinadas como adequadas ao desenvolvimento, enquanto outras podem apresentar pequenos atrasos no desenvolvimento dos instrumentos de triagem e serão retransmitidas no meio do ano para verificar se há alguma preocupação naquele momento. Os serviços de resposta a intervenção (RTI) são fornecidos conforme apropriado. Os pais de crianças que precisam de avaliação adicional são notificados dessa necessidade e recebem informações sobre o processo de avaliação e consentimento para avaliar os formulários.

Quando necessário / exigido, a triagem visual e auditiva é concluída no outono do ano do jardim de infância. A enfermeira da escola desempenha essa função. Se houver uma pergunta relacionada às necessidades da criança nessa área, os pais serão encaminhados para o pessoal ou instalação médica apropriada.

Confidencialidade

Espera-se que todos os funcionários que trabalham com os alunos mantenham um alto nível de confidencialidade em relação às informações recebidas ao revisar os registros de um aluno, participar de reuniões da equipe ou discutir os pontos fortes e fracos de um aluno com o corpo docente. Os pais confiam aos funcionários do Distrito Escolar Regional de Whitman-Hanson informações pessoais sobre seus filhos, seu histórico familiar e seus medos e esperanças no futuro de seus filhos. Esperamos respeitar essas informações privilegiadas e protegê-las com cuidado. A confidencialidade se estende a todos os funcionários, profissionais e não profissionais, e deve ser mantida dentro e fora da escola. Lembretes e treinamentos são fornecidos em relação à confidencialidade.

Registro de acesso

Um registro de acesso será mantido na frente de cada arquivo de registro do aluno, grampeado na capa interna. Ele conterá todas as informações exigidas nos regulamentos de registros do aluno. Se você mantiver registros separados; certifique-se de manter registros para cada registro. Os funcionários que têm contato direto com a criança (professores, conselheiros etc.) não precisam assinar esse log para revisar ou usar os arquivos.

O registro do aluno consiste na transcrição e no registro temporário da criança e inclui, entre outras coisas, registro da qualificação ou programa de educação especial do aluno. Existem vários direitos relacionados ao registro do aluno. Os pais e, sob certas circunstâncias, a criança tem o direito de inspecionar e revisar todos e quaisquer registros relacionados ao aluno que são coletados, mantidos ou usados pelo distrito escolar. Se o registro da criança incluir informações sobre outra criança, os pais têm o direito de inspecionar ou revisar apenas as informações relacionadas à criança. O distrito escolar limitará o acesso dos pais aos registros do aluno apenas se o distrito escolar tiver recebido documentação legal que limite a autoridade dos pais nesse sentido (por exemplo, um decreto de divórcio ou custódia que limite o acesso dos pais às informações sobre seu filho) Todos os direitos associados aos registros dos alunos estão contidos nos Regulamentos e Leis do Estado de Massachusetts e devem ser revisados periodicamente. Os funcionários que tiverem dúvidas sobre o histórico do aluno devem entrar em contato com o diretor do edifício para obter esclarecimentos.

Taxas As

taxas cobradas pela reprodução de registros devem ser razoáveis. Em qualquer caso, não exceda o custo de reprodução e não se esqueça de seguir outras diretrizes mencionadas na brochura de salvaguardas de procedimentos. **No entanto, os pais não cobram uma taxa por cópias, se isso o impedir efetivamente de exercer o direito de inspecionar e revisar os registros.**

Direito de acesso do

aluno Alunos com 14 anos ou no nono ano têm todos os direitos que os pais têm ao abrigo do Regulamento de Registro do Estudante. Se um aluno tiver entre 14 e 17 anos ou tiver ingressado na nona série, tanto o aluno quanto seus pais, atuando sozinhos ou juntos, poderão exercer esses direitos. Quando o aluno completar 18 anos, os direitos concedidos aos pais de acordo com o Regulamento de Registro do Estudante tornam-se os do aluno. No entanto, os pais podem continuar exercendo esses direitos, a menos que o aluno faça uma solicitação por escrito ao Diretor ou Superintendente para impedi-lo de fazê-lo. Se a criança fizer tal solicitação, os pais não terão o direito de revisar seus registros.

Revisão do Registro do Aluno

Se os pais solicitarem a revisão do registro do estudante, a escola deverá permitir o acesso sem demora desnecessária e, em qualquer caso, o mais tardar dez dias após a solicitação, a menos que os pais tenham concordado com um período mais longo de Tempo. O direito dos pais de inspecionar ou revisar o registro do aluno inclui o direito de fazê-lo antes de qualquer reunião referente a um IEP ou audiência do devido processo relacionado à identificação, avaliação ou colocação do programa de seu filho.

Parents right to inspect and review student records include the right to:

- Obtain copies of any information included in the record upon request.
- Meet with qualified school personnel to have the student's record interpreted.
- Have a representative inspect, review and interpret their child's record upon receipt of written request.

Acesso ao Registro de Alunos

O distrito escolar é obrigado a manter um registro de todas as partes que inspecionaram revisadas ou tiveram acesso ao registro de um estudante. Este registro não se aplica aos funcionários da Escola Pública do Distrito Escolar Regional de Whitman-Hanson que estão trabalhando com esta criança. Os registros devem ser grampeados na frente da pasta de arquivos do aluno para facilitar o acesso.

Alteração de informações no registro do aluno

Os pais / responsáveis têm o direito de adicionar informações, comentários ou dados ao registro do aluno. Os pais / responsáveis podem solicitar que o registro de seus filhos seja alterado. Essa solicitação deve sempre ser feita por escrito ao diretor da escola, identificando o item ou itens especificamente. Se a solicitação for alterar as informações inseridas por uma reunião da equipe, a solicitação não poderá ser atendida até que o IEP seja aceito OU o processo de apelação esteja esgotado (se o IEP for rejeitado). O diretor da escola deve se reunir com os pais ou o aluno (se for 18) e verificar a necessidade de alterar o registro. Então, dentro de uma semana escolar depois de recebê-lo por escrito, o diretor informará os pais por escrito das medidas tomadas ou, se a solicitação for recusada, os motivos para não atender à solicitação. Certifique-se de enviar uma cópia de toda a correspondência ao Administrador da Educação Especial. Caso a solicitação seja negada, os pais ou alunos têm o direito de apelar ao Superintendente de Escolas. O Superintendente dará uma decisão por escrito aos pais ou alunos.

Consentimento em informações

divulgar Exceto por informações não pessoalmente identificáveis, nenhuma informação deve ser divulgada de um registro do aluno a terceiros, a menos que acordado por escrito pelos pais / responsável ou aluno com mais de 18 anos. A cada outono, os pais assinam formulários de permissão que tratam disso. Sob nenhuma circunstância as informações de educação especial serão divulgadas, a menos que os pais / responsáveis / alunos aprove. Tribunais e agências como a DSS normalmente devem fornecer um formulário de liberação de informações assinado por um dos pais / responsável / aluno antes que as informações sejam divulgadas a eles. Um formulário de consentimento por escrito deve sempre ser usado para obter permissão para liberar informações sobre um aluno. A menos que o diretor tenha recebido uma cópia de uma ordem judicial que nega o acesso dos pais às informações, ambos os pais têm o direito de acessar informações sobre seus filhos. A menos que os pais tomem conhecimento da escola de que as informações devem ser enviadas para dois endereços (em casos de divórcio etc.), a escola só será obrigada a enviar informações para os endereços listados nos registros dos alunos. Um distrito escolar não pode divulgar informações dos registros educacionais para as agências participantes sem o consentimento dos pais. Isso inclui, entre outros, DSS, DMR, DMH, MA Rehab, advogados, médicos, outros distritos escolares e outros. Depois que o consentimento para a liberação do registro for recebido, serão feitos todos os esforços razoáveis para enviar os registros solicitados em tempo hábil.

Salvaguardas

Em caso de dúvida, não divulgue informações. Verifique primeiro com o Administrador de Educação Especial e / ou o Gabinete do Superintendente. Os diretores devem informar a equipe anualmente sobre as regras para proteger as informações nos registros dos alunos. O diretor da escola é responsável por garantir que os registros dos alunos sejam mantidos de maneira confidencial e por informar todos os funcionários do prédio sobre os regulamentos. Os funcionários não devem ter acesso a todos os registros dos alunos, mas apenas àqueles que se aplicam diretamente aos alunos que estão atendendo. A programação do aluno é uma boa lista dos funcionários que devem ter acesso, além de administradores e conselheiros.

Destruição de informações

Os registros de educação especial acompanharão o aluno através das notas. Os arquivos devem ser

selecionados para obter informações duplicadas anualmente. Não é necessário que os professores mantenham registros dos alunos após o aluno passar para a próxima série ou professor. Depois que o aluno se formar no ensino médio ou completar 22 anos, o arquivo do aluno será mantido por sete anos, A menos que o programa da criança seja federalmente financiado e esteja sendo submetido a uma auditoria; nesse caso, o arquivo da criança (especialmente o IEP) será mantido até a auditoria é encerrada e todos os recursos foram atendidos. Todo o processo de auditoria deve ser resolvido antes que esses

arquivos dos alunos sejam destruídos. Nenhum arquivo de estudante de Educação Especial deve ser destruído ANTES do período de sete anos. O Departamento de Orientação do ensino médio emite um aviso público de intenção de destruir os arquivos de todos os alunos anualmente, após retenção por dois anos. Os pais têm a oportunidade de manter o arquivo de seus filhos neste momento. O escritório de Educação Especial divulgará sua intenção de destruir registros mantidos por sete anos. O Escritório de Orientação da escola mantém registros de educação não especial, como a transcrição escolar do aluno, durante sessenta anos. No entanto, um registro permanente do nome, endereço e número de telefone de um aluno, suas notas, registro de frequência, aulas frequentadas, nível completo e ano concluído podem ser mantidos sem limitação de tempo. Atualmente, o WHRSD está no processo de digitalizar registros para programas de arquivamento eletrônico. (2011) Os

registros para crianças em escolas paroquiais / particulares / outras não serão de responsabilidade do diretor da escola, do Escritório Central ou de qualquer outro funcionário da escola, a menos que haja algum acordo especial para a colocação dessa criança nessa escola. A equipe designada manterá todos os registros da Educação Especial. Cada caso deve ser trabalhado separadamente. Normalmente, as escolas mantêm todos os registros dos alunos nas escolas agrícolas e nas escolas técnico-profissionais. Os funcionários do Escritório de Educação Especial normalmente mantêm registros de educação especial para crianças em locais fora do distrito.

Quando um aluno tem dificuldade em aprender, ou há preocupações emocionais ou sociais, questões médicas ou de saúde ou comportamentais, um pai / responsável ou outra fonte de referência pode seguir uma das três vias listadas abaixo.

Plano de Acomodação Curricular

Se um aluno tiver dificuldades no ambiente de educação regular, “o Diretor implementará o Plano de Acomodação Curricular adotado pelo distrito e exigido pelo MGLc.71, S38Q. Esse plano deve detalhar os esforços que foram feitos ou serão feitos para atender às necessidades de diversos alunos no programa de educação geral. Como parte de suas responsabilidades, o Diretor promoverá práticas instrucionais que atendam às necessidades dos alunos (RTI) e garantirá que o suporte instrucional adequado esteja disponível para alunos e professores. O suporte instrucional deve incluir instrução corretiva para os alunos, serviços de consultoria para professores, disponibilidade de instrução de leitura no nível elementar, serviços apropriados para estudantes das minorias linguísticas e outros serviços consistentes com práticas e requisitos educacionais efetivos de MGLc.71B, S2.

O diretor pode consultar o administrador da educação especial sobre acomodações ou intervenções para os alunos. Tais esforços e resultados devem ser documentados e colocados no prontuário do aluno. Além disso, se um aluno individual for encaminhado para uma avaliação para determinar a elegibilidade para a educação especial, o Diretor garantirá que a documentação sobre o uso dos serviços de suporte instrucional para o aluno seja fornecida como parte das informações de avaliação revisadas pela Equipe ao determinar a elegibilidade.

Quando a falta de progresso do aluno se deve a falta de instrução em leitura ou matemática ou proficiência limitada em inglês ou desajustamento social, ou se deve a uma incapacidade de cumprir o código de disciplina da escola, mas não se deve a uma deficiência, uma conclusão não qualificada para educação especial, o aluno será encaminhado para um programa instrucional ou serviço de suporte mais apropriado.

Cópias do Plano de Acomodação Curricular podem ser visualizadas no escritório de cada prédio da escola, no escritório do Superintendente.

Equipes de assistência aluno-professor / resposta à intervenção

A equipe de assistência aluno-professor fornece apoio aos professores à medida que desenvolvem alternativas para alunos com dificuldades (comportamentais, sociais ou acadêmicas) na sala de aula da educação geral. A equipe é baseada na escola e usa uma abordagem colaborativa de solução de problemas. A equipe garante que as necessidades dos alunos que enfrentam dificuldades na escola sejam identificadas e que uma série de soluções e intervenções sejam implementadas. A Equipe de Assistência ao Aluno-Professor deve consultar o Plano Distrital de Acomodação de Currículo, conforme apropriado, para determinar os serviços dentro da educação regular que podem beneficiar o aluno. Além disso, o apoio de conselheiros, especialistas em currículo ou tecnologia, administradores, líderes de equipe e agências comunitárias pode fornecer idéias e / ou assistência de colegas a seus colegas, ou oferecer sugestões para uma melhor utilização de recursos ou tempo da equipe.

Quando um professor está buscando assistência em relação a um aluno ou alunos que estão

enfrentando dificuldades em sua sala de aula, deve enviar um Formulário de Solicitação de Reunião de Assistência Estudante-Professor ao Diretor.

Toda a documentação da Equipe de Assistência Estudante-Professor será compilada e armazenada em cada edifício, conforme

designado pelo Diretor. Além disso, a documentação da equipe passará a fazer parte do pacote de referência enviado à equipe de educação especial, caso seja necessária uma referência para avaliação.

A IDEA exige que nenhum programa de apoio instrucional ou qualquer outra intervenção limite o direito dos pais / responsáveis de encaminhar seu filho para uma avaliação de educação especial. However, if a referral for a special education evaluation has been made and the district has asked for and received parental consent for an evaluation, then evaluation information from any instructional support program should be made available to the Special Education Team to consider when determining if the student is eligible for special education services.

The Student-Teacher Assistance Team may consider, but is not limited to the following:

Examples of Interventions:

- After school subject assistance with the regular education teacher
- Homework Club
- Parent Conference
- Student Success Plan
- Reading Class (Regular Education)
- Study Skills Class
- MCAS Math and/or English Class
- Social Skills Group with the Guidance Counselor or School Psychologist
- Individual Counseling with a Guidance Counselor or School Psychologist
- Behavior Management Plan
- Behavioral Consultation

Examples of Accommodations:

- Breaks
- Extra Time
- Peer coaching
- Direct Instruction in area of difficulty eg, phonics, handwriting, etc. provided within regular education
- Proximity seating

Examples of Modification:

- Individualized homework assignments
- Reduced requirements
- Grading only on work completed
- Modified curriculum reading level
- Referral

Once the Student-Teacher Assistance Team has determined that all regular education interventions have been exhausted and that the student is still experiencing difficulty in academic, behavioral or social- emotional areas, a referral for a Special Education Team Evaluation may be submitted to the Principal or Special Education Building Chairperson. The Student-Teacher Assistance Team referral should include all relevant information about pre-referral activities and progress monitoring. Include documentation of parent involvement in the determination to refer the student, interventions that have been attempted and their effectiveness. If warranted, the Special Education Coordinator in each building will schedule a meeting with special educators, classroom teachers, administrators and other

appropriate Team members to determine what steps should be taken next.

A student may be referred for an evaluation by a parent, a caregiver, a physician, Student-Teacher Assistance Team or other party. The following procedures **are required** by 603 CMR 28.04 regarding referral:

- a) When a student is referred for an evaluation to determine eligibility for special education, the school district shall send written notice to the child's parent/guardian **within five days** of the receipt of the referral. **Referrals may be in writing or given orally.** In any case, document the referral and send written notice. Written notice should be given in the primary language of the parent/guardian.
- b) The notice required by 603 CMR 28.04 shall meet all of the content requirements set forth in MGL c. 71B, Sec 3 and in federal law and shall seek the consent of the parent for the evaluation to occur, and provide the parent with the opportunity to express any concerns or provide information on the student's skills or abilities.
- c) The school Team should provide the student's parent/guardian with the opportunity to consult with the Administrator of Special Education or his/her designee to discuss the reasons for the referral, content of the proposed evaluation, and evaluators used.

Parent Request for an Initial

When a student is referred for an evaluation by his/her parent/guardian, this request is sent immediately to the Principal and/or Chairperson for action. **The school district is responsible to respond to the parent's request within 5 school days.** The Administrator of Special Education, or his/her designee will, with input from the student's teachers and other professionals, determine what assessments will be recommended and seek consent of the parent/guardian for an evaluation as well as provide the parent/guardian the opportunity to express any concerns, provide information on the student's skills or abilities and/or meet to discuss the evaluation.

The Principal or Chairperson will assign a Special Education Liaison to manage the distribution of notification and assessment in each building. Notification of the referral is sent home with consent for the parent/guardian to sign. When the signed consent is received, all evaluators are notified by the Liaison of the receipt of the consent and the timeline. The Chairperson logs receipt of the consent to evaluate and the timeline for the evaluation to be completed is established: thirty days from receipt of the parental/guardian consent. Within 45 school working days after receipt of the parent's/guardian's written consent to an initial or re-evaluation, the Team determines whether the student is eligible for special education and provides a proposed IEP, proposed placement or a written explanation of the finding of no eligibility. A copy of the completed evaluation report must be presented to the parent/guardian two days before the Team meeting.

Informed Consent for an Initial Evaluation

Within five days of the receipt of the referral request, parents/guardians of a student referred for an initial evaluation will receive notice of the School Department's intent to evaluate their child from the assigned Liaison. A Procedural Safeguards Brochure will accompany the notice and consent form. A parent/guardian may waive any of the specific assessments requested by the Team. The Liaison assigned should have a waiver form completed and signed if this is the case. Upon receipt of the parent's/guardian's signed consent to evaluate their child, the Liaison will notify the evaluator(s), set the timeline and set a date for the Team meeting. **No assessments may begin until parental/guardian consent is received.**

Assessment and Evaluation

State and federal law require evaluation of all areas related to the suspected disability. All evaluation instruments must be validated for the purpose described. The evaluation should be comprehensive and child driven. No single procedure should be used as the sole criterion for determining eligibility. The Student-Teacher Assistance Team or Special Education Team with input from the parent determines the questions to be answered by the evaluation. The Whitman-Hanson Regional School District uses a variety of assessment techniques and instruments to guarantee that the Team will have an understanding of the student's suspected disability and its effect on the child's ability to make progress in school.

Evaluation may include formal and informal assessments. Under some circumstances, a Team may request that the Whitman-Hanson Regional School District contract with an outside agency or evaluator to assist in an evaluation. In most cases, however, the school-based Team completes the assessments. All instruments used are administered and interpreted by trained individuals and are as free as possible from cultural and linguistic bias. If necessary, evaluations will be administered in the child's native language.

The intent of a Team approach in evaluation is to ensure that a comprehensive picture of how a student functions within a school environment will emerge. No individual assessment or assessor

may determine eligibility for special education services. In interpreting evaluation data and making decisions, the Team uses information from a variety of sources including information from the parent. All information is considered as the Team makes their decision. All assessment information will be considered in relation to

least restrictive programming and the ability of the child to progress in the curriculum.

End of School Year Evaluation

If consent is received between 30 and 45 school working days before the end of the school year, the Team is required to meet so as to allow for the provision of a proposed IEP or written notice of the finding that the student is not eligible no later than fourteen days after the end of the school year. When a referral for evaluation is received with less than 30 working days remaining in the school year, every effort will be made to complete the evaluation and hold a Team meeting prior to the end of school. If it is not possible to complete the evaluation, it will be completed at the beginning of the next school year in adherence with all state and federal timeline requirements. In some cases, at the request of the Team, evaluation may be completed during the summer months with a Team meeting held the first or second week of school. Once eligibility for special educational services is determined, the IEP will be developed and placement will be determined. If at the end of a school year a student is determined not eligible for special education, written notice of the finding that the student is not eligible will be sent no later than fourteen days after the end of the school year.

The Components of an Evaluation

The following assessments are required as a part of an evaluation:

1. An assessment in all areas related to the suspected disability including consideration of any needed assistive technology devices and services and/or instruction in Braille.
2. An Educational Assessment which includes:
 - a. History of student's progress in general education curriculum.
 - b. At least one teacher's assessment in the area of curriculum conducted by a teacher with current knowledge regarding the Massachusetts Curriculum Frameworks and the district's general education curriculum, as well as an assessment of the student's attention skills, participation behaviors, communication skills, memory and social relations with groups, peers and adults.
 - c. For students being assessed to determine eligibility at age 3, an observation of the students' interactions in the student's natural environment or EI program is strongly suggested along with the use of current assessments.
3. Optional Assessments: The Administrator of Special Education or the Special Education Team may recommend or the parent may request an assessment in one or more of the following areas:
 - a. A comprehensive Health Assessment by a physician that identifies medical problems or constraints that may affect the student's education. The School Nurse may add additional relevant information from the student's health records.
 - b. A Psychological Assessment by a certified school psychologist, licensed psychologist or licensed educational psychologist including an individual psychological examination.
 - c. A Home Assessment that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor or teacher and includes information on pertinent family history and home situation and may include a home visit with the agreement of the parent.

Each person conducting an evaluation shall summarize *in writing* the following:

1. The procedures employed

2. The results
3. Their diagnostic impressions
4. Their determination of student's needs and specific services
5. Recommendations to meet those needs.

These summaries shall be made available upon request to the parent, at least two days before the Team meeting.

At the re-evaluation, if no additional assessments are needed to determine continued eligibility, the district will recommend to the parent/guardian that:

1. No further testing is needed and the reason why no further testing is needed,
2. The parent has the right to request an assessment

When a Team Suspects a Learning Disability

300.307 Specific learning disabilities.

(a) General. A State must adopt, consistent with 300.309, criteria for determining whether a child has a specific learning disability as defined in 300.8(c)(10). In addition, the criteria adopted by the State-

- (1) Must not require the use of a severe discrepancy between intellectual ability and achievement for determining whether a child has a specific learning disability, as defined in 300.8(c)(10);
- (2) Must permit the use of a process based on the child's response to scientific, research-based intervention; and
- (3) May permit the use of other alternative research-based procedures for determining whether a child has a specific learning disability, as defined in 300.8(c)(10).

(b) Consistency with State criteria. A public agency must use the State criteria adopted pursuant to paragraph (a) of this section in determining whether a child has a specific learning disability.

300.308 Additional group members.

The determination of whether a child suspected of having a specific learning disability is a child with a disability as defined in 300.8, must be made by the child's parents and a Team of qualified professionals, which must include—

- (a)(1) The child's regular teacher; or
 - (2) If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or
 - (3) For a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and
- (b) At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

300.309 Determining the existence of a specific learning disability.

(a) The group described in 300.306 may determine that a child has a specific learning disability, as defined in 300.8(c)(10), if—

- (1) The child does not achieve adequately for the child's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning

experiences and instruction appropriate for the child's age or State-approved grade-level standards:

- (i) Oral expression.

- (ii) Listening comprehension.
- (iii) Written expression.
- (iv) Basic reading skill.
- (v) Reading fluency skills.
- (vi) Reading comprehension.
- (vii) Mathematics calculation.
- (viii) Mathematics problem solving.

(2)(i) The child does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the areas identified in paragraph (a)(1) of this section when using a process based on the child's response to scientific, research-based intervention; or

- (ii) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments, consistent with 300.304 and 300.305; and

(3) The group determines that its findings under paragraphs (a)(1) and (2) of this section are not primarily the result of--

- (i) A visual, hearing, or motor disability;
- (ii) Mental retardation;
- (iii) Emotional disturbance;
- (iv) Cultural factors;
- (v) Environmental or economic disadvantage; or
- (vi) Limited English proficiency.

(b) To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation described in 300.304 through 300.306--

- (1) Data that demonstrate that prior to, or as a part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
- (2) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

(c) The public agency must promptly request parental consent to evaluate the child to determine if the child needs special education and related services, and must adhere to the timeframes described in

300.301 and 300.303, unless extended by mutual written agreement of the child's parents and a group of qualified professionals, as described in 300.306(a)(1)--

- (1) If, prior to a referral, a child has not made adequate progress after an appropriate period of time when provided instruction, as described in paragraphs (b)(1) and (b)(2) of this section; and
- (2) Whenever a child is referred for an evaluation.

300.310 Observation.

(a) The public agency must ensure that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty.

(b) The group described in 300.306(a)(1), in determining whether a child has a specific learning disability, must decide to--

- (1) Use information from an observation in routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation; or

(2) Have at least one member of the group described in 300.306(a)(1) conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental consent, consistent with 300.300(a), is obtained.

(c) In the case of a child of less than school age or out of school, a group member must observe the child in an environment appropriate for a child of that age.

300.311 Specific documentation for the eligibility determination.

- (a) For a child suspected of having a specific learning disability, the documentation of the determination of eligibility, as required in 300.306(a)(2), must contain a statement of--
- (1) Whether the child has a specific learning disability;
 - (2) The basis for making the determination, including an assurance that the determination has been made in accordance with 300.306(c)(1);
 - (3) The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning;
 - (4) The educationally relevant medical findings, if any;
 - (5) Whether--
 - (i) The child does not achieve adequately for the child's age or to meet State-approved grade-level standards consistent with 300.309(a)(1); and
 - (ii)(A) The child does not make sufficient progress to meet age or State-approved grade-level standards consistent with 300.309(a)(2)(i); or
 - (B) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards or intellectual development consistent with 300.309(a)(2)(ii);
 - (6) The determination of the group concerning the effects of a visual, hearing, or motor disability; mental retardation; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level; and
 - (7) If the child has participated in a process that assesses the child's response to scientific, research-based intervention--
 - (i) The instructional strategies used and the student-centered data collected; and
 - (ii) The documentation that the child's parents were notified about--
 - (A) The State's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
 - (B) Strategies for increasing the child's rate of learning; and
 - (C) The parents' right to request an evaluation.
- (b) Each group member must certify in writing whether the report reflects the member's conclusion. If it does not reflect the member's conclusion, the group member must submit a separate written statement presenting the member's conclusions.

When a Team suspects a learning disability, a cognitive evaluation by the Psychologist should be part of the evaluation. Assessments in academic achievement in Reading, Math and Written Language should be included. All previously recorded standardized tests should be reviewed. Processing assessments should be given to help determine relative strengths and weaknesses in differing modalities. Someone other than the child's teacher must observe the student. A Team Report must be included as part of the evaluation.

Evidence of and discussions of these criteria are documented in the Team Report.

The Special Educator may perform formal and informal assessments as well as an observation.
The Special Educator's assessment usually includes achievement testing in Math, Reading, and/or written

Language. This depends on the curriculum area identified by the teacher as particularly difficult for this student. An observation of learning behaviors or social skills is considered and completed. In addition, the special educator will need to utilize various assessments to determine the student's learning style. The evaluating Team will determine how the assessments will be conducted. The Speech and Language Therapist, the Psychologist, the Reading Specialist as well as the Special Educator, may all contribute to the understanding of the student's ability to process information.

Educational History

The evaluation Team will assign a member to review the chronology of the student's school experience in Whitman-Hanson Regional School District and elsewhere, and document this information on the Educational History Assessment Form.

Educational Assessment

At least one of the student's regular education teachers *must* complete an evaluation of the student. However, all teachers of a student who has been referred for an evaluation should be encouraged to complete an Educational Assessment. Educational Assessment forms should be complete and include enough detail to assist the Team in gathering necessary information about the student. The person completing the information should sign the Educational Assessment forms.

P

The purpose of the evaluation proposed on this consent form is to investigate the possibility that a disability is present that prevents effective progress in regular education. If these two criteria are met, special education services may be indicated.

A disability may consist of a developmental delay or an intellectual, sensory, neurological, emotional, communication, physical, specific learning or health impairment or combination thereof.

An impediment to effective progress in regular education is identified when there exists a significant discrepancy between intellectual ability and achievement in one or more of the following areas: Listening, reading, thinking, speaking, writing, spelling, computing and/or calculating. In some cases an identified disability may be so severe that regular education progress is compromised despite the absence of a significant discrepancy between ability and achievement. In those cases the Team will determine appropriate special education services.

D

1. Educational Status

A history of the child's education, providing an overview of school progress and a statement of child's current standing, conducted by a school administrator.

2. Current or Recent Teacher Assessment

An analysis of a child's specific abilities along a developmental continuum, with a comparison of those abilities to tasks in the regular education program including statement of the child's academic functioning or achievement, attentional capacity, behavioral adjustments, motor coordination, activity levels and patterns, communication skills, memory, and social relations with peer groups and adults.

3. Specialists(s) Assessments(s)

Assessment in all areas related to the child's suspected need for special education and related services, including, where appropriate, health, vision, hearing, speech and language, reading, motor abilities, home and psychological.

4. Health Assessment

A comprehensive medical exam which identifies medical problems that may affect a child's education, conducted by a physician or a nurse.

5. Psychological Assessment

An individual psychological examination conducted by a psychologist, providing educational recommendations based on developmental and social history, observation of the child's attentional, behavioral, cognitive, interpersonal, self-image and other factors.

6. Home Assessment

An assessment of pertinent family history and home situation factors (including a home visit if written consent is provided) along with an individual developmental history and estimates of

adaptive behavior at home, in the neighborhood and in local peer groups.

7. Arena Assessment

An interdisciplinary assessment to determine developmentally appropriate skills for preschool age children is conducted in a “play” format by staff certified in the appropriate domains.

R

Related services are transportation and such developmental, corrective and other supportive services that are required to assist a child with a disability to benefit from special education. Some related services are defined by Massachusetts as special education. This is determined based on the unique and individual needs of the child.

The following is a listing of such services:

Speech and Language

A Speech and Language Therapist administers an assessment focusing on language development, specifically, articulation, phonological disorders, specific language impairment and fluency. The therapist may also determine current performance in four areas related to the regular education curriculum: listening, speaking, reading and writing.

Occupational Therapy

An Occupational Therapy Assessment is administered by a Licensed Occupational Therapist (OTR). Formal and informal testing procedures address the student's performance in a regular classroom. Performance components, which are assessed, include sensory processing, upper extremity coordination and perceptual and visual motor skills.

Physical Therapy

The Physical Therapy Assessment is administered by a licensed Physical Therapist. This assessment includes a classroom observation as well as independently administered testing procedures. These procedures may assess one or more of the following: range of motion, muscle strength, muscle tone, reflex integration, posture, endurance, gait, functional skills and gross motor skills. The evaluation determines if the student can safely navigate the school environment and participate in all elements of the school program.

Health Assessment

When a Health Assessment is included as part of a Team evaluation, the following should be typed in under “Assessment in ALL areas of related disability”:

Will you be using your family physician yes

no If yes, may we have his/her Name and
address Name:

Address:

If the parent indicates “no”, the Whitman-Hanson Regional School District Physician will give the student a physical. The School Nurse will arrange it after being notified by the Team of the need for such assessment.

The School Nurse is responsible for following up on the Health Assessment. The School Nurse

should determine if it is appropriate to receive a release to communicate directly with the physician or other health care provider.

Assistive Technology

When a Team is considering whether specific technology will be required in order to assist a student access the general education curriculum or participate more fully in the school day, the Team may request an assistive technology evaluation. In most cases, members of the student's Evaluation Team will collaborate on this evaluation. This evaluation may include input from the Special Educator, a Regular Educator, the Speech and Language Therapist, the Occupational Therapist, the Physical Therapist, or the Technology Integration Specialist, to name a few.

Occasionally, the evaluation Team may feel that there is more technological expertise required for the evaluation than they have immediately available to them. In that case, a request is made to the Administrator of Special Education for an Assistive Technology Evaluation to be contracted. The Administrator of Special Education will assist the Evaluation Team in making the determination as to the evaluator or agency to complete such an evaluation.

The Whitman-Hanson Regional School District has developed an assistive technology flow chart, question/answer booklet and charts designed to assist the Team in the determination of the need for assistive technology. These forms should be completed and placed in the student special education file. All forms are found in the appendix.

Developmental History

The parent completes the developmental history with the assistance of the Guidance Counselor, Adjustment Counselor or School Psychologist, when the Team or the parent feels it should be a part of the evaluation. The parent may choose to not have elements of the developmental history included in the final report. This is entirely up to the discretion of the parent and counselor/psychologist. Different Developmental History forms are fashioned specifically for Initial Assessments, Preschoolers, Elementary, or Middle and High School students.

Other Assessments

Other assessments may be recommended by the Team and must be approved by the Administrator of Special Education. These may include but are not limited to: vision, hearing, behavior, audiological, neuropsychological, psychiatric, neurological, orientation and mobility, etc.

When is a Psychological Evaluation Recommended?

1. Most initial evaluations that occur after a child is six years old will include a psychological evaluation.
2. All evaluations to determine eligibility based on a discrepancy between achievement and ability (when the Team suspects a learning disability) will include a psychological evaluation.
3. If a child has a suspected emotional disturbance, the Team will need a psychological evaluation.
4. If a Team will be changing the disability category, the Team will need a psychological evaluation.
5. If the circumstances under which the initial psychological evaluation was given have changed dramatically, for example neurological damage is suspected, a child is now on medication but was not when first tested, the child was bilingual and his/her English has improved greatly, a new psychological evaluation should be given.
6. When a child has been determined to be developmentally delayed and will be turning 9

Years old, a psychological evaluation should be part of the evaluation.

Independent Evaluations

At the request of the parent/guardian, other evaluations may be considered. Records from previous evaluations or other schools should be gathered. The Team Chairperson should ask the parent to sign a release form for other providers to confer with the school's Team. In the case of a parent/guardian requesting an Independent Educational Evaluation (IEE), they must indicate such in writing or verbally. The Administrator of Special Education must be notified immediately of such request. Parents/Guardians may be asked to provide income information in relation to payment for such requested evaluation.

Qualified persons, who are registered, certified, licensed or otherwise approved, conduct all independent evaluations funded by the Whitman-Hanson Regional School District. The Whitman-Hanson Regional School District reserves the right to request evidence of such credentials as appropriate. All evaluators will be expected to abide by rate setting except in the case where the unique circumstances of the child's needs may require specialized or emergency evaluation at a higher rate.

Parents/Guardians may receive a letter from the district offering the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district. For students receiving free or reduced lunch or are wards of the state, an independent educational evaluation will be fully funded by the district. The Whitman- Hanson Regional School District extends the right for a publicly funded independent evaluation for aspects of the school evaluation with which the parent/guardian disagree for up to 16 months. If there is a request for an independent evaluation in an area not assessed by the Whitman-Hanson Regional School District or cost share is not an option (for whatever reason), within 5 days of the receipt of such a request, the Whitman-Hanson Regional School District will respond by either granting the request or by filing for a hearing with Special Education Appeals.

Whenever possible, the independent evaluation will be completed and a written report will be sent to the parents and school district within 30 days. The independent evaluator will summarize in writing procedures used, assessments, results and diagnostic impressions with recommendations. The evaluator will recommend types of services/placements but not name specific schools or programs.

Within ten days of receipt of the report, the Team will meet to consider the results. If a new or amended IEP is warranted, the Team will develop such.

Frequency of Re-evaluation

Once a student is on an IEP or in cases where it may be warranted, a re-evaluation is conducted every three years unless the parent and district agree that it is unnecessary. In such case, the waiver of evaluation must be signed. Re-evaluations are not conducted more frequently than once a year unless the parent and district agree otherwise. A re-evaluation is conducted in all cases where it is suspected that a student is no longer eligible for special education, except in the case where a student has graduated with a general high school diploma or exceeded the age of eligibility.

Waiving Assessments

In order to avoid unnecessary or excessive testing, a Team Liaison may ask a parent/guardian to waive certain redundant or other assessments that are not needed either to write the educational plan

or determine eligibility. All waivers should be in writing and signed by the parent/guardian.

Many specialists have developed their own format for preparing their written evaluations. The format may vary but should always include:

Student's Name:	DOB:
School:	Grade:
Testing Date(s):	Evaluator:

Reason for Referral:
Procedures used
Behavioral Observations during testing: Assessments used:
Description of what the Assessment evaluates: Results of Assessments:
Learning Style/Processing Strengths and Weaknesses: Academic Achievement Results:

Summary and Recommendations:

- Always include recommendations
- Do not state that Recommendations will be made at the Team meeting
- The report must be made available to parents at least two days before the Team meeting

All Written Reports are to be signed and dated by the author.

The Team Chairperson has the authority to commit the district's resources. At the Team meeting, the Team Chairperson should make the following very clear:

“The Team Chairperson has the authority to commit the resources of the district, however, there may be resources of which I am not aware. If we come to a point where I feel there needs to be someone on the Team more familiar with community, town, regional or statewide resources, we will adjourn and reconvene the Team which shall include the Administrator of Special Education or other such expert.”

The Team Chairperson is identified on the consent form. It may be the Contact Person, the Psychologist, the Administrator of Special Education, the Principal, a Guidance Counselor or the building Liaison. The Contact Person is the Primary Service Deliverer. Most importantly, these two roles, **Chairperson and Contact Person**, must be identified before and/or after the meeting and the parent must know who they are.

Defining the Roles of the Team Members

The Special Education Building Coordinator will assign the Chairperson/Liaison for the Initial Team evaluation. It is entirely permissible for the Contact Person and the Team Chairperson to be the same person. It is also reasonable for the Principal or Guidance Counselor, Adjustment Counselor or School Psychologist to Chair a Team evaluation. In some cases, especially with newer staff, it may be most appropriate for the Special Education Building Coordinator to chair the Team meeting. The Team Chairperson is always the Team member with the authority to commit the resources of the district. The Team Chairperson will make the decision to reconvene the Team when their knowledge of resources available is not broad enough. When a Team meeting must be reconvened to include additional members (Administrator of Special Education, or a consultant or advocate invited by the parent), the Team Chairperson must insure that all members of the first meeting are present and that the reconvened Team meets within the prescribed time. The following persons are members of the IEP Team and may serve in multiple roles:

- The child's parent
- A representative of the school district who acts as Chairperson and is qualified to supervise or provide special education, is knowledgeable about the general curriculum and is knowledgeable about the resources in the district, and can commit resources
- A regular education teacher of the student and has knowledge of the general curriculum
- Special education teacher of the student
- The student as appropriate and always if transition services will be discussed
- A regular education teacher if the student might become involved in regular education
- Other individuals at the request of the parent
- A person qualified to interpret testing
- Other individuals who may be necessary to write an IEP as determined by the Administrator of Special Education
- Human service agencies especially when transition is discussed. If the agency doesn't participate the district documents steps taken to obtain the agency participation. Parental permission for agency attendance must be secured prior to the Team meeting
- A person knowledgeable about placement options

Members attend Team meetings unless:

- The parent and district agree to use alternative means, such as video conference or conference call
- The district and parent agree in writing, prior to the meeting, that the attendance of a particular member is not necessary
- The district and parent agree in writing to excuse a member's attendance and that member has provided written input to the development of the IEP to the parent and Team prior to the meeting.

Determining Eligibility

When the Team reaches the eligibility decision-making phase of the evaluation process, it must consider all of the assessment data, all observations of the student throughout the school environment, the family's input, the teacher's observations, information regarding the curriculum in the student's particular grade, and information regarding specific areas of disability. Close examination of the student's school history/record, systematic observation of the student in the classroom and throughout the school environment, and the input of Team members with expertise in the area of suspected disability and regular educators should assist the Team in determining if the student has a disability.

Concurrently, the Team must review the definition of “to progress effectively in regular education” to determine whether there is a causal relationship between the disability and the student's ability to progress effectively. If the disability is shown to be inhibiting the student's ability to progress effectively in regular education and the student requires *specialty designed instruction* in order to access the general education curriculum, the student is eligible for special education.

In some instances, the Team will have clear evidence of a disability, well-documented data and a history of diagnosis. In others, the disability may not be as clear or there may be elements of two or more disabilities present. It is the responsibility of the Team to make a good faith effort to determine the category of disability. It is recognized that this is not always easy and may, in fact, be altered at some other date.

The timeline for eligibility determination must be strictly adhered to. Within 45 school working days after receipt of the parent's written consent to an initial or re-evaluation the school district determines whether the student is eligible for special education and provides to the parent a proposed IEP, a proposed placement or a written explanation of the finding of no eligibility.

To determine whether a student is eligible for special education the district provides an evaluation or re-evaluation, convenes a Team meeting, determines whether the child has a disability, is making effective progress, that the lack of progress is the result of a disability and that specialty designed instruction is necessary. Following the eligibility flow chart will satisfy these requirements. If the Team determines that a student is not eligible for special education but may be eligible for section 504, the Team should make a referral to the 504 Team to make a determination. The provision of services through the District Accommodation Plan is another option that should be considered. Finally when the student's lack of progress is due to a lack of instruction in reading or Mathematics, limited English proficiency, social maladjustment or inability to meet the school discipline code but is not related to a disability the district makes a finding of no eligibility and refers the student back to appropriate options within regular education.

Disability Categories

Autism

Autism is a developmental disability significantly affecting verbal and nonverbal communication and social interaction. The term shall have the meaning given it in federal law at 34CFR 300.7.

Federal Definition:

- (i) Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3 that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in paragraph (b)(4) of this section.
- (ii) A child who manifests the characteristics of "autism" after age 3 could be diagnosed as having "autism" if the criteria in paragraph (c)(1)(i) of this section are satisfied.

Communication Impairment

The capacity to use expressive and/or receptive language is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: speech, such as articulation and/or voice; conveying, understanding, or using spoken, written, or symbolic language. The term may include a student with impaired articulation, stuttering, language impairment, or voice impairment if such impairment adversely affects the student's educational performance.

Developmental Delay

The learning capacity of a young child (3-9 years old) is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: receptive and/or expressive language; cognitive abilities; physical functioning; social, emotional, or adaptive functioning; and/or self-help skills.

Emotional Impairment

As defined under federal law at 34 CFR §300.7, the student exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance: an inability to learn that cannot be explained by intellectual, sensory, or health factors; an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; inappropriate types of behavior or feelings under normal circumstances; a general pervasive mood of unhappiness or depression; or a tendency to develop physical symptoms or fears associated with personal or school problems. The determination of disability shall not be made solely because the student's behavior violates the school's discipline code, because the student is involved with a state court or social service agency, or because the student is socially maladjusted, unless the Team determines that the student has a serious emotional disturbance.

Health Impairment

A chronic or acute health problem such that the physiological capacity to function is significantly limited or impaired and results in one or more of the following: limited strength, vitality or alertness

including a heightened alertness to environmental stimuli resulting in limited alertness with respect to the educational environment. The term shall include health impairments due to asthma, attention deficit disorder or attention deficit with hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, if such health impairment

adversely affects a student's educational performance.

Intellectual Impairment

The permanent capacity for performing cognitive tasks, functions, or problem solving is significantly limited or impaired and is exhibited by more than one of the following: a slower rate of learning; disorganized patterns of learning; difficulty with adaptive behavior; and/or difficulty understanding abstract concepts. Such term shall include students with mental retardation.

Neurological Impairment

The capacity of the nervous system is limited or impaired with difficulties exhibited in one or more of the following areas: the use of memory, the control and use of cognitive functioning, sensory and motor skills, speech, language, organizational skills, information processing, affect, social skills, or basic life functions. The term includes students who have received a traumatic brain injury.

Physical Impairment

The physical capacity to move, coordinate actions, or perform physical activities is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: physical and motor tasks; independent movement; performing basic life functions. The term shall include severe orthopedic impairments or impairments caused by congenital anomaly, cerebral palsy, amputations, and fractures if such impairment adversely affects a student's educational performance.

Sensory Impaired

The term shall include the following:

1. **Hearing** – The capacity to hear, with amplification, is limited, impaired, or absent and results in one or more of the following: reduced performance in hearing acuity tasks; difficulty with oral communication; and/or difficulty in understanding auditorally - presented information in the education environment. The term includes students who are deaf and students who are hard-of-hearing.
2. **Vision** – The capacity to see, after correction, is limited, impaired, or absent and results in one or more of the following: reduced performance in visual acuity tasks; difficulty with written communication; and/or difficulty with understanding information presented visually in the education environment. The term includes students who are blind and students with limited vision.
3. **Deaf-Blind** – Concomitant hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs.

Specific Learning Disability is Defined by Federal Law as follows:

[34 CFR Chapter III §§300.7 10.i](#)

[34 CFR Chapter III §§300.7 10.ii](#)

(i) General. The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

(ii) Disorders not included; The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

[34 CFR Chapter III §§300.541](#)

Criteria for determining the existence of a specific learning disability.

(a) A Team may determine that a child has a specific learning disability if— (1) The child does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in paragraph (a)(2) of this section, if provided with learning experiences appropriate for the child's age and ability levels; and (2) The Team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas:

- (i) Oral expression.*
- (ii) Listening comprehension.*
- (iii) Written expression.*
- (iv) Basic reading skill.*
- (v) Reading comprehension.*
- (vi) Mathematics calculation.*
- (vii) Mathematics reasoning.*

(b) The Team may not identify a child as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of—

- (1) A visual, hearing, or motor impairment;*
- (2) Mental retardation;*
- (3) Emotional disturbance; or*
- (4) Environmental, cultural or economic disadvantage.*

Team Chairperson/Liaison

Setting up the Team meeting:

- When the evaluations are completed (must be within 30 days of the received consent) contact the parent to arrange a mutually convenient date and time for the Team meeting. This meeting date must be within 45 days of receipt of the signed consent.
- Notify all Team members of agreed upon date of the Team meeting.
- Send the meeting invitation and attendance sheet to the parent at least 10 school days prior to the meeting.
- If a new date is agreed upon, send a new invitation and notify all Team members.
- Document efforts to contact parents and ensure their participation in the Team meeting.

Organizational Responsibilities

- Make sure that the teacher(s) have an Educational Assessment Form.
- Collect summaries of reports or written reports at least three days prior to the meeting.
- Review evaluation results and seek clarification where necessary.
- Secure Parent Release of Information when necessary.
- Collect Present Level of Performance Information from evaluators and enter into draft IEP.

Team Meeting Procedures

- Introduce Team members, identifying the Team Chairperson, the person who has the authority to commit resources of the town and the contact person.
- Explain the special education process, sharing the Team Evaluation Process Packet including Eligibility Flow Chart and a blank IEP/draft IEP and distribute the Procedural Safeguards Brochure for initial meetings. **All draft IEPs must have the word DRAFT stamped or written on EVERY page. Drafts should be collected at the end of each meeting. The Parent/guardian should be given a copy of the IEP as developed with the word Draft crossed out and all changes that were agreed to. Additionally, Parents/guardians should be given a copy of the Team meeting minutes/notes describing discussion and agreed upon actions prior to leaving. The new technology will allow for the composition of the IEP at the Team meeting with the IEP printed and given to the parent at the end of the meeting.**
- Give an overview of the reasons for referral.
- Verify Administrative Data.
- For Initial or re-evaluation meetings, facilitate eligibility discussion and determination of eligibility using the flow chart. The completed flow chart is maintained in the student file.
- Notify the Principal or designee if there is a need for a 504 eligibility review. **Special education Teams do not determine 504 eligibility or services.**
- Assist the parent(s) in a discussion of the parent's goals for the year and the parent's and student's vision. **The vision statement is a Team vision.** If the Team vision is different from the parent/student vision, include both with proper credit given.
- Provide parent with a draft IEP at the meeting. **All draft IEPs must have the word DRAFT stamped or written on EVERY page.**

- Make a determination whether a Placement Meeting is required and who should attend.

If an IEP is recommended:

- Develop the proposed IEP (make corrections on the draft IEP). **Drafts should be collected at the end of each meeting. The Parent/guardian should be given a copy of the IEP as developed with the word Draft crossed out and all changes that were agreed to. Additionally, Parents/guardians should be given a copy of the Team meeting minutes/notes describing discussion and agreed upon actions prior to leaving. For Initial Meetings, there would be no draft IEP as eligibility would need to be determined.**
- The finalized proposed IEP (two copies) **MUST** be sent to the parent/guardian three to five days after the Team meeting.
- Send N1 letter to parent/guardian with the proposed IEP. Complete the N1 letter fully,
- answering **ALL** the questions on the letter.
- Record the date of the signed IEP in the computer system and notify central office that it has been signed. The IEP will then be moved into Infinite Campus.
- Notify Team members that the signature has been received and provide service
- deliverers with a copy of the IEP. **No services shall begin until a signed IEP has been received. For initial evaluations, no service is given until a signed IEP is received. For IEPs already in place, only the services on the last signed IEP are given until the new IEP is returned signed.**
- Provide regular education staff with a copy of the IEP. Review specific sections with the
- regular education teachers to insure that they are aware of the student's needs.
- IEPs cannot be changed at a higher administrative level within the school district.

[An Act Relative to Bullying in Schools / Section 7](#)

Many of the requirements of this new law are codified in a new statute, MGL c. 71, § 37O. Cohasset Public Schools already has policy and strategies or responding to bullying and harassment. However there will be much public attention paid to this. In particular for us in special education is a specific provision of the Act, Section 7, outlined below.

SECTION 7 Requirements for Students with Disabilities

“For students identified with a disability on the autism spectrum, the IEP Team *must* consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. (See MGL c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010.)

Whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.”

Suggestions: Anti Bullying IEP language

When IEP includes a SEB (Social Emotional Behavioral) goal

Should have social skills / social pragmatics / counseling in service delivery

- Some ideas to add to a social skills / pragmatics as a benchmark:
- When the student feels vulnerable or victimized, the student is able to identify a safe adult to report to.
- The student will access help (identify 'safe' staff *and* the pragmatics of who, how, when, the

student can turn to for help)

- 'Student will be able to communicate and rehearse a safety plan if harassed, teased or bullied.'
- 'Student will provide feedback to peers about unwanted attention.'
- The student will distinguish between jokes and teasing
- The student will be able to communicate assertively about unwanted attention from a peer.

To include, if appropriate, in modification section of PLEP B:

Developmentally appropriate "social stories", visual action plan, rehearsal / practice of a safety action plan.

A safety plan components include:

- Review (emphasize and rehearse) with the student:
 1. How to access help (identify 'safe' staff *and* the pragmatics of who, how, when, the student can turn to for help)

In response to an episode of perceived bullying and / or harassment

A safety plan to include corrective actions should be clarified with the student and parent, and documented. The components include:

- Review (emphasize and rehearse) with the student:
 1. How to access help (identify 'safe' staff *and* the pragmatics of who, how, when, the student can turn to for help)
 2. Informing staff that the student may request access to 'safe' staff.
- In the event of a reported bullying episode:
 1. Reconvene Team / IEP meeting
 2. Consider any indicated changes in the IEP to support the student, to include options for daily check-ins with staff to determine mood, perception, experience (gauge the level of anxiety and safety) and additional counseling if indicated.
 3. Review concerns and plan components, emphasize monitoring measures.

When no Goal is Needed in regard to bullying:

To include in N 1 and / or IEP Additional Information:

- "The Team considered the student's level of social skills development and disability. At this time, the Team concluded that the student is not lacking or deficit in social development and the disability is not likely to make the student more vulnerable to teasing, harassment and / or bullying."

If a determination of no eligibility:

- Send District Refusal to Act letter, N2 to parent/guardian with Procedural Safeguards Brochure.
- Complete **ALL** questions on the Refusal to Act form.
- If at a 3 year re-evaluation meeting a student is found no longer eligible for special education services, the current services remain in effect for an additional 30 days in order to give the parent/guardian time to seek an independent evaluation or other advice.
- Answer any questions the parent/guardian may have.
- Notify the Principal if a 504 consideration needs to take place. (See Appendix for Steps for IEP Completion).

Guidelines for Effective Team

Effective Team meetings are predicated upon positive communication among all participants including internal constituencies such as professional staff and teacher assistants, and external constituencies such as parents, agency representatives, private school providers and advocates. All Teams should strive toward reaching consensus with **the focus being the needs of the child.**

The agenda for the Team meeting should reflect the interests of all participants in an effort to Reach consensus around:

- The focus of special education services
- Types of strategies that will foster effective progress
- Collaborative effort
- Relationship between proposed goals and the core curriculum
- Delivery of special education services

In an effort to establish a positive vehicle for effective communication, the following guidelines are required:

Within 10 days prior to Team meeting:

Establish communications between school representative(s) and parent/guardian prior to the Team meeting. The Vision Statement, IEP Meeting Invitation Letter and Attendance Sheet (N3A) serve to solicit parent input prior to the meeting. The Chairperson/Liaison will call parents if necessary to discuss any specific issues or concerns that the parent would like addressed at the meeting. This allows the Team Chairperson/Liaison to set a mutually established agenda and sets the foundation for a positive working relationship.

Two days prior to Team meeting:

Make assessment reports available to parents and other professional staff at least two days before the Team meeting. This allows parents and staff an opportunity to review the information contained within these reports prior to the meeting, to expedite the discussion during the meeting, and to focus on the determination of eligibility.

The day of the meeting:

The Team Chairperson/Liaison greets the parent/guardian privately, prior to the Team Meeting to ascertain concerns parents wish to be addressed at the Team meeting.

The Team Chairperson/Liaison determines whether the parent/guardian wishes to share these issues at the meeting or whether the parent/guardian would prefer that the Team Chairperson/Liaison shares this information.

The Chairperson/Liaison escorts the parent/guardian into the meeting and sits in close proximity to the parent/guardian in an effort to make the parent/guardian feel comfortable and help elicit parent/guardian concerns.

The Team Chairperson/Liaison invites parent/guardian to share any issues or

concerns the individual would like the Team to address during the meeting.

The Team Chairperson/Liaison clarifies written assessment reports as needed.

The Team Chairperson/Liaison facilitates a Team meeting that encourages optimal participation from all parties in attendance in order to develop an Individualized Education Program, which fosters maximum growth potential for the student.

N.B. 504 Eligibility is not determined at the Special Education Eligibility Meeting: The Principal is responsible to convene a Team, which may include a member of the Evaluation Team to determine if the student's disability warrants a 504 Accommodation Plan.

Team Member's Responsibilities

Setting up the meeting

- Contact the Team Chairperson/Liaison if a conflict exists in your schedule.
- Notify Team Chairperson/Liaison of any concerns or issues.

Organizational Activities

- Schedule Testing Dates.
- Review student's files and prior assessments.
- Evaluate student and send summary or written report to the Team Chairperson/Liaison at least 3 days prior to the Team meeting.
- Provide the Chairperson/Liaison with a brief statement to be included in the PLEP Draft, based on your evaluation.
- Bring a draft of your goal, if your assessment indicates it would be appropriate to provide service at the Team Meeting
- Present your summary as jargon free, clear and as briefly as is appropriate.
- Offer recommendations based on Team consensus.
- Discuss draft goals and objectives.
- Assist in other IEP determinations: Transportation, Assistive Technology, Behavior, Discipline, etc.
- Do not schedule any services in the proposed IEP until the Chairperson/Liaison notifies you that the IEP has been signed.

Informed Consent for a Three-Year Reevaluation

It is the responsibility of the Chairperson/Liaison to generate the notice to reevaluate and send the parental consent form to a parent/guardian at least 60 days before the Individual Education Program of a student will expire. If the Team decides that no additional assessments are needed to determine if the student is eligible for special education, the Team may recommend to the parent/guardian:

- a) That all assessments given at the initial evaluation be repeated
- b) That no further assessments are needed at this time and the reasons for this; and
- c) That the parent has a right to request a full evaluation or a specific assessment.

A parent may waive any of the specific assessments requested in an evaluation. If this is the case, complete the waiver form and secure the proper signature(s). Documentation of multiple efforts to contact a parent in order to gain their consent must be maintained in the child's special education file. In the event that consent is not received, contact the Administrator of Special Education to determine the next step(s). **A Procedural Safeguards Brochure should always accompany any notice sent to a parent/guardian for initial evaluations. Otherwise these brochures are sent**

annually to every family.

Assessment Components of the Three-Year Reevaluation

Students should be assessed in their area of need. If a Team has additional questions or concerns about a child, other assessments may be included. Consent **MUST** be gained before any evaluations take place.

When a three-year evaluation will be determining eligibility, all components of the initial evaluation should be repeated with age appropriate instruments.

When a student enters at three or four years old, a full evaluation should be administered. The Whitman-Hanson Regional School District will consider Early Intervention Assessments, but must complete a district evaluation as well. This evaluation will be repeated in three years or sooner using age appropriate instruments.

When a Team evaluation determines that a child younger than 9 years old is developmentally delayed, the Team must reevaluate him/her by his/her ninth birthday to determine eligibility category.

Developmentally delayed is a disability category appropriate for children only up to nine years of age. NB You will need a Psychological Evaluation to change the disability category.

Team Meeting: The Role of the Chairperson and the Contact Person or Student's Liaison

At each Team meeting, the person in the role of Chairperson and the Contact Person should be identified and this should be reflected on the Attendance Sheet.

If a student is already receiving special education services, the Contact Person or Liaison is responsible for convening the Team meeting. The Contact Person or Liaison is also responsible for ensuring that all notifications have been properly communicated to the parent and to the student, and for managing the appropriate documentation that the Team generates.

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At least annually, on or before the anniversary date of the IEP, a Team meeting is held to consider the student's progress and to review, revise or develop a new IEP or refer the student for a re-evaluation as appropriate.

The Contact Person's/Liaison's Responsibilities

In many cases, the student's primary service deliverer acts as the Team Chairperson for the annual review. His/her responsibilities as the Chairperson include, but are not limited to:

Ongoing

1. Maintain communication with the home.
2. Ensure that progress reports of all service deliverers go home when report cards go home.

Setting up the Meeting

1. Schedule the Team meeting and send invitation letter to the parents at least ten school days prior to the Team meeting.
2. Notify Team members of the meeting date.

3. Document any change of time and notify all participants of the change in time.
4. **NB Send notification/invitation to students over 14 years old.**

Organizing the Meeting

1. Review student's file, prior assessments, and current progress.
2. Update assessments as indicated on the IEP to determine Performance Criteria on PLEP.
3. Collect progress reports or other pertinent information from the child's teachers.

At the Meeting

1. Have all participants sign the Attendance Sheet.
2. Answer any questions regarding the process.
3. Ask the parent/guardian to share his/her Vision Statement. The Vision Statement is a Team vision. If the parent's/guardian's and/or student's vision differs from the Team vision, both should be reflected on the IEP.
4. Update the PLEP pages.
5. Discuss Progress Reports as they relate to goals and objectives; discuss any reasons why goals were not achieved and resulting changes in the new IEP.
6. Discuss proposed service delivery and draft IEP.
7. Keep Team Meeting notes. A copy of the notes should be given to the parent/guardian at the end of the meeting.
8. With the installation of electronic equipment allowing for projection of the IEP, all necessary changes should be made at the Team meeting using the computer. Print that copy of the IEP to give to parents at the end of the meeting. A finalized copy of the IEP should be sent home within three days of the meeting (five days if there is a weekend) for signature.

After the Meeting

1. Send N1 Letter with IEP immediately following the development of the IEP. **This means within three days of the meeting.**
2. In the N1 notice offer recommendations based on Team **consensus**, discuss goals and objectives and answer all questions on the state approved form. The N1 notice should provide a summary of the Team meeting discussion.
3. Assist in other IEP determinations: Transportation, Assistive Technology, Behavior, Discipline, etc. by including these services in the IEP and notifying the parties involved so that scheduling can take place. Remember, no service begins until written consent is obtained from the parent/guardian.

The Team member has the same responsibilities for the Annual Review as were outlined in the Initial Evaluation and Reevaluation Sections (See Appendix for Guidance on Time Lines).

Leaving the Team Meeting

At the end of the Team meeting, provide the parent with a written summary of the decisions and agreements reached during the meeting including:

- a. The completed IEP service grid describing the types and amounts of special education and/or related services.
- b. A statement of the major goal areas associated with the services.
- c. District Team meeting minutes.
- d. The draft IEP, with the agreed upon changes and the word "draft" crossed out. With the installation of electronic equipment allowing for projection of the IEP, all necessary changes should be made at the Team meeting using the computer. Print that copy of the IEP

to give to parents at the end of the meeting. A finalized copy of the IEP should be sent home within three

days of the meeting (five days if there is a weekend) for signature.

No later than three to five calendar days from the conclusion of the Team meeting (five calendar days where weekend days intervene) the district should issue the fully developed IEP to the parent.

Procedures for Audio or Video Recording of Team Meetings

Part B of IDEA does not address the use of audio or video recording devices at IEP meetings, and no other Federal statute either authorizes or prohibits the recording of an IEP meeting by either a parent or a school official. Therefore, an SEA or public agency has the option to require, prohibit, limit, or otherwise regulate the use of recording devices at IEP meetings.

If a public agency has a policy that prohibits or limits the use of recording devices at IEP meetings, that policy must provide the exceptions if they are necessary to ensure that the parent understands the IEP or the IEP process or to implement other parental rights guaranteed under Part B. An SEA or school district that adopts a rule regulating the tape recording of IEP meetings also should ensure that it is uniformly applied.

Any recording of an IEP meeting that is maintained by the public agency is an “education record,” within the meaning of the Family Educational Rights and Privacy Act (“FERPA”; 20 USC 1232g), and would, therefore, be subject to the confidentiality requirements of the regulations under both FERPA (34 CFR Part 99) and Part B (§§ 300.560-300,575).

Parents wishing to use audio or video recordings devices at IEP meetings should consult State or local policies for further guidance.

The practice of the Whitman-Hanson Regional School District does not allow for audio or video taping of Team meetings. If a parent requires audio or video taping of the meeting, they must contact the Administrator of Special Education prior to the Team meeting indicating that they need this accommodation as it relates to paragraph two above. The Administrator of Special Education will make a determination as to the need to record the meeting based on information provided by the parent in relation to past meetings the parent has attended, knowledge of the condition prohibiting the parent from accessing the meeting without a recording and any other pertinent information. If a parent is allowed to tape a meeting, the district will also tape the meeting. The district tape will become part of the student record.

Opportunity for Parent/Guardian Participation

Parents/guardians should be the focal point of arranging the Team meeting, so try hard to work it into the parent's/guardian's schedule. The earlier you can notify parents/guardians, the better! If your school conducts a special day for Team meetings, let parents/guardians know with as much advance notice as possible. Once you have made the phone contact, always follow it up with a written notice using the approved Massachusetts State Meeting Notice Form and Procedural Safeguards Brochure (for initials). If the parent/guardian cannot attend, other methods should be used to ensure parent participation, including phone calls, correspondence, and home visits. A detailed record of all such attempts must be maintained. Along with each completed IEP mailed to the parent/guardian, a summary of their rights that includes a specific date identifying the day when the parent/guardian must have responded by, either accepting or rejecting the IEP will also be sent. If you are having problems getting parents/guardians to return a signed or rejected IEP, notify the Special Education Office for assistance. Parents/guardians are also kept informed by the normal grading process, IEP progress reports, and direct contact with the teaching staff/liaison, or specialist servicing the child.

Parent/guardian concerns are noted on the IEP and the parents/guardians participate in the formation of the Vision Statement. Every effort must be made to

involve our parents/guardians in the process, to encourage their participation, with the goal to insure they understand what is happening in the education of their child. Encourage them to attend open houses at your school, parent advisory council meetings, school council meetings, parent/ teacher conferences etc., to gain more insight and be actively involved.

Request for a Reevaluation or an Independent Evaluation

Any request for a reevaluation outside the reevaluation cycle, or an independent evaluation, should be directed to the Administrator of Special Education for determination of next steps.

Any request for an Independent Evaluation must be acted upon within 5 days. Therefore, it is extremely important that you notify the Administrator of Special Education of such requests immediately. Requests can come in writing or verbally. In either case, action must be taken.

The Whitman-Hanson Regional School District will follow the guidelines for income eligibility for all IEE requests as appropriate. Information will be sent to parents/guardians upon request of an evaluation. All IEE requests will be limited to the evaluations performed by the Team. Requests for other evaluations such as neuropsychological will be considered on a case-by-case basis.

A Finding of No Eligibility

The Team must make a finding of no eligibility:

- If the student does not have a disability;
- If the student does have a disability but is making effective educational progress without the need of supportive and/or related services;
- If the student shows a lack of educational progress but it is not due to a disability; or
- If the student does not require specially designed instruction.

If the student has a disability and that disability substantially impacts a life function, the student may be eligible for a 504 Accommodation Plan.

The Principal convenes a Team to determine if a 504 Accommodation Plan is appropriate and what should be included on that plan. The student's classroom teachers and the Principal as well as the parent must all be members of that Team. The Principal may identify other Team members.

Eligibility for a 504 Accommodation Plan is determined following the guidelines for 504 eligibility. Parents must be informed by the Team Chairperson in writing of the finding of no eligibility for special education using the N2 form. Parents/guardians have the right to appeal any eligibility determination to the Bureau of Special Education Appeals (BSEA), including a finding of no eligibility. Parents may contact the BSEA directly or request the district's assistance with this process. **This information is included in the Procedural Safeguards Brochure, which is available from any member of the special education department or the school Principal.**

If it is the determination of the Team that the student does not qualify for special education services or that a student is no longer in need of services, the Team must make a finding of "No Eligibility". It is the Team Chairperson's responsibility to:

1. Complete the Eligibility Sheet.
2. Complete Notice of Finding to the Parents (Initial Evaluation: Refusal to Act; Reevaluation: Proposal to Act). This notice should include a summary of assessments, rationale for the decision, a listing of any accommodations needed to ensure that the student continue to make effective progress. These accommodations may be made with or without a 504 accommodation plan.
3. File copies of ED1 and N1, N2, N3 in the student file with back-up documentation.

Services for children who once had an IEP but have been found no longer eligible must remain

**in place for thirty days in an effort to give parents/guardians the opportunity to react, reject
the**

finding and/ or gather information.

Placement Meeting

If any member of a Team has questions regarding what the most appropriate placement for a student may be, or how certain services may be delivered in the least restrictive setting, he/she should be in touch with the Administrator of Special Education. The Administrator of Special Education is available to attend any meeting where the Team feels it will be discussing resources beyond those, which are readily available in their school building. Parents/guardians should be informed that the Administrator of Special Education will be attending the Team meeting. **All IEPs are to be written before the determination of placement.**

If questions arise regarding placements outside the school district or if the parent/guardian introduces issues that the Chairperson did not anticipate and is unprepared to respond, the Team Chairperson may do one of the following:

1. Take a brief recess and call the Administrator of Special Education. In most cases, the Administrator of Special Education will either be able to provide immediate assistance or come to the meeting.
2. End the meeting and reconvene later, remaining within the proscribed timelines, at a meeting that includes the Administrator of Special Education.
3. End the meeting. The Team may determine that a Placement Meeting is required following the meeting to develop the IEP. In any case, where a second meeting needs to occur, this must occur within the forty-five-day timeline.

Extended Evaluation

An extended evaluation should be used when the evaluation information is inconclusive. The Team first determines eligibility or no eligibility following the DOE flow chart and guidelines. If the eligibility determination is made but the Team needs more information, the Team can propose an extended evaluation. When the Team has determined eligibility and some necessary objectives and services, then the Team must write a partial IEP while the Extended Evaluation is occurring. The evaluation may not extend beyond eight school weeks. Upon completion of the extended evaluation, the Team meets to consider the additional information, adjust goals/services or to re-determine eligibility.

An extended Evaluation may not be used for the following purposes:

- To extend an evaluation beyond the timeline.
- To deny programs or services to a student
- To constitute a temporary placement.
- To establish eligibility.

Effective Date of IEP

All Educational Plans will become effective for implementation immediately upon parent/guardian signature of acceptance. Normally you should have identified the date of the start of services under service delivery, but, in any case, do not delay service delivery once the IEP is signed by the parent. The date of acceptance must be recorded in the computer by the Liaison. It is imperative that dates are

recorded on a regular basis, preferably upon receipt. **Do not wait to record data as it is often needed for various state and federal reports throughout the school year. The DESE has moved to a new**

system of live data exchange; therefore it is extremely important to be timely and accurate!

Attorney Invited to the Meeting

If parents unexpectedly bring an attorney to a Team meeting, the Team Chairperson should inform the attorney that the Whitman-Hanson Regional School District Teams are represented by the law firm of Murphy, Hesse, Toomey and Lehane. Ethics rules prohibit the attorney from having contact with the school staff without the presence of the school's attorney. The parent/guardian may choose to continue the meeting with neither attorney present. If the parent/guardian insists on the presence of an attorney, the meeting ends and will be reconvened, at a later date, with the school attorney present.

Parents Invite a Consultant or Advocate to a Team Meeting

Parents/Guardians are allowed to bring others to the Team meeting to assist them with the process and/or decision-making. Often these people are educational advocates, paid for by the parent. Other times parents/guardians bring a friend or relative. These people must sign in and become a member of the Team. **If an advocate contacts you by phone, fax or other method,**

please do not discuss the child or case until you have signed, written permission from the parent to do so. This protects confidentiality. If an advocate wishes to observe a child at school, please notify the Principal who will arrange an observation following the laws and school rules for such. A special education staff person will be assigned to the visitor throughout the entire observation and will record notes about the child's activity during the observation. These notes will assist the Team during subsequent meetings. All questions and concerns should be referred to the building Principal and/or the Administrator of Special Education. In the case where an Independent Educational Evaluation was completed, the Team Chairperson/Liaison should request a copy of the evaluation prior to the Team meeting. Team members should familiarize themselves with the content of this evaluation and discuss the results, as appropriate, prior to the Team meeting. The Team Chairperson/Liaison may ask the parent to sign a consent to allow the Team to communicate directly with the evaluator should they have specific questions regarding his/her recommendations. The Principal or the Administrator of Special Education should be invited to any meetings where the Team may need additional assistance.

Guidelines for Coordinating with Advocates

These guidelines are intended to insure that all advocates are afforded ample opportunity and proper access within the context of your busy school day and ever-changing staff/student schedules. Educational advocates are often hired by parents or assigned by the Department of Education to insure that the child will receive all the necessary educational components in order to be successful in school. Educational advocates employed by parents are not required to have any special certifications or licensure, and may have a background that does not include public school experience. It will benefit the student most if you can take time to explain scheduling and other issues when it is apparent the advocate is unsure about these ancillary issues. In addition, please adhere to the following guidelines to insure that the needs of the parent and advocate are satisfied WITHIN the context of the greater needs of the student and school's daily activities and in compliance with section 3 of GL c 71 B the state special education law:

1. Advocates should produce a written permission document signed by the parent or legal guardian. Please work with parents around consent and documentation of consent to share student information. Without this consent, you are not authorized to divulge any information, as required by student record regulations, to ANY third party about any student.
2. Telephonic requests from advocates to visit, observe, or meet about students should be followed up by your sending the advocate a confirmation letter. Identify the best times, dates (and staff) when a visit would be most beneficial and productive. This will remove any

confusion as to meeting/visitation dates and times, and keeps all parties informed. Advocates must follow the rules of the school regarding visitors as stated in school handbooks. The length of the visit will be determined by the school and observer jointly and will be based on the reason for the

observation.

3. Requests from advocates for copies of any student file materials must follow the Student Record Regulations for dissemination of information. This request should be preceded or accompanied by a signed release of information form from the parent or legal guardian.
4. The observation law states that districts may not condition or restrict program observations except when necessary to protect: the safety of the children in the program during the observation; the integrity of the program during the observation; and children in the program from disclosure by an observer of confidential or personally identifiable information he or she may obtain while observing the program. The DESE recommends that districts consider the need for these conditions or restrictions on an individual basis and that the Principal discuss them with the program observer in planning the school visit. It is important to note that while Principals must exercise their authority consistent with the observation law, they remain responsible for the management and operation of the school (subject to the supervision and direction of the superintendent). As such, they may exercise their discretion at any time to reschedule or terminate an observation in the event of a building emergency or a disruption that impacts the physical or emotional well-being of the children in the school or the program being observed. While this is possible, it is expected that these times will be limited.
5. In order to avoid CORI issues, a district staff person should be assigned to observe with the person requesting to observe a child in the child's program. The district person should take notes during the observation time. Said notes will serve as a memory aid in the event certain information may need to be recalled.
6. As these observations are confidential in nature and are limited to the purpose as identified ahead of time, it is reasonable to ask observers to sign a statement that in the event that they obtain personally identifiable or confidential information during the course of an evaluation/observation, they will not disclose it (except when the information of the student being evaluated, in which case it will be used consistent with the parent's authority and direction).

The rejected IEP should be sent immediately to the office of the Administrator of Special Education

Upon receipt, it will be sent to the Bureau of Special Education Appeals according to all current regulations. A mediation or Hearing may follow. If possible, the Team should schedule a follow up meeting including an administrator that may assist in mediating the disagreement. If this is not possible or the parent does not agree to another meeting, notify the Administrator of Special Education to discuss the next steps.

Amendments

In between annual IEP meetings, the district and parent may agree to make changes to a student's IEP, documented in writing, with or without convening a meeting of the Team. Upon request, a parent is provided with a revised copy of the IEP with the amendments incorporated. If the Team determines that minor changes to the IEP are required, an amendment must be developed. An amendment may be used to change the service delivery model when a student changes schools if this is appropriate. An amendment may not be used to change the placement of the program.

When Parents Fail to Participate or Consent

When parents fail to consent or participate in the evaluation process or Team meetings, efforts will be made by the School administration including Guidance, and/or Adjustment Counselor, School Psychologist, (whomever is appropriate) to contact the parents and encourage their participation. Contact may include letters, telephone calls, notices sent by certified mail, home visits when requested by the administration, referral to DSS either voluntarily, through a 51A (neglect petition), and/or referral to court as appropriate (CHINS). Participation at Team meetings via phone and video conferencing is permissible. In cases where the district, after reasonable efforts, is unable to obtain the parents' participation in the Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents' participation. Nothing in this procedure will prohibit parents from ultimately refusing a special education evaluation or services. Parents are informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the child.

Failure of the Parent/Guardian to Respond Regarding the IEP

In the event that a parent fails to respond within 30 days, to reject, accept, or delay pending an Independent evaluation, the Chairperson/Liaison will:

- Call the parent/guardian and discuss the parent's/guardian's concerns. Attempt resolution and allow more time if circumstances warrant.
- Send a certified letter to the parent/guardian notifying them that they are legally required to respond.
- Inform Department of Elementary and Secondary Education in writing of difficulties.
- Request mediation or hearing through BSEA

If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a re-evaluation or to placement in a special education program subsequent to the initial placement, the

school district considers with the parent whether such action will result in the denial of a free appropriate public education to the student.

If, after consideration, the school district determines that the parent's failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through the BSEA.

Notwithstanding all the above procedures, no student in need shall be denied special education services because a parent failed to respond. However, no new services or program changes are to begin without signed parental/guardian consent. Services will be provided as listed on the last signed IEP.

Communication in the Native Language of the Parent/Guardian

All communication with parents is to be completed in simple language, jargon free using layman's terms. Both English and the primary language of the home shall be used. Interpreters used to assist a parent/guardian and student in the Special Education process and services available shall be fluent in the primary language of the home and familiar with special education procedures, programs and services. If the parents/guardians or the student are unable to read in any language or are blind or deaf, communications required by regulation are to be made orally in English with the use of an interpreter, in Braille, in sign language, via TTY or in writing and all such communications are documented.

Before the Team meeting, the Principal/Chairperson shall attempt to meet with the interpreter to clarify the process and discuss the dynamics of the meeting. Assistance with interpretation may be obtained by calling Mildred A. O'Callaghan in the Central office.

Procedural Safeguard Brochures and IEP forms are available on the DOE website for several languages. Please contact the Special Education Office for assistance.

Services for Home/Hospital Students

The School Principal will provide the parent/guardian with the Physician Statement form to be completed and signed by the student's physician. The person signing this form must be a medical doctor with expertise in the ailment listed, not a psychologist or nurse practitioner. The form must indicate that the student will be confined to home. Once this has been returned to the Special Education Office and approved by the Administrator of Special Education, the Special Education Office secretary will initiate contact with a home tutor to plan services or contract with a hospital-assigned tutor and inform the Principal whom the tutor will be. There is no waiting period (required absence days) for services to begin. The School Principal will direct the Guidance Counselor to send a home/hospital tutoring instruction form to each of the student's classroom teachers and assist the tutor in contacting teachers for materials, transferring grades, etc. and to change attendance status. The completed Physician Statement will remain on file in the Special Education Office. In the case of students attending private school at parent expense, home/hospital services are available if the child has been found to be a student with special educational needs. In cases where a child is not a child in need of special educational services, the District will consider the Physician's Statement and the impact of that statement on the child's status.

Services can be provided or a determination to make a referral for evaluation or additional information may be requested depending on the circumstances. An expedited special education evaluation, which is limited to a student's physician statement unless there is a clear indication of the need or unless the parents request additional evaluation, is conducted and services provided to eligible students whose parents reside in the district within 15 calendar days of the district's receipt of the student's physician statement.

Each request will be viewed on an individual basis. The Physician's Statement must be completed

(with specific end date) and sent to the Special Education Office. A review of the student's need for tutoring will take place every 60 days. New information from the doctor maybe requested especially as it relates to long term absence.

Classroom Teacher Guidelines for Home Tutoring Grading

The following guidelines may be helpful for all teachers in arriving at a grade for all home/hospital tutoring cases:

1. Students on home tutoring usually are not able to maintain the same amount of work output as someone attending class; however, it is reasonable to assume that, with a tutor, at least two-thirds to three-quarters of all work assigned can be completed in a satisfactory manner.
2. Work should always be measured by its quality. This is a better indicator of what grade is earned than the amount produced during home tutoring.
3. If necessary, weigh the option of giving an incomplete, so that the student may make up the work for the course.
4. Remember that you have the option to allow the tutor to assign an overall grade, thus removing the dilemma of how to grade. You simply indicate this on the notification sheet received from the Guidance Office at the High School and from the Principal or designee at elementary and middle schools.
5. Give consideration to the memos that come from School Principal/Counselors/ or the Special Education Office describing the medical issues involved. Clearly, if a student is heavily medically involved, the expectations for amount of work to be completed must be adjusted.
6. Keep in contact with the School Principal/Counselors/Administrator of Special Education, and/or the assigned tutor if there are any doubts as to the student's status or medical involvement. Typically, the most difficult cases for us to monitor are the hospital placements because we often do not know the tutor, and have little, if any input, from the doctor.

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School Psychologists and Adjustment Counselors service special needs and non-special needs students in both individual and group format. Some students are seen on a regular basis while others are seen on an as-needed basis in response to periodic adjustment problems or if in crisis. Students utilize counseling for the development of self-awareness and the achievement of long-term development goals. They also utilize counseling to help solve immediate academic, social, or family problems such as conflict resolution with teachers, peers, or family members. On occasion, intervention meetings are held with family members where the outcome may be to refer the family and/or student for outside treatment.

Referrals for counseling come from a variety of sources:

- a) Self-referrals
- b) Recommendations from the Team
- c) Recommendations of school staff/administrators, parents, medical doctor, agencies, peers, or others.

The major objectives of the counseling provided are:

- To foster more comfortable and appropriate relationships of the student to peers, family and school personnel.
- To increase self-understanding, understanding of others, and awareness of self in relationships.
- To bolster confidence and assertiveness in communicating.
- To promote/improve communication skills
- To address personal and school adjustment issues.
- To provide emotional support.
- To support healthy and effective problem-solving and conflict resolution.

Counseling may be provided as part of an IEP, if determined needed by the Team or by an outside

Therapist, only after all other options are considered in-house, and only after the Team recommends it be included in the IEP. The selected therapist must agree to provide counseling objectives and information regarding progress. The Administrator of Special Education must be contacted about this expenditure.

All efforts must be made to access Third Party insurance, provided parents agree, prior to using district funds.

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Each Team must consider a student's behavior in relation to his/her disability and effective progress. This should be done in a pro-active manner through the Functional Behavioral Assessment and Behavior Intervention Plan. These tools should be developed in an effort to change behavior prior to it becoming unmanageable in the school environment. Data should be maintained and used to inform decisions regarding goals and objectives for the student. When restraint is considered in relation to meeting a student's needs, very specific practices should be delineated in the IEP. ***Please refer to the district restraint policy. Only trained persons should restrain students.*** Call the school office for immediate assistance if a situation develops. Restraint should be a last resort and only used if the student presents as a danger to himself/herself or others. For information on the Whitman-Hanson Regional School District restraint policy, contact the building Principal.

School Discipline

Students are expected to meet the requirements for behavior as set forth in the Whitman-Hanson Regional School District Public Schools Student Handbook. The regulations in 603, CMR 28.00 pursuant to MGLc.69 Section 1B and Chapter 71B, Section 3 require that additional provisions be made for students who have been found eligible for special education by an evaluation Team. The following are these additional requirements:

1. The IEP for each student with special education needs will indicate if the student's disability requires a modification of the discipline code.
2. Each school shall maintain a record of suspensions including those related to transportation and report them according to state requirements. Further, the Principal must notify the Administrator of Special Education in writing within one school working day of the suspendable offense of any student with special needs.
3. A record must be kept of such notice.
4. Manifestation meetings must be held in accordance with regulation.
5. Students on section 504 plans as well as students in the process of evaluation have certain protections under regulation. Please ensure that process is followed.

No single area in State or Federal Regulations has changed with as much frequency as the area of discipline. It is therefore advisable to stay abreast of the most recent advisories. Discipline is the responsibility of the School Principal and all authority for discipline rests with him/her. Any questions around procedures regarding the discipline of students with special education needs or students who have been referred for an evaluation or even students who may be suspected as having a disability should be addressed to the Administrator of Special Education.

All Staff should be familiar with the regulations

1. **Free and Appropriate Public Education (FAPE):** Whitman-Hanson Regional School District is responsible for providing FAPE to all of its students. A student with special needs may not be suspended for more than ten school days within an IEP period without the provisions of FAPE. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement. The Administrator of Special Education must be notified immediately of students with special needs who are suspended for ten or more days or have reached the tenth day of suspension within an IEP period. A manifestation determination will be held at that time. If a student is on day 8 of suspension, a Team meeting should be held to review the IEP and make adjustments if necessary. A Functional Behavioral Assessment should be completed prior to the Team meeting to allow the Team to develop a Behavior Intervention Plan.

2. **Functional Behavioral Assessment (FBA)/Behavioral Intervention Plan (BIP):** A FBA must be completed ten **business** days after the removal that will result in the 11th day of suspension; the BIP must be completed as soon as is possible following the FBA. Good practice allows for the completion of the FBA prior to the tenth day of suspension. Teams should consider completing an FBA on or about the 8th day of suspension. After completion of the FBA, a Team meeting is held to develop a behavioral intervention plan. The goal of a Functional Behavioral Assessment is to understand why a student misbehaves. What does the Team feel is the function of the behavior? What behaviors could be chosen to try and redirect the student? The Behavioral Intervention Plan should include instructions on how to substitute problem behavior with replacement behavior. Please use the district form when completing FBAs and BIPs.

3. Manifestation Determination:

A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement.

When a suspension constitutes a change in placement of a student with disabilities, district personnel, the parent, and other relevant members of the Team, as determined by the parent and the district, convene within 10 days of the decision to suspend to review all relevant information in the student's file, including the IEP, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district's failure to implement the IEP—"a manifestation determination."

If district personnel, the parent, and other relevant members of the Team determine that the behavior is NOT a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer:

- a. services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and
- b. as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur.

Interim alternative educational setting. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days

- a. on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; or

- b. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is “substantially likely” to injure him/herself or others.

Characteristics. In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior.

If district personnel, the parent, and other relevant members of the Team determine that the behavior IS a manifestation of the disability, then the Team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement.

Not later than the date of the decision to take disciplinary action, the school district notifies the parents of that decision and provides them with the written notice of procedural safeguards. If the parent chooses to appeal or the school district requests a hearing because it believes that maintaining the student's current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise.

Whenever possible, the Administrator of Special Education should attend Manifestation Determination meetings. In making this determination, the Team must consider the following questions:

- Is the student's program appropriate?
- Is the program being implemented?
- Is the misconduct a manifestation of the disability?
- Does the student have the ability to control the behavior?

If the misconduct is determined to be a manifestation of the student's disability, the Team can consider changing the IEP and/or the behavioral intervention plan. All other discipline stops. If the misconduct is not a manifestation of the child's disability, the regular discipline process is followed. However, FAPE must be provided to students with special education needs. Therefore, after the Principal completes the discipline process, the Team must meet to determine the appropriate services and determine where those services will be provided. All determinations are provided to parents/guardians in writing along with a copy of the Parent's Rights Brochure informing the parents of their due process rights under special education regulations. As needed, training in the manifestation determination process will be provided to Teams by the Administrator of Special Education. If a lawyer is present representing the child and family, do not hold the manifestation determination meeting until a school attorney can also be present. While the school department must hold the determination in a timely fashion, we are at the same time entitled to have legal representation if a student and his/her family have representation. Contact the Administrator of Special Education immediately should these or other circumstances develop.

Procedural requirements applied to students not yet determined to be eligible for
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If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:

- a. The parent had expressed concern in writing; or
- b. The parent had requested an evaluation; or
- c. District staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

The district may not be considered to have had prior knowledge if the parent has not consented to evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.

If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.

If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

**Consideration of Vocational
Educational Services for Students with**

According to Massachusetts Law, each school must ensure that students with disabilities have available to them “a variety of educational programs and services available to non-disabled students, including art, music, industrial arts, consumer and homemaking education and vocational education.” When considering the vocational needs of a student with special educational needs

A TEAM must be aware that

- Vocational education is not exclusively the responsibility of vocational
- IEPs for students with disabilities must address vocational education needs and services based solely on the needs and interests of the student.
- IEP TEAMS do not have the authority to make placements in vocational schools.
- Public schools must address needs related to vocational preparation or experience.
- Vocational schools must provide appropriate education and special education

When a student is found to be in need of vocational services, the Team Liaison should work with the Guidance Counselor in charge of vocational services as well as Administrator of Special Education to procure the appropriate services. Such services can be found through the Whitman-Hanson Regional School District High School Program, other public school programs, Collaborative Programs, agencies such as Department of Mental Retardation (DMR), Massachusetts Rehabilitation Commission (MASS REHAB), Massachusetts Commissions for the Blind and/or Deaf, Road to Responsibility, New England Villages, local Vocational Schools, local Community Colleges, the Arc of Greater Plymouth and other such agencies.

Transition from School to Adult Life

Success in adult life is a goal we have for all students. Depending on the disability and the support services required in adult life, successful transition from high school to adult life may require that planning activities begin in elementary school with students exploring their interests in middle school. Starting the process early prepares students with disabilities to think about what they want to be able to do in adult life. In high school, transition planning includes exploring post-secondary opportunities and employment options, living arrangements, social supports and community access.

It may include

connecting with the adult service agencies that may provide them with services when they graduate school or turn 22 years of age (See Appendix for Transition Planning Guidelines and Transition Services Form).

Transition Services –

begin at age 14 or earlier and update annually

Recognizing the need for students with disabilities to engage in transition planning, the Individuals with Disabilities Education Act (IDEA) requires that transition planning be part of

the Individualized Education Program (IEP). **Students must be invited to all educational meetings and be allowed to participate actively when transition planning is discussed.** Transition needs must be stated on the IEP and documented on the district provided forms. The need for transition planning is required for **ALL** students with an IEP and must be updated annually.

Linkages to Post School Options – provide transition services by age 16 or earlier and update annually

By age 16, the IEPs of all students must include a post secondary school vision statement as well as identify the transition services necessary to support that vision. IDEA defines transition services as “a coordinated set of activities for a student, designed within an outcome-orientated process, that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the individual student's preferences and interests, and shall include instruction, community experiences, the development of employment and other post-school adult living objectives and, when appropriate, acquisition of daily living skills and functional vocational evaluation.” The transition services must be stated on the IEP. District transition plans must be completed for every secondary student in need of special education and are added to the special education file with annual review and updating. This process should begin with the IEP meeting closest to the child's 16th birthday, as all services must be in place by that date preferably at age 15.

Age of Majority – transfer of parental rights to student at age 18

In Massachusetts, regardless of the severity of their disability, students are considered adults and competent to make their own decisions at age 18 (Age of Majority). Unless there is a court appointed guardian or the student has chosen to share decision making with his or her parent, the school district must seek the consent of the student to continue the special education program. Students at age 18 have the right to make their own educational and medical decisions and must sign all consent forms.

Parents and students must be notified about the transfer of parental rights to the student at least 1 year before the student turns 18 years of age. Please document the status of each student on the IEP as well as on the district Age of Majority form, collecting the required signatures at a Team meeting. For students who have been assigned a legal guardian, please add a copy of the court document to the student's file. At this point, all documents are sent to the student as well as the parent. The student must sign their educational documents unless there is a court appointed guardian. In the case of a dispute between the parent and child, the wishes of the child prevail unless there is a court appointed guardian.

Interagency Collaboration – develop supports and services necessary for adult life

The adult service system is complex and understanding it is essential for effective transition planning. When students with disabilities graduate from school or turn 22 years of age, they move **from an entitlement to a non-entitlement system.** While in school, students receive services and supports mandated by federal and state law. As adults, while they may be eligible for service from adult service agencies, these services are not an entitlement, which means they are subject to the availability and funding of services. Consequently, it is essential that educators, parents and students understand the

adult service system years before adult services need to be accessed. It is a sound practice to invite adult service agencies to speak to groups of students and individuals who live and work with students with

disabilities in order to understand and begin the eligibility processes specific to each appropriate agency as well as the services that are available to adults with disabilities. Agency staff is required to be invited to Team meetings especially when transition planning is taking place. If an agency offers services but then does not provide them, the Team must reconvene to determine how the IEP objectives will be met and what services might be needed to meet those objectives.

Adult Services – make Chapter 688 Referrals and general referrals

For students with severe disabilities, a Chapter 688 referral should be made to ensure that students who will require ongoing supports and services from one or more public agencies are part of the eligibility process for receiving services and supports as adults. For other students who require fewer supports and services and may not meet the eligibility requirements for Chapter 688, a general referral for services can be made to adult service agencies. Once agencies are identified, representatives should be invited to Team meetings in an effort to plan and develop adult service plans. Parental permission must occur before agency staff are invited to Team meetings.

Assignment of an Educational Advocate

In accordance with special education regulations, the school committee is responsible for notifying the State Division of Special Education in writing when parents' whereabouts are unknown or if the child is in the custody of a state agency and parents do not have educational decision-making rights. Using the state's "Educational Advocate Referral Notice" Form, a request can be made for assignment of an educational advocate. Once assignment is received, the educational advocate should be invited to all Team meetings for the student. The Whitman-Hanson Regional School District will assist in finding an Educational Surrogate Parent as required. Such person assigned cannot have any conflicts of interest, cannot be an employee of the district or an employee of any state or federal agency involved with the student.

P

Progress reports are sent home as often as regular education report cards. It is the liaison's responsibility to send home progress reports of all service deliverers. It is the responsibility of service deliverers to give the progress reports to the liaisons in a timely fashion. Progress reports are to contain a narrative statement of the student's meaningful progress toward meeting the stated goal. **A statement about the student's ability to meet the goal within the stated IEP period must be included.** If a child will not meet the goal, a Team meeting must be called and the Team should consider adjustments to the IEP to assist the child in making meaningful progress. Complete, well-written progress reports assist students, parents/guardians and staff in the determination of educational progress and program benefit. Copies of progress reports should be maintained in the student's special education file. When the student graduates or reaches the age of 22, upon leaving the public school system, the student is provided with a summary of his/her academic and functional progress including recommendations for meeting post secondary goals. The district form designed for this purpose should be used and completed on an annual basis so that the history of progress is documented over time. The high school staff is responsible for final completion of this form and the dissemination of the information to the student upon graduation.

Equal opportunity to participate in educational, non-academic, extracurricular and ancillary programs and regular

All students receiving special education, regardless of placement, shall have an equal opportunity to

participate in and, if appropriate, receive credit for the vocational, supportive, or remedial services that may be available as part of the general education program as well as the non-academic and extracurricular programs of the school.

Programs, services, and activities include, but are not limited to:

- art and music
- vocational education, industrial arts, and consumer and homemaking education
- work study and employment opportunities
- counseling services available at all levels in the district
- health services
- transportation
- recess and physical education, including adapted physical education
- athletics and recreational activities
- school sponsored groups or clubs
- meals

R

For each student with special education needs found to require related services, the school district provides or arranges for the provision of transportation and such developmental, corrective, and other supportive services as are required to assist a student to benefit from special education or to access the general curriculum, and includes:

- speech-language pathology and audiology services
- psychological services
- physical therapy
- occupational therapy
- recreation, including therapeutic recreation
- early identification and assessment of disabilities in children
- counseling services, including rehabilitation counseling
- orientation and mobility services
- medical services for diagnostic or evaluation purposes
- school health services, including school nurse services
- social work services in schools
- parent counseling and training, and
- interpreting services.

Defining and Measuring Effective Progress

Defining Effective Progress

In accordance with the Massachusetts Department of Secondary and Elementary Education Eligibility Guidelines for Special Education, it is important that the Team understand what the disability is and how it manifests itself in a student's school performance. To progress effectively in and gain benefit from regular education is the standard by which the Team is expected to judge whether or not a disability is affecting the student's educational performance. DESE defines "making progress" in general terms, recognizing that student development and growth encompasses many knowledge and skill areas.

Generally, “making progress” is to show documented growth in the acquisition of knowledge and skills, including social/emotional development, within regular education according to chronological age and the

individual educational potential of the child (For the purpose of this definition, regular education includes early childhood, preschool, academic, non-academic, and vocational programs and activities).

The Team members must use all assessment data, their knowledge of the child and the school's curriculum to determine whether or not the identified handicap constitutes an impairment to the student's performance.

Measuring Effective Progress

The Whitman-Hanson Regional School District has a wide assortment of assessment criteria that may be used to determine whether a child is making effective progress or not. No one single measure should be used to make this determination. The following list identifies the most common means available to measure effective progress.

Portfolio assessments	Baseline data collection
Quarterly grades	Progress reports
Psycho-educational assessments	Pre-and post-academic testing
Initial and reevaluation data	Ongoing written observations
Daily/weekly student logs	Observations by staff
Homework completion	Feedback from students
Feedback from parents	Developmental checklists
Disciplinary assessments	Student journals
Counselor's assessments	
Clinical observation	
Other, as determined by the child's SPED	

Extended School Year Programs (ESY)

Extended school year programs are described under state and federal special education requirements and have been further interpreted through case law and through advisories issued by the US Department of Education, Office of Special Education Programs (OSEP).

These procedures are intended to provide our school district with an overview of the basic requirements for ESY programs. All children "regress"—lose progress, forget, revert to previous behavior—to some extent between school years. It must be determined whether a child's regression would likely be substantial, and whether the child would require a greater than usual time to "recoup" – to get back to the level the child had achieved before a break in service.

At least once annually the child's Team must consider the need for an extended school year program and record its determination in the IEP. The child's Team should not put off a determination to offer ESY programming until the end of a break in service (ie, summer vacation). The Team must consider the need for such services prior to the beginning of the break in service by anticipating whether substantial regression and problems with recoupment will occur in the absence of ESY services. For children who qualify, ESY programs should be a continuation of the education benefits that accrue to a child during the regular school year and should be consistent with the child's IEP goals and objectives addressed throughout the regular school year. ESY programs may not be limited to children with special needs in certain program prototypes (eg, substantially separate settings) or to children with certain types of special needs. Decisions about ESY programs must be made on an individual basis, taking into consideration the unique needs of the child. These services

will be provided at no cost to the child's parent.

Federal special education regulations under the Individuals with Disabilities Education Act (IDEA) do provide for “recreation programs” as related services. Therefore, an ESY program may consist of, or include, a recreation program. **As with all special education services, goal(s) and objectives for a recreation program must be included in a child's IEP.**

A child's difficulties with “recoupment” can be considered to be an aspect of “significant regression”. Specifically, significant regression and recoupment consist of the following inter-related elements:

- (1) The loss of performance levels that were attained before a break in service.
- (2) The child's limited learning rate, which lengthens the amount of time the child requires to review and/or relearn previously attained objectives.
- (3) The fact that the time for that child to accomplish such recoupment is greater than the period of time the school district allows all other children for review and/or relearning.

Any decision regarding needed ESY programming must take into account the child's history of significant regression and limited recoupment capability. In other words, a child's Team must look backward and forward when considering the need for ESY programming.

In addition to significant regression and/or limited recoupment, the Team should consider

The degree of the child's impairment.

The parents' ability to provide structure at home.

The child's rate of progress.

The child's specific behavior and/or physical problems.

The availability of alternative resources.

The child's ability to interact with non-special needs children.

The specific curriculum areas in which the child needs continuing attention.

The vocational needs of the child.

Whether the service requested is “extraordinary” rather than usual in consideration of the child's condition.

Only when all factors are considered together by the child's Team can a determination be made as to how much service, if any, will be offered.

When there is no previous record of a child's substantial regression after a significant break in service, a Team should still consider the need for an ESY program if the following circumstances are present:

- There is a lack of progress in meeting short-term objectives over two marking periods, resulting in little or no progress made over the school year, and/or
- There are significant regression/recoupment problems over short-term vacation periods or other breaks in the school year.

ESY programs may include special education and/or related services and must be specified on the IEP. Since ESY services are proposed in order to avoid substantial regression, the portion of the child's IEP for ESY services may differ somewhat from the portion of the IEP that governs the provision of services for the regular school year. The US Department of Education, Office of Special Education Programs, has indicated:

It is.....reasonable for an extended school year IEP to concentrate on: (1) the areas in which the child may experience regression, or (2) skills or programs that are not academic but are needed so that regression does not occur in academics.

As in regular school year placements, the principles of Least Restrictive Environment (LRE) apply to the provisions of ESY services.

If the Team makes a determination that a child needs ESY, the Chairperson is responsible for notifying the Administrator of Special Education no later than ten days from the meeting date, with the request for specific services. The request should be in writing with a copy of the ESY services defined on the new IEP. Except for emergency situations, all ESY requests should be provided to the Administrator of Special Education no later than March 1 of the school year. If a meeting has not been held yet, please send requests clearly marked with "anticipated". These will be used for planning purposes. Once actual services have been determined, send updated information to the Administrator of Special Education within 10 days of the Team meeting.

Private/Parochial/Other School Students

On or before December 1 the Whitman-Hanson Regional School District will contact private schools regarding the special education students who may be attending said schools. Letters requesting a response are sent to each school servicing Whitman-Hanson Regional School District residents.

The district provides or arranges for the provision of an evaluation for any private school student whose parent resides in the district who is referred for evaluation. The evaluation may take place in the public school, the private school, or an appropriate contracted facility; as part of its consultation with the private school, the district ensures that a representative of the student's private school is invited to participate as a member of the Team pursuant to §28.05. The district provides an IEP for any such private school student who is found eligible for special education and/or related services.

The district provides special education and/or related services designed to meet the needs of eligible students, who are attending private schools at private expense and whose parents reside in the district, and does so according to a properly developed IEP. The district provides to such students genuine opportunities to participate in a public school special education program consistent with state constitutional limitations.

In providing or arranging for the provision of the special education and/or related services described by the student's IEP, the district ensures that special education services funded with state or local funds are provided in a public school facility or other public or neutral site. When services are provided using only federal funds, services are provided on public or private school grounds. When the student attends a private school located outside of the district, the district makes reasonable efforts to provide or arrange for the provision of services for the student in the community where the school is located.

The district does not withdraw or withhold services from a student whose parents reside in the district solely because the district has met the spending requirements of federal law. Special education services and/or related services for a private school student whose parents reside in the district are comparable in quality, scope, and opportunity for participation to those provided to public school students with needs of equal importance.

These procedures shall in no way inhibit children who are attending private or parochial schools from

receiving special education services. It is incumbent upon school Principals to direct requests for these services to the special education Team. All referrals follow the same process as for students attending our schools. The Team will determine eligibility and offer genuine opportunities to access services. A representative from the private school, preferably the child's teacher shall be invited to the Team meeting. Services can be offered in a variety of ways from the child attending a district school for direct services to consultative services to the family, child or private school staff. The Whitman-Hanson Regional School District shall offer, on an annual basis, the opportunity for representatives from the private schools to meet to discuss the provision of services. A plan will be developed with this input. In place of an IEP, a service plan will be offered to students requiring such. All students attending private schools are to be tracked for provision of services, annual reviews and three-year evaluations by the Whitman-Hanson Regional School District assigned Liaison. All meetings and regulations apply as far as timelines etc. Please refer questions to the Administrator of Special Education.

Students attending Private School at Parent Expense may be eligible for tutoring services due to illness. Once the Administrator of Special Education receives the required physician's statement, determination of services will take place following the same process as that used for in district students. An expedited special education evaluation, which is limited to a student's physician statement unless there is a clear indication of the need or unless the parents request additional evaluation, is conducted and services provided to eligible students whose parents reside in the district within 15 calendar days of the district's receipt of the student's physician statement.

M

All students registered in the Whitman-Hanson Regional School District are required to participate in MCAS testing as well as other district and federal required testing. This includes students identified with special educational needs. There are no exemptions or waivers. For students with individual education plans, the special education Team will determine how the child will take the MCAS, the accommodations that may be necessary to take the MCAS or in very few cases whether an alternate assessment is necessary. All decisions will be recorded on the student IEP in the proper places. Standard and non- standard accommodations may be used as they relate to the instruction the child receives in the regular classroom and so noted on the student IEP. Prior to the administration of the MCAS, the Team Chairperson/Liaison shall notify the school administration of the accommodations needed for students.

The Administrator shall insure that the accommodations are provided. All scores shall be reported to parents/guardians in the same manner as for other students.

For students attending Out of District placements at collaborative, private or other placements at public expense, the student shall take the MCAS at the placement under the requirements identified on the IEP. The Out of District placement shall indicate that the child's district is Whitman-Hanson Regional School District in an effort to insure that the scores are reported to the Whitman-Hanson Regional School District. All scores shall be reported to the parents/guardians in the same manner as other students.

Upon receipt of MCAS scores and data, the special education staff shall analyze student strengths and weaknesses in relation to the student's access to the general curriculum, special education needs and future IEP goals and objectives for inclusion in the IEP. Additionally, special education students in need of assistance in passing the MCAS will be referred to and encouraged to attend district MCAS after school, summer and school day support programs.

The Superintendent of the district or the equivalent administrator shall file a MCAS performance

appeal for a student with a disability when the student's parent or guardian or the student, if over 18, requests it, provided that the student meets the eligibility requirements for such appeal. Consent to file the appeal

must be obtained from the parent or guardian or the student, if over 18. Such performance appeal includes, to the extent possible, the required evidence of the student's knowledge and skills in the subject at issue.

Description of Services Provided to Limited English Proficient Students (SPED)

Students with limited English proficiency should be monitored closely through regular education. If a teacher has a particular concern, the child should be referred to the Student/Teacher Support Team for assistance. The Student/Teacher Support Team will make recommendations for meeting the child's needs in regular education. If interventions appear to not assist the child in making progress, the Student/Teacher Support Team should determine if a referral for a special education evaluation is warranted. If the child is referred for evaluation, all assessments should be completed in the child's native language. The Team may contact other school districts such as Brockton, Fall River, Lawrence, Lowell, etc., or agencies such as ARC of Greater Plymouth, Department of Developmental Services, Massachusetts Rehabilitation Commission, Massachusetts Commission for the Deaf/Hard of Hearing or hospitals such as Children's Hospital or Mass General Hospital, both located in Boston, for referrals to Psychologists who test in various languages. The Psychologist will decide which testing instruments will be used based on the presenting problem and age of the child. The Psychologist hired will also complete an observation of the child in the school setting and will complete an interview with the child's parents/guardians. It is important to determine the cause for lack of progress in relation to disability or Limited English Proficiency. Once testing is completed, the Psychologist, with the child's parents/guardian and student if appropriate, will review it. The Team will make a determination related to eligibility for special education. Every effort will be used to provide testers and interpreters that are versed in the special education process. The Administrator of Special Education will review the special education process with the tester or interpreter as necessary (See Appendix for Referral for Limited English Proficiency Students).

Students will receive services as determined by the Team. Services can be part of regular education or special education depending on circumstances and will be provided as required by current regulations. Services can include, but are not limited to, after school tutoring, peer tutoring, after school assistance with regular education teachers, in school counseling services with a guidance or adjustment counselor, services of an interpreter, or other services as defined based on the child's needs.

II

Email is a convenient tool offering quick communication for staff, students, administrators and parents. **Email is considered written documentation and when related to a student, may become part of the student record.** Internal email about students, setting up meetings, reviewing homework assignments, etc., between staff and/or administrators is included in this ruling. All email related to students should be printed and placed in the student record. It is **extremely important** to use email appropriately and in adherence with district policy. When emailing, please refer to facts and avoid conclusions and judgments outside of the Team meeting process. Parental requests should always follow appropriate processes as well as chain of command policies of the Whitman-Hanson Regional School District. Appropriate use of email can enhance communication; inappropriate use can hinder us from our goals and mission and cause extensive communication difficulties. If at any time you have a particular concern about the use of email or response to email you have received; ask your building Principal or the Administrator of Special Education for assistance.

Graduation from school is considered a change in placement. Local school and state officials (NOT courts, hearing officers or Teams) set the academic standards for award of a regular high school diploma. In the Whitman-Hanson Regional School District, meeting locally established graduation requirements and passing the required statewide assessment (MCAS) constitutes graduation.

In regard to graduation, the district is required to provide prior notice of graduation 34CMR 300.20 (a)(3). Such notice must include:

- (1) A description of the action proposed or refused by the agency;
- (2) An explanation of why the agency proposes or refuses to take the action;
- (3) A description of any other options that the agency considered and the reasons why those options were rejected;
- (4) A description of each evaluation procedure, test, record or report the agency used as a basis for the proposed or refused action;
- (5) A description of any other factors that are relevant to the agency's proposal or Refusal;
- (6) A statement that the parents of a child with a disability have protection under the procedural safeguards and if this notice is not an initial referral for evaluation; The means by which a copy of safeguards can be obtained;
- (7) Sources for parents to contact to obtain assistance in understanding the provision of this part.

With all notification, parents/guardians will be provided a copy of the Procedural Safeguards Brochure.

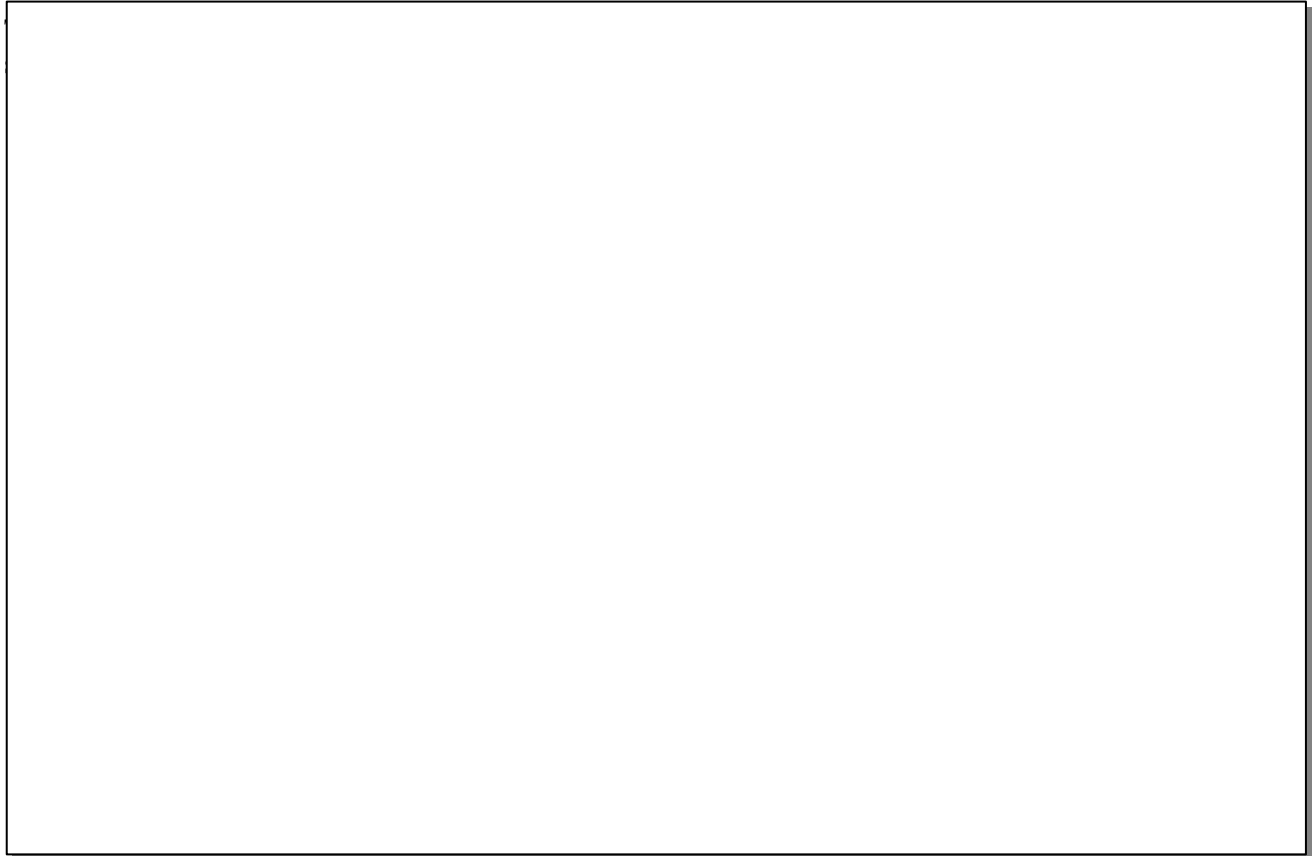
Description of Local Monitoring Practices That Insures Required Participation at

The Special Education Liaison determines who is required at individual Team meetings. The participants will vary depending on the student needs, grade level, and Team needs in relation to additional input/services. In the Whitman-Hanson Regional School District, the following monitoring practices insure participation:

- Meeting invitations are sent to all involved. Additionally, e-mail may be used to remind the members or to cancel/reschedule Team meetings.
- The Special Education Coordinators and the building Principals inform regular education and special education staff of requirements at the building level.
- The Administrator of Special Education as well as other Administrators attend numerous Team Meetings and insure that requirements are met.
- Parents are presented with a Parent Survey that they can complete after the Team Meeting. These surveys are sent to the Administrator of Special Education.
- The Administrator of Special Education works with the Special Education parent Advisory Council to provide parents with their rights regarding the special education process. There are workshops on Parent Rights each year in which the composition of the Team is discussed. Parents are encouraged to contact the Administrator of Special Education about concerns/questions in this area.

**Local procedures to internally monitor the full
implementation of IEPs by General and Special Educators and**

The Whitman-Hanson Regional School District is committed to the provisions of Special Education Services without delay and in a consistent manner. All students are scheduled for their services in a timely manner (see tutoring guidelines in SPED Procedures Manual) and parents/guardians are notified when there is a shortage/change of staff or space.



S

1. Protocols are kept in the tester's personal files, and as such are not considered part of the student record. They are NEVER placed in a student record file. In most cases, protocols are destroyed.
2. As protocols are part of the personal files of the evaluator, it is permissible, but not required, that they be shared with the parent or eligible student.
3. Requests to review protocols should be received in writing and mutually agreeable time to review the protocol will be arranged. The protocol will be reviewed under supervision of the evaluator or another appropriately trained person. It is not permissible for test questions and answers to be copied by the parent.
4. Other than the first page of the protocol, copyright laws prevent the copying and distribution of protocols.
5. If the evaluator shares the protocol with anyone, it will then be considered part of the student record.

School day and school year

- The Team must routinely consider the need for an educational program that is less than or more than the regular school day or school year, including extended day, year, and/or residential services, and indicates on the IEP why the shorter or longer program is necessary.
- The daily duration of the student's program is equal to that of the regular school day unless the Team states that a different duration is necessary to provide a free appropriate public education to the student. In this case the Team specifies the daily duration of the program and states the reason for the different duration on the IEP.
- Specialized transportation schedules do not impede a student's access to a full school day and program of instruction.
- An extended day or year program is identified if the student has demonstrated or is likely to demonstrate substantial regression in his or her learning skills and/or substantial difficulty in relearning such skills if an extended program is not provided.
- If residential services are required, the IEP clearly specifies the reasons for such determination and how such services will be coordinated with the day education services provided to the student. Additionally, the annual goals and services on the student's IEP reflect the comprehensive nature of the educational program required.
- Camping or recreation programs provided solely for recreational purposes and with no corresponding IEP goals or specially designed instruction are not to be considered for extended year programs.

Instructional grouping requirements for students aged five and older

- The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP.
- Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs.

- When eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students' school schedule, group size does not exceed

- 8 students with a certified special educator,
- 12 students if the certified special educator is assisted by 1 aide, and
- 16 students if the certified special educator is assisted by 2 aides.

For eligible students served in settings that are substantially separate, serving solely students with disabilities for more than 60% of the students' school schedule, the district provides instructional groupings that do not exceed

- 8 students to 1 certified special educator, or
- 12 students to 1 certified special educator and 1 aide.

After the school year has begun, if instructional groups have reached maximum size as delineated in parts 3 and 4 of this criterion, the administrator of special education and the certified special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than 2 additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school.

In such cases, the administrator provides written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated.

The district takes all steps necessary to reduce the instructional groups to the sizes outlined in parts 3 or 4 of this criterion for subsequent years. Such steps are documented by the district.

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The ages of the youngest and oldest student in any instructional grouping do not differ by more than 48 months. A written request for approval of a wider age range is submitted to the commissioner of elementary and secondary education in cases where the district believes it is justified. Such requests are implemented only after approval of the Department of Elementary and Secondary Education.