



SPECIAL EDUCATION PROCEDURAL MANUAL



JULY 1, 2016
LAKELAND SCHOOL DISTRICT
1355 Lakeland Drive, Scott Township, PA 18433

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Lakeland School District

Superintendent

Scott Jeffrey

Director of Curriculum & Instruction

Marian Beck

Business Manager

Joseph Caputo

Supervisor of Special Education

Margot Parsons

Acting High School Principal

James Pivrotto

HS Dean of Students

David Rosencrans

Principal, Lakeland Elementary-Scott

Alan King

Principal, Lakeland Elementary-Mayfield

Kevin Sullivan

School Psychologist

Amber Evans

Director of Technology

Jeff Price

Director of Transportation

Mike Motsay

INTRODUCTION

INTRODUCTION

This manual is designed for use by teachers, administrators, parents, service providers, professionals, and others involved in the identification, evaluation and education of students with disabilities in the Lakeland School District. The manual is intended to guide the user in complying with federal and state legal requirements as they apply to the District's interaction with students with disabilities and their parents.

The Mission of the Lakeland School District

- Provide an excellent education that is meaningful for all students.
- Empower all students with the skills and knowledge necessary to maximize their learning potential.
- Instill in all students respect for themselves and for others in a nurturing and safe environment.
- Encourage all students to become community-minded individuals and globally aware individuals.

Individual Roles and Responsibilities

Special Education Supervisor

- Provide technical assistance to Administrators, special education staff, general education staff and related services staff regarding all special education issues and procedures.
- Serve as LEA representative as required for selected IEP team meetings.
- Monitor referral, evaluation, eligibility, IEP development, and placement process for students with disabilities.
- Facilitate the placement of students into special education programs that adhere to Federal, State, and District guidelines regarding least restrictive environment.
- Monitor District compliance of Federal and State legal mandates and advise staff regarding changes to District procedures.
- Complete Medicaid Administrative Outreach Time Study for Medicaid reimbursement.

Building Administrator

- Coordinate and implement building level special education services.
- Monitor school level compliance with Federal and State legal mandates.
- Assure that District problem-solving procedures have been followed prior to initiating a referral for evaluation.
- Provide technical assistance to general education and special education teachers in working with students with disabilities.

Special Education Teacher (Case Manager)

- Monitor timelines for students on caseload to assure that legal mandates are met.
- Complete appropriate educational assessments for assigned students.
- Schedule meetings required by legal guidelines or as requested by parents, building administration or central office administration.
- Serve as a team member for assigned students' Individual Education Program (IEP) meetings.
- Provide the IEP Team with suggested goals and benchmarks based on evaluation results.
- Assure that all required paperwork is completed during IEP team meetings.
- Maintain a legally written IEP for each child on caseload
- Assist in maintaining school based confidential records as outlined in the procedural manual.
- Participate in the development, management and implementation of Behavior Intervention Plans including Functional Behavioral Assessment and Manifestation Determination.

Paraprofessional

- Implement lesson plans as specified by the teacher.
- Administer non-standardized tests under the instruction of the teacher.
- Carry out activities to meet student/class objectives.
- Reinforce and supervise practice of skills with individual and small groups.
- Observe behavior and carry out behavior management strategies.
- Participate in parent conferences when appropriate.
- Share ideas and concerns during conferences and carry out duties as directed by the teacher.

Related Services Staff

- Complete appropriate assessments as requested by the IEP Team.
- Serve as team member for assigned students' Individual Education Plan meetings.
- Provide the IEP Team with suggested goals and benchmarks specific to area based on evaluation results.
- Maintain evaluation and treatment records as appropriate within the school based confidential folder.
- Participate in district Child Find activities
- Participate in the development, management and implementation of Behavior Intervention Plans including Functional Behavioral Assessment and Manifestation Determination.
- Complete Medicaid Fee for Service Time Study for ACCESS reimbursement.

CONFIDENTIALITY

Record of Inspection of Pupil Records

The form titled Record of Inspection of Pupil Records is to be located on the inside cover of IEP folders. It must be located in the permanent records for all district exceptional students. This form must be signed by anyone examining student records. All districts in PA must have procedures that allow parents of special education students to examine records relating to their children. FERPA 20 U.S.C. §1415(b)(1), 34 C.F.R. §501(a).

Non-custodial parents have the same rights as the custodial parent regarding major educational decisions, attendance at IEP meetings, and access to student records unless formally terminated by court order. 23 PA. C.S.A. §5302, 34 C.F.R. §99.4.

Confidentiality

As professionals with knowledge of various personal and educational facts regarding students and their families, it is of utmost importance to protect the privacy of those individuals and family units by never discussing student information in public with anyone or in private with others who are not primarily involved with the issues. The right to privacy extends to public displays of names or other identifiable information on computer screens, interschool envelopes, note pads, or printed materials left unattended on teacher's desks. The LEA protects the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. The LEA must maintain for public inspection, a current listing of the names and positions of those employees within the LEA who may have access to personally identifiable information. LSD utilizes the record of inspection of pupil records form to compile this data.

Educational Interest

Individualized Education Plan's or any other document protected under confidentiality laws should only be shared with persons who have a legitimate educational interest. (i.e. the persons who are directly responsible for carrying out any component of the IEP) Examples of people who would have a legitimate educational interest would be the special education teacher, any general education teacher who works directly with the student, building administrator, paraprofessional (if applicable) and substitute teacher. Please note that this is not an exhaustive list.

The LSD mandates that every IEP be shared with the appropriate staff who has a legitimate educational interest. It is imperative that everyone involved with carrying out the IEP is aware of their role. The following is a mandated process for sharing of IEP's and related information.

- 1.) Special Education Teacher (case manager) makes a copy of the Specially Designed Instruction section of the IEP for each regular education teacher that works with the student. These copies must be made and distributed by the second day of the start of each school year, and within 2 working days of any IEP meetings or revisions that are done throughout the school year.
- 2.) The general education teacher then has 2 working days from the receipt of the specially designed instruction to sign the documentation form indicating that they have received this information.
- 3.) The full copy of the IEP will be available from the case manager. If any person with a legitimate educational interest would like to view the entire IEP or other parts of the special education record, they will need to notify the case manager and the supervisor of special education as to the reason. The teacher will sign the "Record of Inspection of Pupil Records", which will be located in the student's file. Teachers are not permitted to make copies or take any part of the file outside of the school building.
- 4.) Each special education teacher is required to keep documentation that they distributed the copies of the Specially Designed Instruction to the appropriate team members for every student on their roster.
- 5.) Each general education teacher is required to keep documentation of receipt of the specially designed instruction. It is recommended that this information be kept in a central location (such as a tabbed binder) which can be stored in a confidential place.

CHILD FIND

CHILD FIND

Procedures for locating, identifying and evaluating children with disabilities

1. Purpose

According to state and federal special education regulations, annual public notice to parents of children who reside within a school district is required regarding child find responsibilities. School Districts, Intermediate Units and Charter Schools are required to conduct child find activities for children who may be eligible for services via the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. School districts are also required to conduct child find activities for children who may be eligible for gifted services via 22 PA Code Chapter 16. This chapter provides guidance on how the Lakeland School District (LSD) will locate and identify all children between the ages of 5 and 21 who may need special education and/or related services to address problems that may interfere with their future development and learning, including those students who are advancing from grade to grade.

2. Legal Standard

Each school district is required to:

- adopt and use a public outreach awareness system to locate and identify children thought to be eligible for special education within the school district's jurisdiction;
- conduct awareness activities to inform the public of its special education services and programs and the manner in which to request services and programs; and
- provide annual public notification, published or announced in newspapers or other media, or both, with circulation adequate to notify parents throughout the school district of child identification activities and of the procedures followed to ensure confidentiality of information pertaining to students with disabilities or eligible young children in accordance with this chapter.

3. Screening

School-Based Screening

Each school shall establish a system to accomplish the following:

- Initial Screening – Identify and provide initial screening of students to identify any with academic, social/emotional or sensory (vision/hearing) or speech/language difficulties. To facilitate this process, LSD will:
 - Provide support for teachers and other staff members to assist them in working effectively with students in the general education curriculum:
 - Academic – for students with academic concerns, an assessment of the student's functioning in the curriculum including curriculum-based or performance based assessments;
 - Behavior – for students with behavioral concerns, a systematic observation and collection of data of the student's behavior in the classroom or area in which the student is displaying difficulty;
 - Intervention – intervention based on the results of the above academic and behavioral screenings;

- Progress Monitoring – progress monitoring of the student’s response to the intervention;
- Appropriate Instruction – a determination as to whether the student’s assessed difficulties are due primarily to a lack of appropriate instruction in reading or in math;
- Limited English Proficiency – a determination as to whether the student’s assessed difficulties are due primarily to a student’s limited English proficiency; and
- Parental Involvement – activities designed to gain the participation of parents and through written notice, inform the parent of the results of the screening and whether follow-up is required.
- Conduct annual hearing and vision screening in accordance with Section 1402 of the Public School Code of 1949 (24 P.S. § 14.1402) for the purpose of identifying students with hearing or vision difficulty.
- Conduct speech and language screening for incoming Kindergarten students
- Purpose – Identify students who are suspected of having a disability and who may need special education services.

Child Study Process

Each child for whom a parent and/or teacher has specific concerns may be referred to the Child Study Team for review of records and performance. The Child Study Team consists (at a minimum) of:

- Supervisor of Special Education
- Building Level Administrator
- School Psychologist
- School Counselor
- At least one teacher who has direct experience with the child

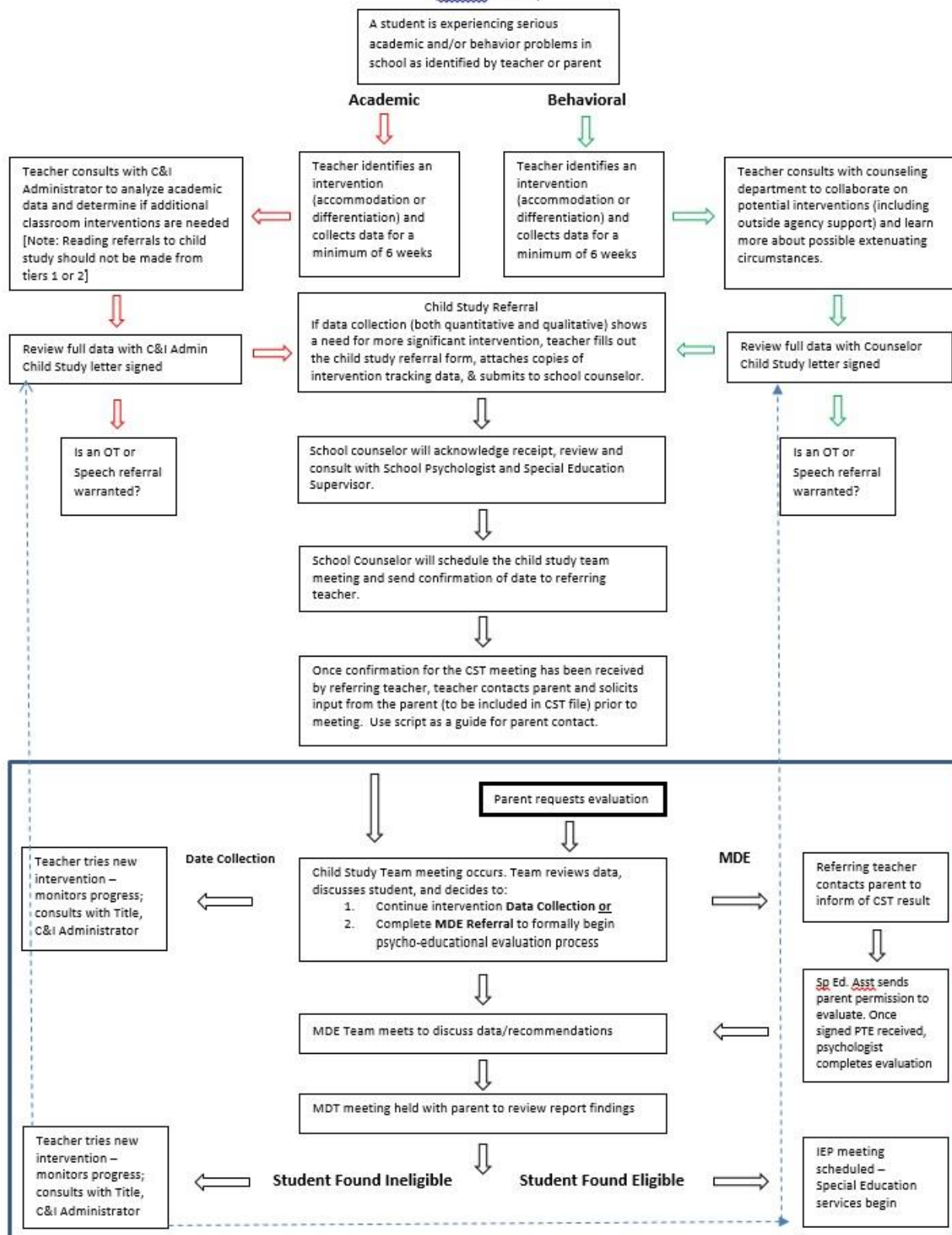
The Child Study Team (CST) will meet at a minimum monthly to review, discuss and make recommendations for all referrals.

The referral process is outlined as follows (with accompanying documents):

SEE APPENDIX FOR CST FORMS

Child Study Flow Chart – Initial Referral

(updated 5/10/16)



Public Awareness and Outreach Activities

Outreach

The LSD conducts professional development activities and ongoing trainings for staff, organizations, agencies and individuals to ensure that child find, screening activities and referrals for special education evaluations are carried out in a manner consistent with the timelines and requirements established by the Individuals with Disabilities Education Act (IDEA) and operationalized in this procedure manual. Through its communication links with agencies that provide services to children with disabilities within the community, the LSD disseminates child find materials to hospitals, clinics, pediatricians, pediatric nurses, social service professionals involved in family or child services, and local libraries and grocery stores.

Children age three through the age of admission to first grade are also eligible if they have developmental delays and, as a result, need Special Education and related services. Developmental areas include cognitive, communicative, physical, social/emotional and self-help. For additional information Colleen Penzone, NEIU19 Coordinator of Early Intervention Services, may be contacted at 570-876-9268 or email at cpenzone@iu19.org.

Obligation

The LSD will locate, identify and evaluate all students ages 5 through 21 years within the LSD who may be eligible for special education and related services, including students who are not currently enrolled in a LSD education program, students in nonpublic schools residing in the district, and highly mobile students such as migrants and homeless students. This process will include:

- collecting, maintaining and reporting current and accurate data on all public awareness and child find activities;
- reviewing the overall success and effectiveness of the LSD's public awareness and child find activities;
- modifying the LSD's public awareness and child find activities, as necessary and appropriate;
- utilizing data relative to the LSD's public awareness and child find activities to plan for the delivery of services to students with disabilities; and
- consulting with appropriate representatives of area private schools, including religiously affiliated schools, on how to carry out child find activities for students enrolled in these schools.

PROCEDURAL SAFEGUARDS

Procedural Safeguards Notice

The Office for Dispute Resolution (ODR) [<http://odr.pattan.net>] is the agency in Pennsylvania that coordinates the administration of the statewide special education dispute resolution system. There are several official processes in place to assist when a dispute arises. These are:

- IEP Facilitation
- Mediation
- Due Process Hearing

These processes are used to resolve disputes between a parent and the Local Education Agency (LEA) responsible for providing the student with an education (e.g., a school district, intermediate unit, charter school, or Department of Corrections). These disputes concern the identification, evaluation, educational placement, or the provision of a free appropriate public education (referred to as FAPE) for students with disabilities, students who are gifted, protected handicapped students, and students with disabilities.

Informal Meeting

Often, if a parent disagrees with an educational issue involving their child, the first and best step to take is to ask to meet with the parent and members of the school team to discuss the concern. This may be all that is needed to resolve the matter to the parent's satisfaction, however, the parent must remember that timelines applying to a request for due process may continue to run while such a meeting is set-up and held, so that a request for an informal meeting should not be delayed.

IEP Facilitation

IEP Facilitation is a voluntary process that can be utilized when all parties to the IEP meeting agree that the presence of a neutral third party would assist in the facilitation of communication and the successful drafting of an IEP for the student. This process is not necessary for most IEP meetings – it is most often utilized when there is a sense from any of the participants that the issues at the IEP meeting are creating an impasse or acrimonious climate, and it may be helpful to have a neutral, trained facilitator guide the process.

The facilitator's primary task is to assist the IEP team's effort to communicate, to ensure that the IEP team focuses on developing the IEP while addressing any disagreements that may arise during the meeting. The facilitator does not make recommendations or decisions for the IEP team. The members of the IEP team remain the sole decision-makers.

Either the parents or LEA can request IEP Facilitation; however, since the process is voluntary, both parties must agree. If either the parents or the LEA decline to participate, facilitation cannot be used. Therefore, both parties must sign a request form that is available from ODR.

Mediation

Mediation is a voluntary process in which the parent and the LEA involved in a dispute regarding special education both agree to obtain the assistance of an impartial mediator. Mediation is available whenever a due process hearing is requested or it may be requested by the parent or school district to try and resolve a dispute rather than initiating due process.

When one calls to request mediation, the ODR case manager forwards the request to the other party. Usually within 10 days of the request, the case manager establishes a date, time, and place for the mediation. Mediation sessions are scheduled for an entire day but typically last three to five hours.

If parents want to bring advocates or educational experts, parents are responsible to invite participants and pay any fees they require. At this time, attorneys do not participate in mediation.

The goal of mediation is to establish a positive relationship between parents and school personnel through collaborative problem solving. Any agreement that results from this collaboration is one the parties can live with because they created it together. The mediator does not decide what outcome is correct for the parties. If an agreement is reached, the mediator will develop a written agreement with the assistance of the parties. The parties determine the terms of the agreement and compose the wording. All parties (parent, LEA, and mediator) sign the agreement. Copies of the agreement are distributed to the parties as documentation of the meeting. If the agreement requires a change in the student's IEP, the school or school district should hold an IEP meeting to make the changes to the IEP. If the school signs the agreement but does not follow the agreement, a parent can file a complaint with the Bureau of Special Education to enforce the IEP, or go to court to enforce the agreement.

Due Process Hearing

If a parent files for due process or discusses with a staff member of the school that they want to engage due process, the Director of Special Education needs to be contacted immediately.

Due process is a legal proceeding presided over by a hearing officer who makes determinations about a student's educational program. There are many legal requirements and timelines associated with this action. The oversight of this process will be out of the special education office. There are some specific requirements mandated once a due process request is initiated. Since there will an attorney representing the school entity and most likely the parent, many of the mandated processes will be lead by counsel. With this, there are requirements the school district or intermediate unit must adhere to during this process: The following is just a snap shot of the requirements:

- Within 15 calendar days of receiving notice of parent's due process complaint, and prior to initiation of a due process hearing the LEA must convene a **resolution meeting** with the parent and the relevant member(s) of the IEP team who have specific knowledge of the facts identified in the due process complaint (within 7 calendar days for expedited hearing).
 - The purpose of the resolution meeting is for the parents to discuss the due process complaint and supporting facts so the LEA has the opportunity to resolve the dispute. A resolution meeting gives the parents and the LEA a chance to work together to avoid a due process hearing. The parents and the LEA determine which members of the Individualized Education Program (IEP) team will attend the resolution meeting. Participants include the parents, the LEA representative who can make decisions on behalf of the school, and any IEP team member who has relevant information about the issues that are being discussed. School districts may not bring an attorney to the resolution meeting unless the parents bring an attorney.
- If the LEA has not resolved the due process complaint to the satisfaction of the parents within 30 calendar days of the receipt of the due process complaint, the due process hearing may occur (15 calendar days for expedited hearing).
- If the LEA resolves the due process complaint to the satisfaction of the parents within 30 calendar days of the receipt of the complaint, then the timelines end.

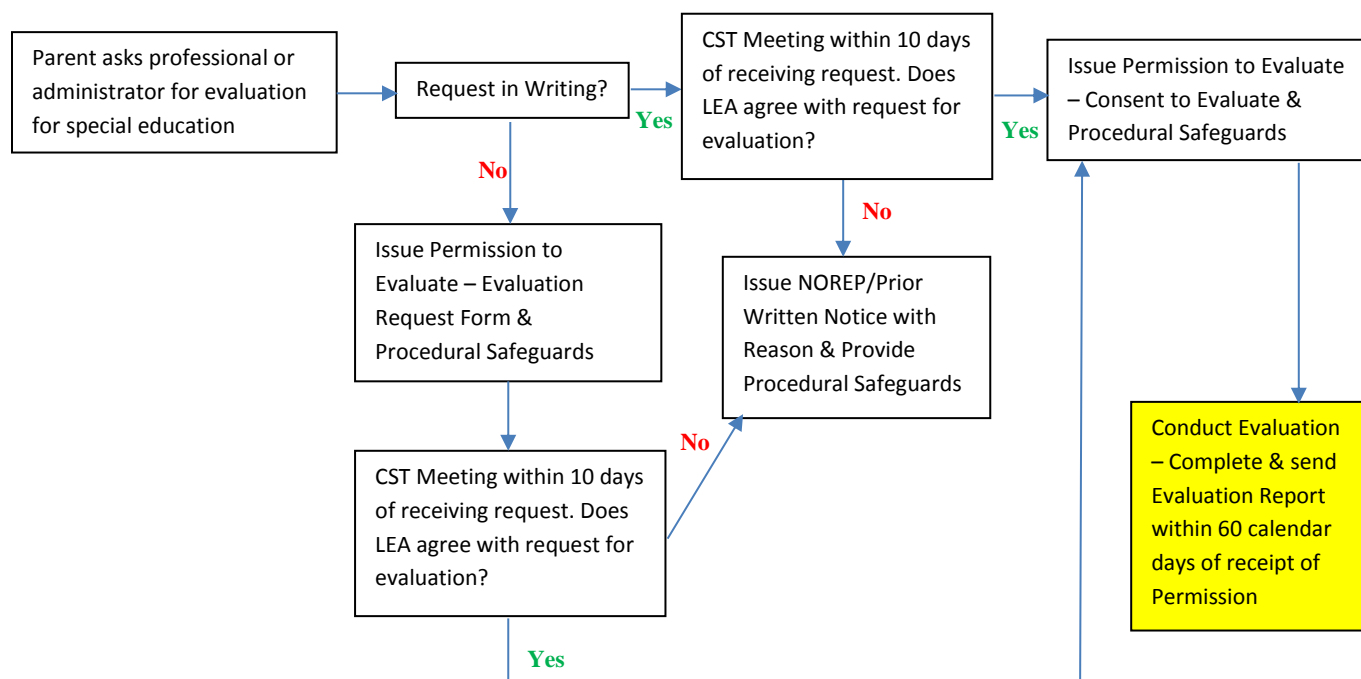
Student Placement During Mediation or Due Process

If parents or the school have requested mediation or a hearing, the student must "stay put" in his or her current program until the disagreement is resolved. That means that the school cannot change the program until the mediation and hearing have ended.

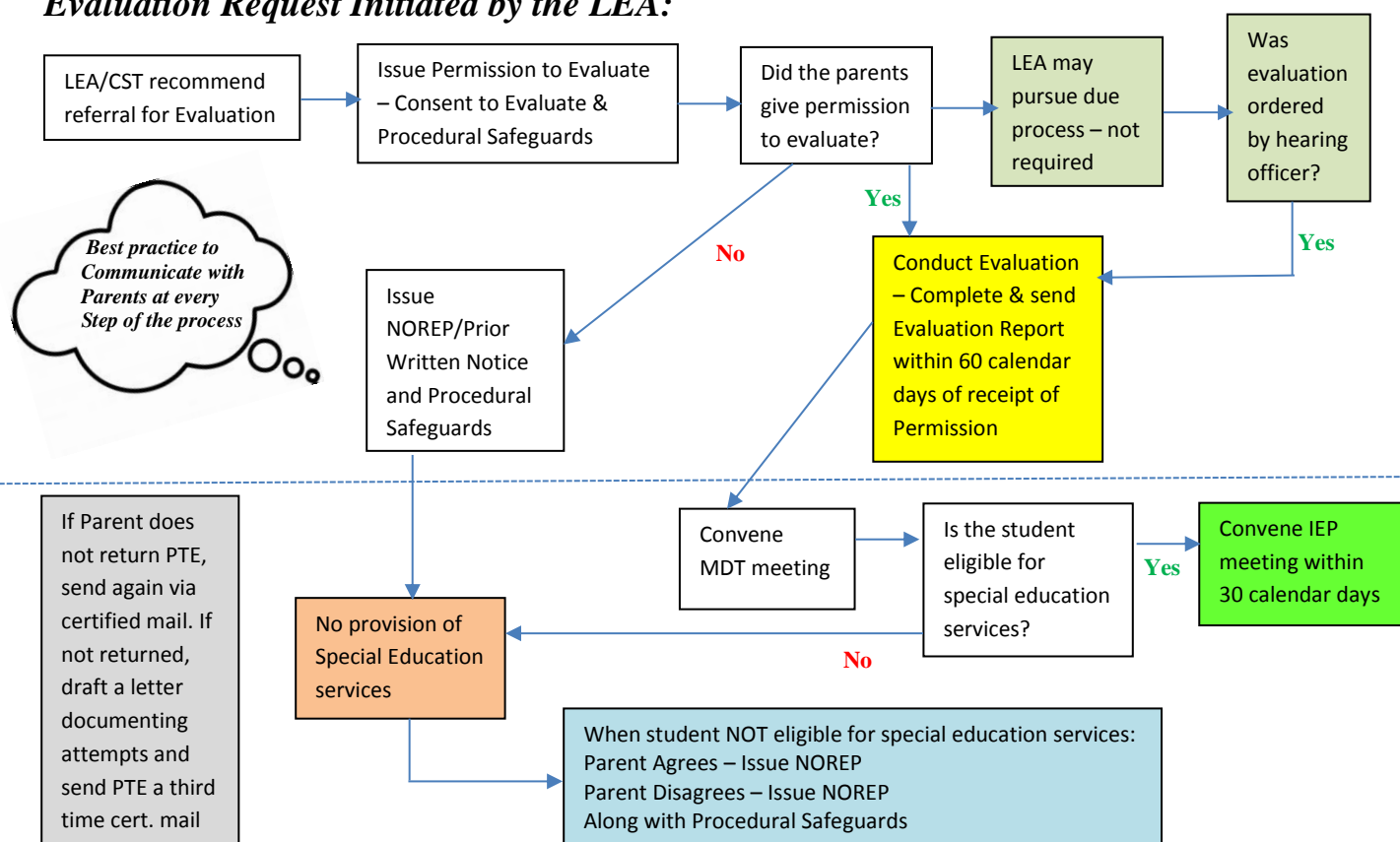
EVALUATION

Evaluation

Evaluation Request Initiated by a Parent:



Evaluation Request Initiated by the LEA:



Special Education Categories

At the eligibility meeting, the team must examine the evidence obtained from the initial evaluation and determine if it meets the initial eligibility criteria under one of the 13 eligibility categories listed below:

- Autism
- Deaf-Blindness
- Emotional Disturbance
- Hearing Impairment
- Intellectual Disability
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Multiple Disabilities
- Traumatic Brain Injury
- Vision Impairment

The team members must consider exclusionary and inclusionary factors to determine eligibility for each specific disability. Eligibility determinations are a team decision.

Specific Learning Disabilities

PA regulations provide districts a choice between these two options to determine SLD qualification.

Discrepancy Model PA regulations include the analysis of strengths and weaknesses, or discrepancy, as “a process that examines whether a child exhibits a pattern of strengths and weaknesses, relative to intellectual ability as defined by a severe discrepancy between intellectual ability and achievement, or relative to age or grade.”

(§ 14.125[a][2][ii])

Evaluation teams using assessment of patterns of strengths and weaknesses to determine the discrepancy between ability and achievement continue to administer tests of intelligence to determine IQ as well as norm-referenced tests of academic achievement so that the discrepancy between scores from the two measures can be appraised.

The existence of an ability-achievement discrepancy is not alone sufficient to determine eligibility as SLD. Rather, to be identified with SLD, a student’s must not only display an ability-achievement discrepancy but must also be achieving significantly below age or grade level standards. The analysis of a severe discrepancy will identify whether the student has a severe discrepancy relative to age/grade or whether the severe discrepancy exists between intellectual ability and achievement level. Evaluation teams using assessment of patterns of strengths and weaknesses to determine the discrepancy relative to age or grade must examine and document the extent to which the student’s achievement is discrepant from grade or age. A possible criterion might be that the confidence intervals of the lower scores do not overlap the confidence intervals of the higher scores, thus indicating a significant difference in achievement.

Response to Intervention At this time, Lakeland School District does not utilize the RtII approach to solely determine whether a child has a learning disability. However, the supporting documentation of strategies used in the RTII process can serve as very helpful information to include in the report.

Re-Evaluation

A Re-Evaluation will be conducted at a minimum every three years for all areas of disability except Intellectual Disabilities. Students with an Intellectual Disability will be re-evaluated every two years.

In the Lakeland School District, the Case Manager is responsible for initiating a re-evaluation. Procedures are as follows:

- Schedule a meeting with the School Psychologist to determine whether or not additional testing will be needed to determine disability status
- Prepare updated progress monitoring and summative assessment data
- Reference the previous Evaluation summary
- Reference the specific elements of specially designed instruction that have proven effective and why
- Solicit feedback from every classroom teacher who works directly with the student
- Develop a statement about the need for continued SDI or not and why
- 30 days prior to the Re-Evaluation due date, send a draft of the new Re-Evaluation to the School Psychologist for review

Children in Private Schools.

For students enrolled by their parents in private schools, the District shall—

- Adhere to the requirement for parent-requested evaluations enumerated in section 2.2 of these procedures, provided, however, that the timelines established in subsection 2.2(c) shall not apply to such evaluations and the District shall have a reasonable time to complete the procedures described therein;
- Prepare an evaluation report within the timelines established in section 2.3 of this procedure;
- When the student requires a service agreement, develop and offer to the parents of the student such an agreement to be implemented in the public schools in accordance with section 3.1 of this procedure;
- Once every three years, offer to the parents of the student in writing to conduct a reevaluation in accordance with section 2.4 of this procedure, and conduct such reevaluation if the parents so request;
- Respond to parent requests for reevaluations in the manner prescribed by section 2.4(c) of this procedure; and
- When appropriate, prepare a reevaluation report within the timelines established in section 2.4(d) of this procedure.

INDIVIDUALIZED EDUCATION PLAN (IEP)

Individualized Education Plan

IEP Team Composition

The special education team should include:

- Parent(s)/Guardian(s) of the student
- Regular education teacher who is, or may be responsible for implementing the IEP
- Special education teacher who is, or may be responsible for implementing the IEP
- Representative of the local school district (LEA):
 - Qualified to supervise specially designed instruction
 - Knowledgeable about the general education curriculum
 - Knowledgeable about the availability of resources and the authority to commit resources
- At the Parent(s) discretion, or the district's, other individuals with knowledge or special expertise regarding the student
- Student, when appropriate
- When transition services must be planned, a representative of any agency that may be providing or paying for transition services
- Qualified bilingual specialist or bilingual teacher, if needed
- Representative of a State-operated or nonpublic facility, if it is anticipated that placement in a nonpublic facility will be considered
- Appropriate related service staff members who work with the student
- Sign Language/Bilingual interpreters as needed

Least Restrictive Environment

This requirement has been part of disability education law for over thirty years and is often referred to as the “Least Restrictive Environment (LRE) mandate.” By law, it is the IEP team that decides the educational placement for an individual student. The law and PDE policy require that each local education agency and IEP team make educational placement decisions based on the general principles outlined below. IEP teams are required to adhere to the following when making educational placement decisions:

1. A Free and Appropriate Public Education (FAPE) must be provided to every student with an IEP; moreover, FAPE must be delivered in the LRE as per the IEP team.
2. Students will not be removed from regular education classrooms merely because of their disability;
3. When students with disabilities, including students with significant cognitive disabilities, need specially designed instruction or other supplementary aids and services to benefit from participating in regular education classrooms as required in their IEP, local education agencies are obliged to ensure that those services are provided;
4. IEP teams must determine whether the goals in the student's IEP can be implemented in regular education classrooms with supplementary aids and services before considering removal from the regular education classroom;
5. School districts will consider the full range of supplementary aids and services in regular education classrooms, based on peer-reviewed research to the extent practicable, including modification of curriculum content, before contemplating placement in a more restrictive setting.

Supplementary Aids and Services Overview

IDEA {§ 300.42} defines *supplementary aids and services* to mean aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate. The purpose of providing supplementary aids and services is to support students with disabilities as active participants with nondisabled peers as well as to enable their access to the general curriculum. Supplementary aids and services include modification to the general curriculum.

Supplementary aids and services must be available to all students who need them, designed to provide meaningful educational benefit, and provided in a manner that avoids stigmatizing students.

Collaborative Adults working together to support students	<ul style="list-style-type: none"> • Scheduled time for co-planning and team meetings • Instructional arrangements that support collaboration (e.g., co-teaching, paraeducator support) • Professional development related to collaboration • Coaching and guided support for team members in the use of assistive technology for an individual student • Scheduled opportunities for parental collaboration • School personnel collaborate in the development and delivery of SAS
Instructional Development and delivery of instruction that addresses diverse learning needs	<ul style="list-style-type: none"> • Providing modified curricular goals • Providing alternate ways for students to demonstrate learning • Providing test modification • Providing alternate materials and/or assistive technology (e.g., materials on tape, transcribe text into Braille, large print, alternate computer access) • Providing instruction on functional skills in the context of the typical routines in the regular classroom • Changing method of presentation • Using reader services • Providing research-based supplementary materials • Providing instructional adaptations (e.g., pre-teaching, repeating directions, extra examples and non-examples, providing visual cues, using scaffolding to plan for written work, providing guided notes)
Physical Adaptations and modifications to the physical environment	<ul style="list-style-type: none"> • Furniture arrangement in environments • Specific seating arrangements • Individualized desk, chair, etc. • Adaptive equipment • Adjustments to sensory input (e.g., light, sound) • Environmental Aids (e.g., classroom acoustics, hearing, ventilation) • Structural Aids (e.g., wheelchair accessibility, trays, grab bars)
Social-Behavioral Supports and services to increase appropriate behavior and reduce disruptive or interfering behavior	<ul style="list-style-type: none"> • Social skills instruction • Counseling supports • Peer supports (e.g., facilitating friendships) • Individualized behavior support plans • Modification of rules and expectations • Cooperative learning strategies

Adaptations [Accommodations or Modifications]

There are many adaptations an IEP team can use when developing programs for students with disabilities. The following are types of adaptations a team might consider when developing an individualized program for a student:

In considering the types of supports needed by students, refer to the following list of questions in order to make an informed decision:

Hierarchical Student-Focused Supports/Accommodations/Modifications

1. Needs nothing special in this class

Ask:

Can the student participate successfully in this activity just like the other students?

2. Change in something in the instruction/environment affecting everyone accommodates this student

Ask:

Can changes that benefit all students in this class likely result in effectively accommodating this student's learning difference? Will this increase the student's:

- Participation?
- Task completion?
- Quality of work?
- Motivation enhancement?

Ask:

Can classroom organization and instructional practice benefit all students? Does enhancing fun, freedom, empowerment, belonging opportunities for all students accommodate this student's learning difference?

- Access to reinforcing activities following this lesson?
- Praise increase for everyone?
- Scaffolding for everyone?
- Strategy-based instruction for everyone?
- PALS? Peer Assisted Learning Strategies?

3. Change in individualized access to reinforcers that provide: fun, freedom, empowerment, belonging (i.e., behavior support) accommodates this student's learning difference

Ask:

What does this student really seek in this environment, or protest in this environment? Would a change in the student's ability to get basic needs met in this environment address his/her learning difference?

- Increasing relevance of learning for this student,
- Providing freedom (of movement, of pacing, of task completion),
- Enhancing his/her ability to achieve status in the group for individual achievement

4. Can the student participate with additional environmental accommodations (level of support from peers, teacher, and other adults? Level of engagement/participation)

Ask:

What will enhance engagement and motivation; what will support sustaining student's attention to task completion?

- Enhance participation?
- Enhance support? (peers, adults, partners)
- Enhance home/school communication and parental role in reinforcing progress?

5. Can the student participate with INPUT or OUTPUT adaptations?

Ask:

What will assist the student in better understanding the instruction and assist the student in demonstrating what was learned?

- Input adaptations? (scaffolds: advanced organizers; strategy-based instruction, preteaching) and/or
- Output adaptations?

6. Can the student learn better and demonstrate that knowledge with changes in TIME allotted for work and/or testing?

Ask:

Can the student demonstrate the standard after additional time to complete work? After redoing assignments or completing alternate assignments to demonstrate mastery (i.e., more time to master the material)?

7. Can the student master the material without completing all the work assigned? Reduce QUANTITY.

Ask:

Accommodation: Can the student demonstrate the standard even though less quantity of work is produced? Modification: Can the student master some essential standards with extra assistance and reduction in number of standards taught? Beware: reduction in standards taught will likely affect ability to achieve on the PSSA.

8. Can the student master the material with reduction in DIFFICULTY of material presented?

Ask:

Accommodation: Can the student demonstrate the essential standards, but require reduction in task difficulty? Modification: Can the student participate in activities to achieve alternate individualized goals when the tasks are greatly reduced in difficulty?

9. Can the student participate in activities to master ALTERNATE GOALS, not completing work to master the standards?

Ask:

Modification: Can the student participate in the least restrictive environment, working on highly individualized instruction? Assumption: High school diploma will not be attained if instruction to master standards is not delivered. Accommodation: Can the student work on alternate goals, while simultaneously demonstrating mastery of standards. (e.g., social pragmatics instruction during a time when other students are working on written language assignments far beyond this student's ability – for a student with Autism on grade level in reading with output difficulties)

10. Can the student master different curricular components, ALTERNATE FUNCTIONAL SKILLS CURRICULUM for a student with severe disabilities.

Ask:

Can this student be included in the educational environment in which other students are working towards grade level standards mastery if his/her educational programming focuses on curricular domains to enhance quality of life, independence, leisure skills, etc.?

Hearing Aid Usage

Hearing aids function is screened by the teacher for the Deaf/Hard of Hearing. Testing schedule is determined by age of student. Students in younger grades require more assistance with maintaining function. Typical older students are able to maintain hearing aids on their own, changing batteries as needed or letting parents or teacher know if they are not working properly. For any student that cannot maintain their equipment on their own, frequent screenings will be done by teacher for the Deaf/Hard of Hearing or a trained designated school employee.

Function Screening

a. Ling Test – When meeting with the teacher for the Deaf/Hard of Hearing, the Ling 7 Sound test is used to screen if the

hearing aids are working. Change in typical response would require further testing to see if the hearing aids are not functioning properly.

b. Listening Stethoscope – If a student's hearing aid appears not to be functioning properly, the teacher for the Deaf/Hard of Hearing will listen to the hearing aids using a listening stethoscope. If it is not working, batteries will be tested and replaced as necessary. If batteries are not the issue, parents will be contacted. For students at the elementary school, the school nurse can also listen to hearing aids and check batteries if the teacher for the Deaf/Hard of Hearing is not in the building.

Hearing aid batteries

a. Batteries for personal hearing aids will be sent in by the parents. Batteries for students at the elementary and middle school level will be kept in the nurse's office. Batteries for high school students can be kept in the nurse's office if the student's would like them to be. Extra batteries will be on hand in the nurse's office in case of emergency.

b. Batteries for school bought equipment will be kept for the student use in a convenient location according to the need. Batteries can be stored in teacher classrooms or with the nurse so that the student has easy access to them.

Examples of Accommodations, & Modifications: The chart below provides a snapshot of types of accommodations an IEP team might use when developing an individualized plan. It is essential accommodations relate to areas of student needs.

<p>Instructional Development and delivery of instruction that addresses diverse learning needs</p>	<ul style="list-style-type: none"> • Providing modified curricular goals • Providing alternate ways for students to demonstrate learning • Providing test modification • Providing alternate materials and/or assistive technology (e.g., materials on tape, transcribe text into Braille, large print, alternate computer access) <ul style="list-style-type: none"> ✚ Using a keyboard/portable device ✚ Instruction in keyboarding skills • Providing instruction on functional skills in the context of the typical routines in the regular classroom • Changing method of presentation • Using reader services • Providing research-based supplementary materials • Providing instructional adaptations (e.g., pre-teaching, repeating directions, extra examples and non-examples, providing visual cues, using scaffolding to plan for written work, providing guided notes)
<p>Physical Accommodations and modifications to the physical environment</p>	<ul style="list-style-type: none"> • Furniture arrangement in environments <ul style="list-style-type: none"> ▪ Arrange furniture differently or provide specialized furniture • Specific seating arrangements <ul style="list-style-type: none"> ▪ Individualized desk, chair, etc. ▪ Provide access to specific areas of classroom or other settings outside of classroom • Adaptive equipment • Adjustments to sensory input (e.g., light, sound) <ul style="list-style-type: none"> ▪ Allow for water bottle or sensory object during instruction • Environmental Aids (e.g., classroom acoustics, hearing, ventilation) • Structural Aids (e.g., wheelchair accessibility, trays, grab bars)
<p>Social-Behavioral Supports and services to increase appropriate behavior and reduce disruptive or interfering behavior</p>	<ul style="list-style-type: none"> • Social skills instruction • Counseling supports • Peer supports (e.g., facilitating friendships) • Individualized behavior support plans • Modification of rules and expectations • Cooperative learning strategies

Furthermore, Adaptations can be broken down into nine categories:

Nine Types of Curriculum Adaptations		
Quantity Adapt the number of items that the learner is expected to learn or number of activities student will complete prior to assessment for mastery. <i>For example:</i> Reduce the number of social studies terms a learner must learn at any one time. Add more practice activities or worksheets.	Time Adapt the time allotted and allowed for learning, task completion, or testing. <i>For example:</i> Individualize a timeline for completing a task; pace learning differently (increase or decrease) for some learners.	Level of Support Increase the amount of personal assistance to keep the student on task or to reinforce or prompt use of specific skills. Enhance adult-student relationship; use physical space and environmental structure. <i>For example:</i> Assign peer buddies, teaching assistants, peer tutors, or cross-age tutors. Specify how to interact with the student or how to structure the environment.
Input Adapt the way instruction is delivered to the learner. <i>For example:</i> Use different visual aids, enlarge text, plan more concrete examples, provide hands-on activities, place students in cooperative groups, pre-teach key concepts or terms before the lesson.	Difficulty Adapt the skill level, problem type, or the rules on how the learner may approach the work. <i>For example:</i> Allow the use of a calculator to figure math problems; simplify task directions; change rules to accommodate learner needs.	Output Adapt how the student can respond to instruction. <i>For example:</i> Instead of answering questions in writing, allow a verbal response, use a communication book for some students, allow students to show knowledge with hands on materials.
Participation Sometimes called “engagement” Adapt the extent to which a learner is actively involved in the task. <i>For example:</i> During the instruction, using “every pupil response techniques” or “choral responding.” In geography, have a student hold the globe, while others point out locations. Ask the student to lead a group. Have the student turn the pages while sitting on your lap (kindergarten).	Alternate Goals Adapt the goals or outcome expectations while using the same materials. When routinely utilized, this is only for students with moderate to severe disabilities. <i>For example:</i> in a social studies lesson, expect a student to be able to locate the colors of the states on a map, while other students learn to locate each state and name the capital.	Functional Curriculum Provide different instruction and materials to meet a learner’s individual goals. When routinely utilized, this is only for students with moderate to severe disabilities. <i>For example:</i> during a language lesson a student is learning toileting skills with an aide.

Implementation of Adaptations:

All educational personnel (including regular education and specialty teachers) are responsible for providing adaptations or accommodations and modifications in the general education classroom in accordance with a student’s IEP. Appendix E is an example form an IEP case manager can use to notify teachers of this responsibility.

TIP: Remember that the Director of Special Education **MUST** be present or you **MUST** have approval prior to recommending or offering any Supplementary Aids and Services outside of what can be provided (funded) by the school team.

Extended School Year (ESY) Services

Definition: As used in this section, the term extended school year services means special education and related services that— (1) Are provided to a child with a disability; (2) Beyond the normal school year; (3) In accordance with the child's IEP; and (4) At no cost to the parents of the child.

Extended School Year (ESY) The IEP team must indicate whether the student is eligible or is not eligible for ESY and the basis for the determination. This determination must be made even if the child's parents have not specifically requested that their child be evaluated for ESY programming. When ESY services are offered, the IEP must contain a description of the type and amount of ESY service, the projected beginning dates and anticipated duration of service and the frequency and location of the service. Location refers to where the student will be receiving the service. Frequency refers to how often the student will be receiving the service.

Decisions regarding extended school year will be made by February 28th of each school year. Any decisions following that date will be considered exceptions.

See Appendix for ESY Worksheet

IEP Contents

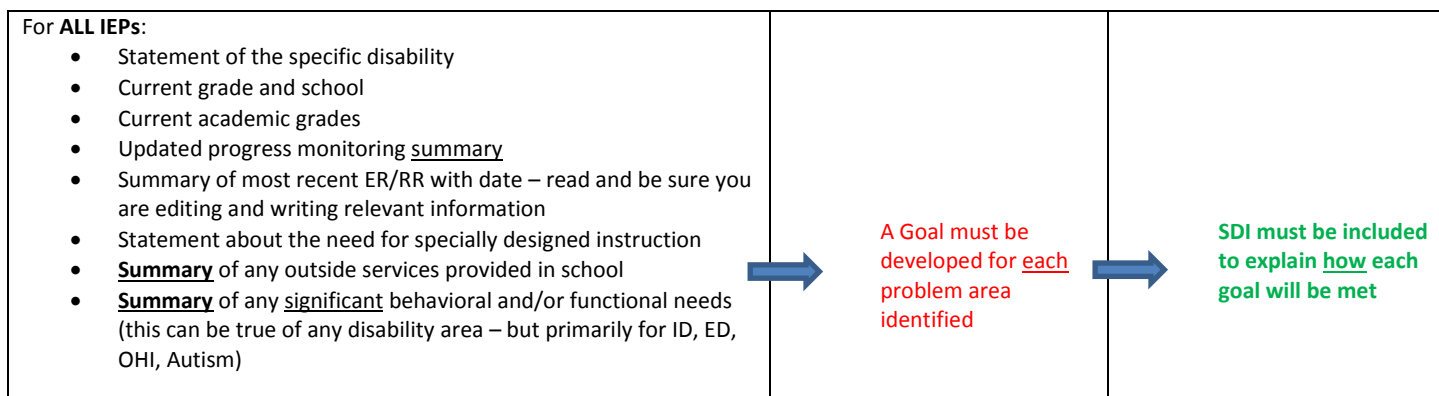
The IEP is the basis of the student's instructional program and should be used in conjunction with the district/program curriculum.

Components of the IEP are as follows:

- IEP Implementation Date and Anticipated Duration of Services Programs.
- Demographics
- IEP Team Signatures.
- Special Considerations.
- Present Levels of Academic and Functional Performance.
- Student's strengths and needs related to their disability
- Goals and Objectives, Evaluation Procedures and Progress Reporting.
- Special Education, Related Services and Supplementary Aides and Services.
- Participation in State and District-wide assessments.
- Least Restrictive Environment
- Transition Planning

All components must be implemented and documented, including specially-designed instruction, evaluation/progress monitoring procedures and related services, as reflected in the IEP. For students who are 14 years of age and older, the IEP will provide the necessary instruction and support to prepare the student for post-secondary education and training and independent living, as indicated in the transition component.

The Individualized Education Plan will address:



IEP Meeting Preparation

The school district shall implement procedures designed to ensure that the parents of each student with a disability are present at and participating in the IEP Team Meeting. All efforts must be documented and include as many of the following as necessary to ensure parent participation. The procedure for IEP meeting preparation will be as follows:

1. The Special Education Admin Assistant will prepare calendar dates for all existing IEPs/meetings
2. The Special Education Admin Assistant will call the parent to schedule the meeting and document all phone call attempts (a minimum of three attempts will be made)

3. The Special Education Admin Assistant will send out the Invitation to Participate in the IEP meeting with date and time established
4. The Special Education Admin Assistant will prepare the NOREP for the meeting
5. Two weeks prior to the meeting date, the Case Manager will complete all progress monitoring and summative assessment and send a draft of the new IEP to the Supervisor of Special Education for review
6. One week prior to the meeting date, the Case Manager will mail home a copy of the draft IEP for parent review.

NOTE: *Any child whose data shows no need for specially designed instruction for any part or all of the previously determined disability must undergo a Re-Evaluation before any decision can be made regarding placement or exit.*

Following the IEP Meeting

1. The Case Manager will review, edit/revise and complete the IEP for final review
2. The Case Manager will notify the Supervisor of Special Education the IEP has been finalized in the data base system
3. The Case Manager will deliver the completed, signed IEP, Medical ACCESS consent, Invitation, and NOREP to the Special Education Admin Assistant within one week of the completion of the meeting including the completed cover sheet.

Timelines

The following timelines govern the development and implementation of an IEP:

- An IEP shall be developed within 30 calendar days after the completion of an MDT's Evaluation Report (ER).
- The IEP shall be implemented as soon as possible after the NOREP is signed, but no later than 5 school days after it is written.
- The IEP team meeting shall be convened at least annually or more frequently if warranted, and following an evaluation or reevaluation. An IEP team meeting shall also be convened at the request of any member of the team.
- Anticipated duration of services should be a year, less one day, from the Implementation date

Medical Assistance

PA MEDICAL ASSISTANCE CONSENT FORM in IEP

In order to help meet the increased costs of providing special education services to students, the state of PA participates in the school-based ACCESS program.

This program enables a child's school district to receive Medicaid reimbursement for certain medically necessary health-related services that are provided in accordance with a child's IEP.

Services which can be reimbursed through Medicaid include: assistive devices, audiological services, IEP development, nurse services, occupational therapy, physical therapy, orientation and mobility, personal care assistant, psychiatry, psychology, social work, hearing services, speech/language services, and special transportation.

Lakeland School District is required to obtain written consent in order to bill Medical Assistance for these services.

Parental permission does not affect any services a child may receive outside of school nor will it affect any other benefits a child or his/her family receives such as cash assistance.

Parents will be asked to give permission yearly or any time a child's IEP health related services increase or new services are added.

Parents may withdraw consent at any time.

Parent refusal to give consent will in no way affect the IEP services a child is entitled to receive.

Transition Planning & Procedures

Transition refers to the passage from secondary education, including special education and services, to adult life. State initiatives mandate the transition planning must occur as part of the IEP process NO LATER THAN AGE 14 (effective in PA as of February 2007). The Lakeland School District will begin the formal transition planning process when a student is in the 7th grade or at age 14, whichever comes first.

The following is a timeline of procedures that will be implemented at each age through graduation and for the first year post-graduation.

All students who are or will be in 7th grade or who are already 14 will receive a letter from the Special Education Instructional Supervisor/Transition Coordinator explaining the transition process.

Special Education teachers will prepare a folder with the appropriate grade level materials and will pass the folder onto the next special education teacher of record for the student as each year passes. Identical transition assessment formats may not be administered in two consecutive years.

Procedures:

7th Grade

- Administration of at least two different transition assessments covering all three areas of transition (Employment, Independent Living, Education) – **written** reports/summaries/checklists required
- Completion of a Parent Transition Survey (in person, if possible). If parent is not present, document the attempts at retrieval.
- Document all activities on the ***TRANSITION RECORD – TEACHER***
- All transition assessment information will be used to develop the IEP

8th Grade

- Administration of at least two different transition assessments covering all three areas of transition (Employment, Independent Living, Education) – **written** reports/summaries/checklists required
- All transition assessment information will be used to develop the IEP
- Begin completing ***Transition Grid – Graduation***
- Document all activities on the ***TRANSITION RECORD – TEACHER***

9th Grade

- Administration of at least two different transition assessments covering all three areas of transition (Employment, Independent Living, Education) – **written** reports/summaries/checklists required
- Administration of self-determination assessment
- Completion of a Parent Transition Survey (in person, if possible). If parent is not present, document the attempts at retrieval
- All transition assessment information will be used to develop the IEP
- Continue completing ***Transition Grid – Graduation***
- Document all activities on the ***TRANSITION RECORD – TEACHER***
- Students will participate in _____

10th Grade

- Confirm with Special Education Instructional Supervisor by September 30th all students who will need a Re-Evaluation prior to graduation (Students with SLD, OHI, and Intellectual Disability) for OVR purposes
- Administration of at least two different transition assessments covering all three areas of transition (Employment, Independent Living, Education) – **written** reports/summaries/checklists required
- All transition assessment information will be used to develop the IEP
- Continue completing ***Transition Grid – Graduation***
- Document all activities on the ***TRANSITION RECORD – TEACHER***
- Students will participate in _____
- Students will have the opportunity to participate in the PSAT test

11th Grade

- Identify and document at least one outside agency who will be able to provide needed support to the student (based on assessment) and invite a representative to the IEP meeting.
- Confirm with Special Education Supervisor by **September 30th** all students who will need a Re-Evaluation prior to graduation (Students with SLD, OHI, and Intellectual Disability) for OVR purposes.
- Administration of at least two different transition assessments covering all three areas of transition (Employment, Independent Living, Education) – **written** reports/summaries/checklists required
- Completion of a Parent Transition Survey (in person, if possible). If parent is not present, document the attempts at retrieval
- All transition assessment information will be used to develop the IEP
- Continue completing ***Transition Grid – Graduation***
- Document all activities on the ***TRANSITION RECORD – TEACHER***
- Students will participate in _____
- Students will participate in the ASVAB Assessment

12th Grade

- Identify and document at least one outside agency who will be able to provide needed support to the student (based on assessment) and invite a representative to the IEP meeting.
- Confirm with Special Education Supervisor by **September 30th** all students who will need a Re-Evaluation prior to graduation (Students with SLD, OHI, and Intellectual Disability) for OVR purposes.
- Administration of at least two different transition assessments covering all three areas of transition (Employment, Independent Living, Education) – **written** reports/summaries/checklists required
- All transition assessment information will be used to develop the IEP
- Finish completing ***Transition Grid – Graduation***
- Document all activities on the ***TRANSITION RECORD – TEACHER***
- All students will be provided the opportunity to attend college meetings in the counseling office
- All 18 year old male students will be provided the opportunity to access information concerning the registration process for Selective Service
- All students will be provided the opportunity to access information on voter registration and the voting process
- A **Summary of Performance** will be written for each *graduating Senior*

TRANSITION RECORD - TEACHER

2015-2016

Case Manager: _____

Student	Grade	Area of Disability	Post-High School Plans	Student Survey Completed (Date)	Parent Survey ** Completed (Date)	Most recent psychological eval. (date)	Transition Assessments used
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.
							1. 2. 3. 4.

**At minimum during the student's 9th grade year and the 11th grade year

Transition Grid – Graduation

Student: _____



Grade	Date of meeting Were Parents present?	General Graduation Criteria considered (course and credit requirements; state assessments; state attendance)	Achievement meets ability in all academic areas (evidence: grades, assessment data)	All academic IEP goals have been met (evidence: grades, teacher input, assessment data)	All functional & behavioral IEP goals have been met	Decision & Rationale	Case Manager
8	Date: Yes or No (circle one)	Criteria considered: ___ HS Courses ___ HS Credits ___ State assessment data ___ Attendance records	Yes or No (circle one) Data used: ___ Grades ___ Assessment	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	___ General Criteria or ___ IEP Criteria Rationale:	
9	Date: Yes or No (circle one)	Criteria considered: ___ HS Courses ___ HS Credits ___ State assessment data ___ Attendance records	Yes or No (circle one) Data used: ___ Grades ___ Assessment Type:	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	___ General Criteria or ___ IEP Criteria Rationale:	
10	Date: Yes or No (circle one)	Criteria considered: ___ HS Courses ___ HS Credits ___ State assessment data ___ Attendance records	Yes or No (circle one) Data used: ___ Grades ___ Assessment Type:	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	___ General Criteria or ___ IEP Criteria Rationale:	
11	Date: Yes or No (circle one)	Criteria considered: ___ HS Courses ___ HS Credits ___ State assessment data ___ Attendance records	Yes or No (circle one) Data used: ___ Grades ___ Assessment Type:	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	___ General Criteria or ___ IEP Criteria Rationale:	
12	Date: Yes or No (circle one)	Criteria considered: ___ HS Courses ___ HS Credits ___ State assessment data ___ Attendance records	Yes or No (circle one) Data used: ___ Grades ___ Assessment Type:	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	Yes or No (circle one) Data used: ___ Grades ___ Teacher Input ___ Assessment	___ General Criteria or ___ IEP Criteria Rationale:	

For each student, maintain a file with a copy of each piece of evidence and documentation. Clip documentation together by school year.

BEHAVIOR/DISCIPLINE

Behavior and Discipline

Discipline and Suspension Overview

Laws and regulations have established procedural requirements that all public school entities must follow when it comes to discipline and suspension of students with disabilities. These laws and regulations span the U.S. Constitution's due process clause in the Fourteenth Amendment (interpreted by the U. S. Supreme Court in *Goss v. Lopez*), IDEA, PDE Chapter 14, and PDE Chapter 12. For the purposes of this manual, the focus will be on discipline and suspension for students with disabilities. In addition to this section, the school should also be familiar with the school entity's policy that may provide further procedural requirements.

The following are the legal requirements for all students regarding suspensions. More information can be obtained by reviewing IDEA, Chapter 14, and Chapter 12 of the Pennsylvania School Code:

[Chapter 12 – Students and Student Services](#)

[\[http://pattan.net-website.s3.amazonaws.com/files/materials/handouts/docs/SideBySide021209.pdf\]](http://pattan.net-website.s3.amazonaws.com/files/materials/handouts/docs/SideBySide021209.pdf)

In-School Suspension (ISS):

Students without Disabilities: Give the student prior oral notice and an opportunity to respond plus:

- Notify the parents or guardian within a reasonable time afterwards
- Make provision for the student's education during the ISS
- Informal Hearing: If ISS exceeds 10 days, provide an informal hearing before day 11. For the informal hearing, administration must provide notification to the parents and the student that includes the reasons for the suspension and the time and place of an informal hearing sufficiently in advance, but within first 5 days, of the suspension. Provide informal hearing with appropriate school official, where student has right to question witnesses present, to speak, and to produce his/her own witnesses.

Student with Disabilities: Give the student prior oral notice and an opportunity to respond. Notify the parents or guardian and the Special Education Administrator as soon as possible.

- ➡ **Critical Note:** If instruction is not continued during the ISS in accordance with the student's IEP, the ISS might count towards a formal change of placement, which would require full special education procedures, including a Notice of Recommended Educational Placement (NOREP) and the right to a hearing. It is also a denial of FAPE. A Special Education Administrator should be consulted to help determine if ISS constitutes a change in placement and additional due process rights are required.

Suspension of 1 to 3 Consecutive School Days:

Students without Disabilities: Give oral notice to the student and an opportunity to respond prior to the suspension. The **Exception-** When it is clear the student poses a threat to the health, safety, or welfare of the school community, this informal notice and hearing may be delayed until as soon as possible afterwards.

- Immediately notify the parents and the other school district officials as required in writing.
- Give the student the right and responsibility to make up missed work and exams.

- ➡ **Student with Disabilities:** Use the same 1-3 day suspension procedures as for students without disabilities. **If instruction is not continued during the suspension in accordance with the student's IEP, the suspension could be considered a denial of FAPE.** The special education administrator can help determine if the suspension would constitute a change in placement and, therefore, additional due process rights are required.

- ➡ **Student with Disabilities Diagnosed with Mental Retardation:** This step is a **formal change in placement**, which requires full special education procedures, including a NOREP and the right to a hearing. **Exception:** Unless the student's actions involve weapons, illegal drugs, or infliction of serious bodily injury. If this occurs, **immediately contact a special education administrator for direction.**

Suspension of 4 to 10 Consecutive School Days:

Students without Disabilities: Give oral notice to the student and an opportunity to respond prior to the suspension. The **Exception-** When it is clear the student poses a threat to the health, safety, or welfare of the school community, this informal notice and hearing may be delayed until as soon as possible afterwards. In addition:

- Provide written notification to the parents and the student that includes the reasons for the suspension and the time and place of an informal hearing sufficiently in advance, but within first 5 days, of the suspension.
- Provide informal hearing with appropriate school official, where student has right to question witnesses present, to speak, and to produce his/her own witnesses.
- Immediately notify other school district officials as required in writing

- ➡ **Student with Disabilities:** Use the same 4-10 day suspension procedures as for students without disabilities. **If instruction is not continued during the suspension in accordance with the student's IEP, the suspension could be considered a denial of FAPE.** A special education administrator can help determine if suspensions would constitute a change in placement and, therefore, additional due process rights are required.

- ➡ **Student with Disabilities Diagnosed with Mental Retardation:** This step is a **formal change in placement**, which requires full special education procedures, including a NOREP and the right to a hearing. **Exception:** Unless the student's actions involve weapons, illegal drugs, or infliction of serious bodily injury. If this occurs, **immediately contact a special education administrator for direction.**

Suspension of More than 10 Consecutive Days or More than 15 Cumulative School Days: If this step were to occur, it is necessary to involve central office staff and special education administrator.

Students without Disabilities: The following are the various steps to implement after consultation with central administration:

1. Notify the parents by certified mail of the charges and provide at least three days notice of the time and place of a formal hearing, a copy of the expulsion policy, notice that legal counsel may represent the student, and the hearing procedures.
2. Keep the student in his/her current class unless informal hearing determines that
 - Student would constitute threat to health, safety, or welfare of to others, and
 - It is not possible to hold the formal hearing within 10 days

Note: If the student is determined to be a threat, the student may be excluded for more than 10 school days, but not more than 15 school days without a formal hearing, unless the parties agree and the student excluded shall be provided with alternative education.

3. Provide a formal hearing with the school board, its committee, or its hearing officer, where student has these rights:
 - ✓ Choice of private or public hearing
 - ✓ Right to counsel at own expense
 - ✓ Requirement that attorney prosecuting the student be separate from and not subordinate to the attorney advising the board
 - ✓ Names of adverse witnesses and copies of their statements or affidavits
 - ✓ Right to confront and cross examine these witnesses
 - ✓ Right to testify and to present his/her own witnesses
 - ✓ Record of the hearing
 - ✓ Right to judicial appeal
 - ✓ Make provision for compulsory school-age student if parents are unable to provide education

➡ **Student with Disabilities:**

Have the specified team, including the parents, determine within the 10 school day period whether the misconduct is a manifestation of the disability (see section in this manual on manifestation determination). If the team determines that the misconduct is not a manifestation of the student's disability, the district may either use the same disciplinary procedure as for students without disabilities, except that it must continue to provide FAPE, or implement an Interim Alternative Education Setting. If the team determines that the misconduct is a manifestation of the student's disability, IEP team must conduct a Functional Behavior Assessment (FBA) and develop a Positive Behavior Support Plan. If the student has an IEP that includes a Functional Behavior Assessment and Positive Behavior Support Plan, revise if needed and do one of the following:

- a. Return the student to the current placement
- b. Move the student to a new placement (with signed NOREP)
- c. Unilaterally implement Interim Alternative Education Setting if weapons, illegal drugs, or infliction of serious bodily injury are present
- d. Arrange for a *due process* hearing or parental agreement (with signed NOREP) to place student in an interim alternative education setting while a reevaluation is conducted.

- ➡ **Student with Disabilities Diagnosed with Intellectual Disability:** This step is a **formal change in placement**, which requires full special education procedures, including a NOREP and the right to a hearing. **Immediately contact a special education administrator.**

Manifestation Determination

A Manifestation Determination is a process, required by the Individuals with Disabilities Education Act (IDEA 2004), which is conducted when considering the exclusion of a student with a disability that constitutes a change of placement.

STATUTORY REQUIREMENTS: A manifestation determination must be conducted when a disciplinary change of placement occurs. Disciplinary change of placement occurs when a student with a disability, because of a violation of the school code of conduct, is removed from his/her current educational setting for:

- ◆ More than 10 school days consecutively, OR
- ◆ More than 15 school days cumulatively in a school year, OR

- ◆ When school days 11-15 constitute a pattern of exclusion, OR
- ◆ An exclusion of even one school day for a student with mental retardation, OR
- ◆ Under the following circumstances, school personnel may unilaterally remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:
 1. Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of a local educational agency (LEA);
 2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of an LEA; or
 3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an LEA. In these circumstances, the LEA must notify the parent

Manifestation Determination Process

Within **10 school days** of the decision to change the student's placement, the LEA, parent, and relevant members of the IEP team conduct a review to decide if the behavior of concern is a manifestation of the student's disability. The team must determine:

1. Was the behavior caused by, or directly and substantially related to, the student's disability? **OR**
2. Was the behavior a direct result of LEA's failure to implement the Individualized Education Program (IEP)?

If the answer to either question is "Yes," the behavior **IS** a manifestation of the student's disability. The IEP Team must either:

1. Conduct a functional behavioral assessment (FBA), unless the LEA had conducted a FBA before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan (BIP) for the child; or
2. If a BIP already has been developed, review the BIP, and modify it, as necessary, to address the behavior; and return the student to the placement from which the student was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the BIP.

If the answer to both questions is "No", the behavior **IS NOT** a manifestation of the student's disability. The student may be disciplined in the same manner as a student without a disability who has violated the same or similar code of conduct.

Special Education Services in Alternative Education Settings:

Any student who is suspended has the right to make up the school work missed. This state law applies even if the suspension is so short that it does not count as a "change in placement." If a school "changes the placement" of a student with a disability, federal law requires the school to provide the student with a free and appropriate public education (FAPE). ***When the school "changes the placement" of a student for discipline reasons, it must hold an IEP meeting to schedule a functional behavior assessment for the student (if one has not already been done). This assessment should give the IEP Team information on the things that "trigger" the student's misbehavior and give the Team suggestions on how to prevent the misbehavior.*** The IEP Team should also write or revise the student's behavior plan.

Discipline and Thought-To-Be Exceptional:

The law says that a public school entity is considered to have “knowledge” that the student has a disability in three situations:

1. Prior to the incident, the parents had expressed a concern that the student needed special education in writing to the student’s teacher or school administrator; or
2. Prior to the incident, the parent had requested an evaluation; or
3. Prior to the incident, the teacher or other school staff expressed specific concerns about the student’s pattern of behavior to others, the principal, the director of special education or other supervisory personnel of the school.

If none of these rules apply to the situation, a student can be punished by the school under the rules that apply to students who do not have disabilities. However, if a parent asks for an evaluation while a student is being punished (for example, parent put in the request after the student was sent to an alternative school or expelled), the school must conduct the evaluation quickly.

It is important to note that a school does not have to treat the student as eligible and follow the special education discipline rules if: (1) the parent has refused to allow the school to evaluate the student in the past, (2) the parent has refused special education services for the student in the past, or (3) the school evaluated the student in the past and concluded that the student did not have a disability.

Rules for Bus Suspension:

A proposed suspension from the school bus is also subject to the same rules as proposed in out-of-school suspension if transportation is listed on the student’s IEP as a related service. For example, if a student acts out on the bus, the school may want to suspend the student from the bus for an extended period of time (example three weeks). If this is the case and bus transportation is listed as a related service on the student’s IEP, it constitutes a “change in placement” (since it is for more than **10 school days** in a row). The school must hold a manifestation determination meeting within **10 school days** and also must have an IEP meeting to arrange for a functional behavior assessment and draft or revise a positive behavior support plan for the student on the bus. If the student’s behavior is a manifestation of his/her disability, then the school cannot change his/her placement (so, after **nine (9) school days**, the student must be allowed back on the bus). Remember that even one day of school or bus exclusion is a “change in placement” for a student with mental retardation.

Discipline Prohibited:

Pennsylvania state law prohibits public school entity from ever using the following types of discipline for students with disabilities:

- Corporal punishment
- Punishing a student for behavior that is a manifestation of the student’s disability
- Using “noxious” substances (for example, pepper spray or mace)
- Withholding meals, fresh air, or water
- Serial suspensions
- Electric shock
- Locking or keeping the student in a room, space, or box from which he/she cannot easily leave, and
- Any treatment that is demeaning

Discipline Flow Chart: Students with IEPs

First Ask: Did the student violate a code of student conduct?

Was the misbehavior a “special circumstance?”

- Involved illegal drugs or a weapon=YES
- Involved selling prescription drugs=YES
- Involved serious bodily injury to another person [defined by section 1365 of title 18, United States Code] =YES

Other misbehavior=NO

NO

YES

Is the proposed discipline a change in placement?

- Any suspension for child with mental retardation=YES
- Suspension for 10 consecutive days=YES
- Expulsion (any suspension of more than 10 days in a row is an expulsion)=YES
- Suspension/transfer for more than 15 TOTAL days in a school year=YES
- Anything else=NO

NO

YES

School CAN discipline the student using the same rules that apply to all students.

- If expelled, student must get enough services to participate in curriculum and progress in IEP goals

END

School may place student in an alternative school setting for not more than 45 school days

- Student must be able to participate in general curriculum and progress toward IEP goals
- At end of 45 school days, Hearing Officer can order new 45-day placement if child is dangerous

School may go through the other steps of this chart in the meantime to determine what other discipline (if any) can be imposed and whether student needs a functional behavior assessment and/or behavior support plan.

School must hold a meeting within 10 school days with the parent and relevant IEP Team members to ask: **Was the misbehavior a “manifestation” of the student’s disability?**

- Misbehavior caused by or directly and substantially related to the disability=YES
- Misbehavior was a direct result of school’s failure to carry out the IEP=YES
- Change of Placement=YES

School must also have an IEP meeting within 10 days to arrange for a behavior assessment (if not already done) and write/revise behavior plan

NO

YES

School CANNOT impose discipline on the student for the misbehavior

School CAN discipline the student using the same rules that apply to all students.

- If parent disagrees with manifestation decision, can ask for an expedited hearing (discipline occurs in meantime)
- If expelled, student must get enough services to participate in curriculum and progress toward IEP goals

END

FBA and PBSP Overview

In accordance with IDEA and PDE Chapter 14, positive rather than negative measures must form the basis of behavior support programs for students who have been determined to be eligible for special education supports and services. Our district supports all eligible students being free from demeaning treatment, the use of aversive techniques, and the unreasonable use of restraints. Behavior support programs should include evidence-based or research-based practices and techniques to develop and maintain skills that will enhance an individual student's opportunity for learning and self-fulfillment. Behavior support programs and plans must be based on a functional assessment of behavior and utilize positive behavior techniques. When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student must be the least intrusive necessary. The use of restraints is considered a **measure of last resort**, only to be used after other less restrictive measures, including de-escalation techniques [§14.133(a)].

Chapter 14 behavior support requirements in Pennsylvania require a functional behavior assessment (FBA) prior to developing a behavior plan. An FBA usually consists of a team-based assessment and inquiry process through which the team identifies target behaviors and determines the antecedent conditions and consequences in order to arrive at the hypothesized function(s) of the behavior. Then, the team would use this information to design an individualized positive behavior support plan for the child. Under the IDEA, an FBA is required when the behaviors in question result in disciplinary exclusion from school and are determined to be a manifestation of the child's disability. Under revised Chapter 14, however, an FBA is also required as a prerequisite to all individualized behavior support plans. Further, a positive behavior support plan must be developed by the IEP team for eligible children "who require specific intervention to address behavior that interferes with learning."

Functional Behavior Assessment (FBA) is a process for gathering information to understand the function (purpose) of behavior in order to write an effective Positive Behavior Support Plan (PSBP). Functional Behavior Assessment is a valuable process to identify positive behavior practices and learning. The identification of the function or purpose of a behavior of concern, guides a team through the development of function-based strategies. Function-based behavior plans are an effective method of addressing behaviors, developing positive proactive behaviors, and increasing academic achievement.

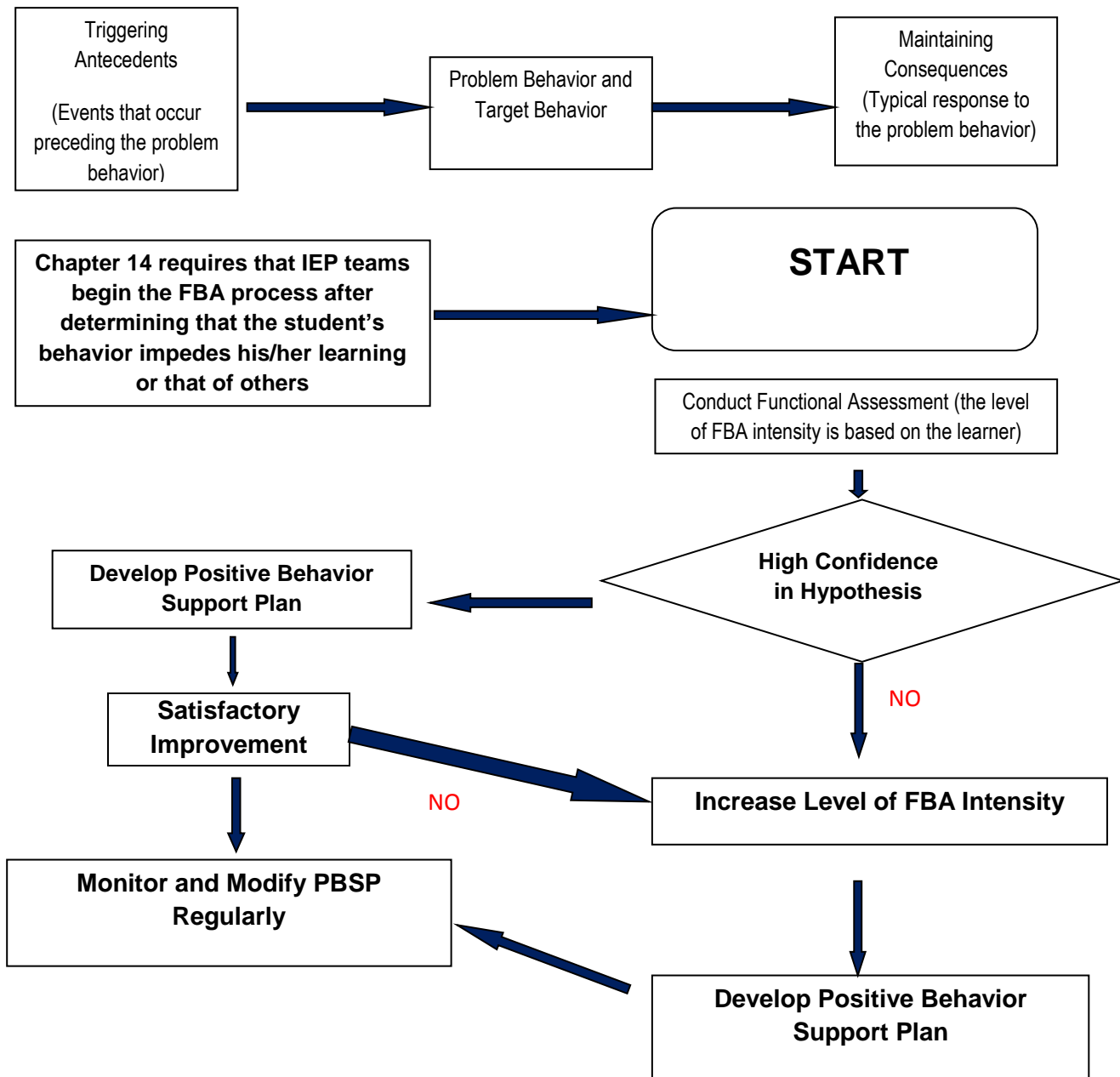
In addition, an FBA must be conducted:

1. When the IEP team checks (✓) "yes" under "Special Considerations for behavior that impedes the student's learning or the learning of others.
2. When a behavior violates a "code of student conduct" and is determined by the IEP team to be a manifestation of the student's disability.
3. When a student is removed from his/her current placement as a result of weapon possession, and/or illegal drug possession/use, and/or serious bodily injury.
4. When the student is removed from his/her placement for more than 10 consecutive or 15 cumulative school days and the behavior is determined not to be related to his/her disability.
5. When the school contacts law enforcement.
6. Whenever the IEP team (1) determines that a student's behavior is interfering with his/her learning or the learning of others, and (2) requires additional information to provide appropriate educational programming.

Schoolwide Positive Behavior Supports (SWPBS) is a proactive approach to discipline in schools that promotes positive student behavior and increased student learning. Lakeland School District participates in SWPBS from grades K-12 and implements a tiered system of intervention based on behavioral data.

Functional Behavior Assessment Flow Chart

Goal of an FBA is to develop a testable hypothesis.



Functional Behavioral Assessment Checklist

An FBA is required for suspension of more than 10 consecutive days or more than 15 cumulative school days or when expulsion is being considered.

(An additional Manifestation Determination is required if expulsion is considered.)

An FBA for the above needs to include:

- ☐ Student name
- ☐ Date(s) of FBA data collection
- ☐ Staff conducting FBA
- ☐ Behavior resulting in this FBA
- ☐ Date of Manifestation Determination meeting (if required):
- ☐ Behavior frequency:
 - ☐ behavior has occurred only one time
 - ☐ behavior has occurred on multiple occasions
- ☐ The behavior has resulted in:
 - Consecutive suspension of 10 days or cumulative suspension beyond 15 days in a school year
 - Manifestation Determination
 - Recommendation for an involuntary placement change
 - Recommendation for expulsion
- ☐ Type of FBA Conducted:
 - Informal (Review of records, problem solving meeting)
 - Indirect/Simple (checklist, interviews, initial line of inquiry, brief observation/scatter plot)
 - Complex (A-B-C Data, structured, direct observations)
- ☐ Hypothesis of function of this behavior is stated.
- ☐ Analysis of why this is the probable function is stated (state why).
- ☐ FBA has identified current predictors or triggers for behavior and the consequences the student achieves by behavior (antecedent and consequence analysis)
- ☐ Estimate with rationale of need for behavior support:
 - extreme
 - serious
 - moderate
 - needing attention, early stage intervention
 - monitoring of behavior needed only;
 - no formal behavior plan is deemed necessary at this time.
- ☐ FBA includes factors in the school environment and/or instruction and/or interactions which should be altered to prevent the behavior from reoccurring. These factors should be identified for inclusion in a behavior plan.
- ☐ Additional services are recommended to address the problem behavior.
 - goals & objectives to be developed in IEP
 - in-school services for inclusion in IEP
 - services for parents to be discussed at IEP meeting
 - other service or communication provision
- ☐ FBA has identified environments where a behavior plan should be used.
- ☐ Results of FBA have been communicated to the IEP team for incorporation into the IEP.
- ☐ The IEP team has determined that if a behavior plan is NOT to be developed as a result of this assessment, a formal behavior support plan will be developed if problem behavior continues or escalates
- ☐ Date of IEP has been identified in which behavioral goals to monitor future behavior will be developed

Reminder: An FBA is required for suspension of more than 10 consecutive days or more than 15 cumulative school days or when expulsion is being considered. Please be aware this is only suggested items to consider. This checklist is not comprehensive for all uses of when an FBA is needed.

Positive Behavior Support Plan

A Positive Behavior Support Plan can be used as a proactive action plan to address behavior(s) that are impeding learning of the student or others. PBSPs are appropriate for all students. If developed for a student with an IEP, this becomes a part of IEP. The PBSP includes positive behavioral interventions, strategies, and supports. Behavior Support Plans should focus on understanding ‘why’ the behavior occurred (i.e., ‘the function’ or ‘communicative intent’) then focus on teaching an alternative behavior that meets the student’s need in a more acceptable way. This includes making instructional and environmental changes, providing reinforcement, reactive strategies, and effective communication.” The PaTTAN website has a sample PBSP at: <http://www.pattan.net/files/Behavior/PBSP070808.pdf>

Members of Positive Behavior Support Team

The members of the Positive Behavior Support Team will depend upon the specific needs of the student in question. In most cases the team may consist of the same members as required and outlined for members of an IEP team. In addition, other experts may be part of the team.

Positive Behavior Support Plan Phases [PBSP]:

Developing a PBSP is a process. For the process to be success, several steps must occur. These steps are as follows:

Address the Problem Behavior

Teacher/staff member makes personal contact with parent/guardian to establish a working relationship, discuss concerns, and brainstorm possible solutions

School and classroom interventions are implemented and data collection on outcomes begins

If classroom interventions are unsuccessful, teacher informs other professionals that this student exhibits behavior that is interfering with the learning of student and/or peers

Understanding the Problem Behavior/ Conducting the FBA

Team professionals (parents, teachers, counselor, administrator, psychologist, program specialist, language/speech specialist, nurse, etc.) consult to understand the cause of the misbehavior and brainstorm solutions

Conduct the appropriate level FBA

Developing a Positive Behavior Support Plan (PBSP)

The Positive Behavior Support Plan Team (If the student has an IEP, this is an IEP team function) meets to formally discuss and strategize on:

- THE RESULTS OF THE FBA
 - Contributing environmental factors
 - Functional factors (**why** the student is misbehaving)

A formal plan of action, the PBSP, is developed with behavior goals developed.

Roles/responsibilities are assigned. Many people can be designated on the PBSP.

A system of communication between the involved parties is formalized

Implementing the Behavior Support Plan

The environment and/or curriculum is changed to support the identified replacement behavior(s) AND general positive behaviors

New appropriate behaviors are taught and reinforced

Goal(s) acquisition is continuously monitored as specified

The communication plan to progress monitor the interventions is followed

Monitoring/Evaluating the Plan

Team members monitor the success of the plan and document progress

The team reconvenes to review progress, as appropriate

If unsuccessful, team plans next steps (revise, redo, assess, etc.)

Overview of Physical Restraint

22 Pa. Code Chapter 14 provides guidance on physical restraints. The regulations state that restraints are only to be considered as a measure of last resort, only after other less restrictive measures have been used, and the use of **prone restraints is prohibited** in PA educational settings. Prone restraints are those in which a student is held face down on the floor.

A Restraint defined in Chapter 14 indicates:

A restraint is the application of physical force, with or without the use of any device, for the purpose of restraining the free movement of a student's body.

The term does not include briefly holding, without force, a student to calm or comfort him, guiding a student to an appropriate activity, or holding a student's hand to safely escort him/her from one area to another. The term does not include hand-over-hand assistance with feeding or task completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents and specified in the IEP.

Devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices are examples of mechanical restraints which are excluded from this definition.

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself/herself, to other students, or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

The regulations specify that **AVERSIVE TECHNIQUES ARE PROHIBITED**. These are:

- Corporal punishment
- Punishment for a manifestation of disability
- Locked rooms, boxes, or other structures or spaces from which the student cannot readily exit
- Noxious substance
- Deprivation of basic human rights, such as withholding meals, water, or fresh air
- Suspension constituting a pattern
- Treatment of a demeaning nature
- Electric shock

Requirements When Restraint Used:

The school must notify the parent of the use of restraint to control the behavior of a student. The Bureau of Special Education recommends this notification be within one school day of the restraint. Additionally, there needs to be an IEP team meeting **within 10 school days** of the inappropriate behavior causing the use of restraints. The only reason for an IEP meeting to not take place is if the parent, after written notice, agrees in writing to waive the meeting.

When an IEP meeting occurs, the team shall consider whether the student or eligible young child needs a functional behavioral assessment, reevaluation, a new or revised positive behavior support plan, or a change of placement to address the inappropriate behavior. The outcome of this meeting must be documented.

Restraint Contained in IEP

The use of restraints may be included in a student's IEP ONLY if the following conditions apply:

- The restraint is utilized with specific component elements of positive behavior support.
- The restraint is used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.
- Staff is authorized to use the procedure **and have received the staff training required.**
- There is a plan in place for eliminating the use of restraints through the application of positive behavior support.
- The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment.

Reporting of Restraints

Chapter 14 requires reporting of restraints in the Commonwealth. The reporting system developed by the Pennsylvania Department of Education is known as RISC (Restraint Information System of Collection). *Anytime a restraint is used, it must be reported to PDE via RISC.* It is also the responsibility of the home school district to report all incidences of restraints, even for those students attending an Approved Private School or out of district placement.

If a school district does not have any restraints within a school year, this also must be reported by June 30 of each year.

The web-based system for reporting all restraints of special education students (RISC) is located at <https://apps.leaderservices.com/risc>. This system is only accessible to LEA designated individuals. Each district has a mechanism to conduct this function. However, it is important staffs understand all of the elements that are required to be reported. The data fields required are as follows:

- PA Secure Student ID#.
- Student's Disability (drop down list provided).
- Student's Grade Level (drop down list provided.)
- Age of Student
- School Building Attended (drop down list provided).
- Program Location (drop down list provided).
- Date when the restraints was used to control aggressive behavior (calendar appears).
- Physical location where intervention occurred (drop down list provided).
- Type of restraint(s) used (drop down list provided).
- Length of time restraint lasted (drop down list provided).
- Number of staff who conducted the restraint (drop down list provided).
- Staff titles (NOT NAMES) of individuals who conducted the restraint.
- Were the staff involved in the restraint trained and certified in the use of de-escalation techniques and the use of safe physical restraints?
- Did any injury occur to student and/or staff? If so, what kind?
- Date the injury of student or staff was reported to the BSE (maximum of three school days from incident).
- Was the student who was restrained referred to law enforcement?
- Date of parent notification of the use of a restraint (within one school day from the incident).
- Was the use of restraints listed in the student's IEP?

- Date IEP team meeting held (calendar appears)..
- If appropriate, date waiver of IEP team meeting signed by parent (calendar appears).
- Were a Functional Behavioral Assessment (FBA), Reevaluation, new or revised behavior support plan or change of placement considered and discussed?
- Restraint reports may be entered and then saved as “in process” until after the IEP meeting is held. At that time they may be updated and saved as final.
- If a district does not finalize the report by entering either an IEP meeting date or the date of receipt of the signed parental waiver within **20 days of the restraint**, the system will log the school as **out-of-compliance**.

Monitoring of Restraint Tracking

Each time a restraint is entered into RISC, the Bureau of Special Education (BSE) staff is notified. A person from the Bureau reviews the data within ten working days of recording. If BSE has questions, the contact person for the school entity will be notified.

Intervention/Instruction & Progress Monitoring

Evidence Based Practice

An evidence-based practice can be defined as an instructional strategy, intervention, or teaching program that has resulted in consistent positive results when experimentally tested.

Special education teachers and administrators need the tools for evaluating the evidence to support the strategies being implemented. When presented with a new teaching approach or evaluating existing strategies, educators should consider the support provided for instructional procedures instead of accepting policy or word-of-mouth that such a practice is effective. A variety of questions can be used to critically evaluate if specific treatment strategies are evidence-based (Celiberti, Bleecker, Kreiss, and Rosenfeld, 2000; Green, 1996; Perry and Weiss, 2007).

1. Has research been conducted to evaluate the specific treatment or strategy? Has that research been published in a peer reviewed journal? Has there been replication of positive outcomes from use of the strategy?
2. Does the specific strategy include an assessment of the individual student's current performance followed by implementation of a strategy to improve that performance beyond the baseline rates?
3. Does the intervention include requirements for data collection and ongoing monitoring of student progress?
4. What are the measurable outcomes of implementing this strategy? What specific student skills will be addressed?
5. What are the specific benefits and limitations of using this strategy? Do the benefits outweigh the limitations?

Examples of Evidence-Based Practices used in the Lakeland School District:

- RTII/Multi-Tiered Intervention – targeted instruction based on skill performance
- Direct Instruction in small groups; 1:1
- PALS – Peer-Assisted Learning Strategies
- Regular/Systematic Progress Monitoring of skill performance and growth
- School Wide Positive Behavior Support (SWPBS)

Progress Monitoring

Progress monitoring will occur for each goal in a student's IEP and/or PBSP weekly or no more than bi-weekly using evidence-based procedures. Summative assessment will occur a minimum of once per year prior to the IEP meeting.

OTHER INFORMATION

Additional Information for Parents

The Bureau of Special Education published the **Pennsylvania Parent Guide to Special Education for School Age Children**, which provides an overview of the special education process. Visit www.pattan.net for the Guide and other useful information, or call 800-441-3215.

To get more information about parent rights or how to resolve disputes between parents and the school district, including how to request a hearing, contact the Bureau of Special Education's Consult Line at 800-879-2301.

Parents can also contact the following organizations to learn more about their rights, receive training, or receive advocacy services

Statewide Organizations			
Bureau of Special Education ConsultLine 800-879-2301			
The ARC of Pennsylvania (Advocacy & Resources for Citizens With Cognitive, Intellectual, and Developmental Disabilities) 800-692-7258			
			www.thearcpa.org
Disability Rights Network of PA (DRN) 800-692-7443 (Toll-Free Voice)			
			www.drnpa.org
Education Law Center 215-238-6970			
			www.elc-pa.org
Pennsylvania State Task Force on the Right to Education 800-446-5607 x6830			
			http://parent.pattan.net/statetaskforce
Pennsylvania Training and Technical Assistance Network (PaTTAN) 800-441-3215 (King of Prussia) 800-360-7282 (Harrisburg) 800-446-5607 (Pittsburgh)			
			www.pattan.net
Regional Advocacy Organizations			
<u>Eastern and South Central Pennsylvania:</u>			
Parent Education Network (PEN)			
717-600-0100 (V/TTY)	800-522-5827 (V/TTY)	800-441-5028 (Spanish in PA)	www.parentednet.org
<u>Central and Western Pennsylvania:</u>			
Parent Education and Advocacy Leadership (PEAL) Center			
412-281-4404 (Voice)	866-950-1040 (Helpline)		www.pealcenter.org
<u>Philadelphia, Pennsylvania</u>			
Hispanics United for Exceptional Children (HUNE, Inc.)			
215-425-6203 (Voice)	215-425-5112 (Helpline)		www.huneinc.org
<u>Northwestern Pennsylvania:</u>			
The Mentor Parent Program			
814-563-3470 (Voice)	888-447-1431 (Voice in PA)		www.mentorparent.org
800-855-1155 (TTY)			

Independent Evaluations

A parent may indicate a request for an independent evaluation of their child at public expense, when they disagree with the evaluation for their child by the school district, subject to certain limitations 20 U.S.C § 1415(b)(1) & (d) (2) (A), 34 C.F.R. §300.502(b). If this request would indeed include a request for the school district to pay for the independent evaluation, it must be made in writing prior to having the outside evaluation conducted. The results obtained from the independent evaluator would be considered in determining if the child has a disability and needs special education services in the public schools.

If the school district refuses or believes that the independent evaluation is inappropriate, it may initiate a special education due process hearing to show that the district's evaluation is appropriate 34 C.F.R. §300.502(b)(2)(i)(ii).

Approved providers of Independent Evaluations:

1. Steven P. Kachmar, M.A., PhD., NCSP

3308 South 3rd Street

Whitehall, PA 18052

610-295-3420

dr.steven.p.kachmar@gmail.com

2. Michelle Koch, Ed.S.

Pointe North Psychology Group

190 Broadhead Road, Suite 107

Bethlehem, PA 18017

610-264-7260

mkoch@ptd.net

3. George McClosky, Ph.D.

2944 Linda Lane

Sinking Springs, PA 19608

215-871-6563

gmccloskz@aol.com

APPENDIX

Notification of Teacher Responsibility for Accommodations or Modifications

Student:		Grade:	
IEP Case Manager		Date of Notice:	
Teacher			

The aids, benefits and services, specified below, are to afford this eligible student **equal opportunity to obtain** the same result, to gain the same benefit, or to reach the same level of achievement in the least restrictive environment appropriate to the student's needs. These aids, benefits, and services **are not required to produce the same result, or level of achievement** for both students with disabilities and students without disabilities. (Reference: Section 504 of the Rehabilitation Act of 1973)

I have received notification of my responsibility to provide accommodations and/or modifications in my class for Student: _____

I understand this student's IEP/504 case manager, _____, is available for further explanation or support. I understand that I am required to implement these adaptations. If I feel they are not meeting student needs or I wish to change them, I will contact the case manager to schedule an IEP meeting to do so.

I understand:

- ◆ **Accommodations** are changes in course content, standards, test presentation, location, timing, scheduling, expectations, student responses, environmental structuring, and /or other attributes which provide access for a student with a disability to participate in a course/standard/test, which **DO NOT fundamentally alter or lower the standard or expectations of the course/standard/test**. Therefore, grading procedures are the same for all students.
- ◆ **Modifications** are changes in course content, standards, test presentation, location, timing, scheduling, expectations, student responses, environmental structuring and /or other attributes which provide access for a student with a disability to participate in a course/standard/test, which **DO fundamentally alter or lower the standard or expectations of the course/standard/test**. Therefore, this student will be graded according to methods specified in his/her individual plan.

Signature: _____ Date: _____

ESY Worksheet

COMPLETE ANNUALLY AT IEP TEAM MEETING PRIOR TO FEBRUARY 28 FOR TARGET GROUPS: AUSTIM, MENTAL RETARDATION, EMOTIONAL DISTURBANCE, MULTIPLE DISABILITIES, DEGENERATIVE IMPAIRMENTS WITH MENTAL INVOLVEMENT.

Student's Name: _____

Date Worksheet Completed: _____

Part I. ELIGIBILITY CRITERIA:

Directions: This worksheet is a guide to be used with a student's IEP team to assist in the decision making process for Extended School Year eligibility.

☐ Yes

☐ No

1. Is the student demonstrating progress on current IEP goals as measured by progress reports, measurable observation, or results from assessments?

A. Do the student's grades/report card/progress reports indicate progress? (Check grade book, report cards, interview other staff)

_____ Yes _____ No

B. Do results of tests such as criterion-referenced tests, curriculum-based assessments, ecological life skills assessments, or other equivalent measures (e.g., portfolio assessment, end of unit test) indicate progress? (Check report cards, cumulative folders, and other staff)

_____ Yes _____ No

Comments/Notes

☐ Yes

☐ No

2. Has student demonstrated progress towards goals on the last two consecutive IEPs?

A. Do the student's grades/report card/progress reports indicate progress? (Check grade book, report cards, interview other staff)

_____ Yes _____ No

B. Do results of tests such as criterion-referenced tests, curriculum-based assessments, ecological life skills assessments, or other equivalent measures (e.g., portfolio assessment, end of unit tests) indicate progress? (Check report cards, cumulative folders, and other staff)

_____ Yes _____ No

- ☐ Yes ☐ No C. Information from previous IEPs not available to answer the question

Comments/Notes

- ☐ Yes ☐ No 3. Are there reports from IEP team members documenting negative changes in behaviors or skills that impact a student's ability to make progress towards IEP goals after interruptions in educational program and is this information reflected in the Present Education Levels of student's IEP?
- ☐ Yes ☐ No 4. Is there a degenerative medical condition that impacts a student's ability to make progress towards IEP goals that becomes exacerbated during breaks in educational services?
- ☐ Yes ☐ No 5. Does the student data indicate that the individual requires significant amount of time to recoup skills on his/her IEP goals after a break in educational services?
- ☐ Yes (data indicates concern)
- ☐ No (data indicates no concern)
- ☐ No (no data provided): if no data is provided, data collection needs to occur to answer question.

ESY ELIGIBILITY: IEP team uses above answers to guide discussion of ESY eligibility. If student is deemed eligible, proceed with Part II, ESY Eligibility:

Part II ESY SERVICES:

1. Identify IEP objectives to be addressed during an ESY program (mark objectives with an asterisk) on IEP document.
2. Identify specially designed instruction (SDI) on IEP document to be addressed using ESY program (mark with asterisks).
3. Identify related services required to support identified IEP objectives and SDI?
 - ☐ Speech and Language
 - ☐ Occupational Therapy
 - ☐ Physical Therapy
 - ☐ Hearing
 - ☐ Vision
 - ☐ Other:
4. Identify the amount of time required for identified related service to support identified IEP objectives and SDI and indicate on IEP document.

Speech and Language	_____
Occupational Therapy	_____
Physical Therapy	_____
Hearing	_____
Vision	_____
Other	_____
5. Proposed Location: _____

Note: This worksheet will be placed in Student's file.

Child Study – Checklist

To be completed prior to referral for child study and should accompany the Referral Form

Put the date completed on each line or N/A:

_____ CST Phone Call made to parent

_____ Flex/Academic Support

Direct academic guidance; study help; check agenda; help with organization, etc.

_____ RTII

Benchmarking; progress monitoring; data study; grouping and movement through tiers

_____ Parent Communication

Frequent parent communication – phone, email, notes, prog. reports, MMS, Wikis, etc.

_____ Social/Emotional

Individual meetings with student; participation in groups; action plans, etc.

_____ Behavior

Interventions (clearly different from classroom management/SWPBS/discipline policy)

_____ SAP

Assist with academic, social-emotional, behavioral and/or drug-alcohol related issues

_____ Health Office Consult

Usually set up through coordination of services from physician; vision/hearing; meds, inhalers

_____ OT Screening

Fine motor; Sensory (noise, light, tactile, etc.); assist with paper, pencil grip, balance, etc.

_____ Speech screening

Articulation; social and pragmatic language; communication skills

_____ Physical Therapy Consult

Usually physician driven; obvious physical needs – may lead to screening

_____ Vision Consult

Usually physician driven; obvious vision needs – may lead to screening

_____ Hearing Consult

Usually physician driven; obvious hearing needs – may lead to screening

_____ Outside Mental Health Services

Mobile therapy; TSS; through NHS or YAP – medical treatment plans and medication reg.

_____ Standardized Testing Accommodations

Allowable for all students: small group, extended time, frequent breaks, reading words and directions, use of calculator, etc. See 2014 Accommodations Guide on PDE website.

Interventions to Try

Academic:

- Highlight main ideas and supporting details in the book
- Simplify and repeat instructions about in-class and homework expectations
- Teach and monitor organization and/or study skills strategies
- Use written directions to supplement oral directions
- Break assignments into a series of smaller assignments
- Limit amount of material presented on a single page
- Provide tests/projects in segments so that student hands in one segment before receiving the next part
- Establish a nonverbal cue between teacher and student for help or behavior monitoring
- Provide a checklist for student, parents, and/or teacher to record assignments of completed tasks
- Use a timer to assist student to focus on given task or number of problems in time allotted
- Have student restate or write directions/instruction
- Give student opportunity to stand/move while working
- Provide peer tutoring
- Provide study buddy

- Assign groups to divide workload
- Reduce distractions: strategic seating, remove stimuli, study carrel, quiet corner, etc.
- Listen to text along with reading (CD, tape, online, etc.)
- Adjust difficulty of the assignment
- Use of computer to write

Behavior/Organization:

- Proximity control
- Preferential seating
- Direct instruction of rules and expectations
- Individual rewards based on clip chart or another more specific system
- Differential reinforcement of incompatible behavior
- Nonverbal: Response cards, finger tapping, pointing
- Exit passes for de-escalation
- Use silent behavior cues
- Planned ignoring
- Restitution
- Response cost
- Direct instruction of appropriate social responses

- Private conferences with student
- State choices and consequences for each choice – allow student to choose
- Choice – task menu; task sequence
- Self-monitoring (checklist, chart, etc.)
- State expectations clearly – generally for the classroom; for each task; for partner tasks; for group tasks
- Special location for student materials
- Provide daily review of schedule; lesson agenda; special events; changes in schedule
- Direct instruction of social skill

Child Study Letter to Parent

Dear Parent/Guardian:

As you know, your student, _____, has been referred to the Child Study Team at school because there are academic and/or behavioral concerns affecting your child's progress in the classroom. The Child Study Team will be meeting on: _____.

As soon as the Child Study Team has met, I will call you with the results of the meeting and to discuss any additional concerns you may have. If you would like to have a parent conference following the meeting, please indicate below with your signature and return the bottom of this letter to me for verification.

Sincerely,

Classroom Teacher

I am aware my child has been referred to the Child Study team:

Signature

Date

_____ Yes, I would like to schedule a follow-up parent conference

_____ No, I do not want a follow-up parent conference

Child Study Referral – Elementary [Fillable Document]
Classroom Teacher Input

Student: Click here to enter text. Date: Click here to enter a date.

Grade in School: Click here to enter text.

Teacher: Click here to enter text.

Reason: Click here to enter text.

Student strengths (list at least two in each area):

- Academic -
Click here to enter text.
- Social/Behavioral -
Click here to enter text.

Academic challenges:

(Check all that apply)

<input type="checkbox"/> Declining grades	<input type="checkbox"/> Poor study habits
<input type="checkbox"/> Grades are not consistent with potential	<input type="checkbox"/> Poor organizational skills
<input type="checkbox"/> Failure to complete assignments	<input type="checkbox"/> Does not follow directions
<input type="checkbox"/> Homework not complete	<input type="checkbox"/> Short attention span
<input type="checkbox"/> Slow rate of work	<input type="checkbox"/> Weak speech skills
<input type="checkbox"/> Does not ask for help	<input type="checkbox"/> Weak language skills
<input type="checkbox"/> Gives up easily	<input type="checkbox"/> Unable to write coherently
<input type="checkbox"/> Appears uninterested	<input type="checkbox"/> Difficulty organizing written tasks
<input type="checkbox"/> Weak problem solving skills	<input type="checkbox"/> Difficulty with memorization
<input type="checkbox"/> Work is sloppy	<input type="checkbox"/> Difficulty managing big tasks
<input type="checkbox"/> Difficulty with group tasks	<input type="checkbox"/> Difficulty working independently
<input type="checkbox"/> Frequently off-task	<input type="checkbox"/> Exhibits inconsistent work effort
<input type="checkbox"/> Poor reading skills	<input type="checkbox"/> Poor comprehension skills
<input type="checkbox"/> Other:	<input type="checkbox"/> Poor calculation skills

Social challenges:

Behavioral challenges [attach copy of behavioral data]:

(Check all that apply)

Grades (attach a printed report):

Final Q1 Q2 Q3
(Previous year) (Present Year)

ELA	Click here to enter text.
Math	Click here to enter text.
Science	Click here to enter text.
Social Studies (History)	Click here to enter text.
Spelling	Click here to enter text.

<input type="checkbox"/> Frequent tardiness	<input type="checkbox"/> Poor self-control in unstructured settings
<input type="checkbox"/> Easily frustrated	<input type="checkbox"/> Seeks attention through misbehavior
<input type="checkbox"/> Occasionally disruptive	<input type="checkbox"/> Does not respond well when corrected
<input type="checkbox"/> Comes to class unprepared	<input type="checkbox"/> Verbally abuses teacher
<input type="checkbox"/> Loiters in hall	<input type="checkbox"/> Lies to teacher
<input type="checkbox"/> Sleeps in class	<input type="checkbox"/> Cheats on tests/assignments
<input type="checkbox"/> Does not stay in seat	<input type="checkbox"/> Steals from classroom
<input type="checkbox"/> Frequent off task behavior	<input type="checkbox"/> Defaces/vandalizes classroom
<input type="checkbox"/> Disturbs other students in class	<input type="checkbox"/> Sudden emotional outbursts
<input type="checkbox"/> Self-abusive comments/behavior	<input type="checkbox"/> Too quiet in class
<input type="checkbox"/> Poor self-esteem	<input type="checkbox"/> Lacks empathy towards others
<input type="checkbox"/> Cannot work independently	<input type="checkbox"/> Poor attendance
<input type="checkbox"/> Leads others into problems	<input type="checkbox"/> Harasses other students
<input type="checkbox"/> Poor self-control in class	<input type="checkbox"/> Poor class participation
<input type="checkbox"/> Follows others without thinking	<input type="checkbox"/> Verbally abuses other students
<input type="checkbox"/> Unresponsive in class	<input type="checkbox"/> Other:
<input type="checkbox"/> Shy and withdrawn among peers	<input type="checkbox"/> Pushes other students
<input type="checkbox"/> Demanding with peers	<input type="checkbox"/> Often involved in fights
<input type="checkbox"/> Sabotages relationships	<input type="checkbox"/> Routinely disregards authority
<input type="checkbox"/> Unable to make friends	<input type="checkbox"/> Disrespects property of others
<input type="checkbox"/> Difficulty getting along with others	<input type="checkbox"/> Shows no regard for safety of others
<input type="checkbox"/> Rude and ill-tempered	<input type="checkbox"/> Difficulty working in group settings
<input type="checkbox"/> Other:	<input type="checkbox"/> Difficulty following rules

Personal challenges:

(Check all that apply)

<input type="checkbox"/> Sleepy and lethargic appearance	<input type="checkbox"/> Poor hygiene
<input type="checkbox"/> Sudden and dramatic personality change	<input type="checkbox"/> Inappropriate dress
Additional Comments: Click here to enter text.	

<input type="checkbox"/> Self-destructive behavior	<input type="checkbox"/> Sexually inappropriate behavior
<input type="checkbox"/> Severe mood swings	<input type="checkbox"/> Physical condition affecting self-esteem
<input type="checkbox"/> Unexplained injury(ies)	<input type="checkbox"/> Other:

Academic Assessments:

- **ELA** (if applicable) - weekly & unit reading test data
ATTACH COPY OF DIBELS/AIMSWEB DATA

Last three weekly reading tests and most recent unit test – extract data directly from assessment documentation

Assessment	Word Rec/Vocab	Phonics/Word Analysis	Comprehension	Writing
Reading Test-	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Reading Test-	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Reading Test-	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Unit Test -	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

- **Math** (if applicable) – math tests

Last three weekly math tests and most recent unit test – extract data directly from assessment documentation

Assessment	Calculation	Applications	Other	Other
Chapter Math Test-	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Chapter Math Test-	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Chapter Math Test-	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Unit Test -	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

- **Writing** (if applicable)

Overall writing performance: Click here to enter text.

QRI -

Frustration Level -
 Oral Reading: Click here to enter text.
 Comprehension: Click here to enter text.
Instructional Level -
 Oral Reading: Click here to enter text.
 Comprehension: Click here to enter text.
Independent Level -
 Oral Reading: Click here to enter text.
 Comprehension: Click here to enter text.
 ORF: Click here to enter text. wcpm
 Notes: Click here to enter text.

PSSA Scores (if applicable):
indicate *below basic* (BB) *basic* (B), *proficient* (PRO) or *advanced* (ADV)

Year	Reading	Math	Science	Writing
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

CSI (Inview) Score: _____

To meet the needs of

Click here to enter text.
(student)

in

Click here to enter text.
(deficit area)

I have tried the following interventions:

Click here to enter text.

Child Study - Behavior Documentation Form

Duration Chart

Student: _____ Date of Birth: _____

Observer: _____ Date: _____

School: _____ Grade: _____ Sex: M / F

Using a duration chart involves recording the amount of time the student engages in a behavior or how long that behavior lasts. It is appropriate to measure duration for behaviors that occur over a period of time where a beginning and ending time can be noted. For example, you can record the duration of time that a student spends out of his or her seat or the amount of time a student engages in arguing. (Behaviors that occur only for a few seconds might be better measured by a frequency count.)

Target Behavior: _____

[illegible]

Date Range: _____

Class/Teacher: _____

Observer: _____

Target Behavior: _____

Replacement Behavior: _____

[illegible]