

Fannett-Metal School District

Special Education Handbook

Director of Special Ed. and Student Services:

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Welcome

We hope this manual will be a good resource and guide for you regarding information and procedures in Special Education and operation of Special Education services across the District. This manual is a quick guide for the Fannett-Metal School District.

Quick References:

Chapter 14: State regulations for special education:

<http://www.pacode.com/secure/data/022/chapter14/chap14toc.html>

IDEA: Federal regulations for special education:

<http://idea.ed.gov/explore/home>

Chapter 15: State regulations:

<http://www.pacode.com/secure/data/022/chapter15/chap15toc.html>

Section 504: Federal regulations:

<https://www.ed.gov/laws-and-policy/individuals-disabilities/section-504>

Chapter 16: State regulations for gifted students:

<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/022/chapter16/chap16toc.html>

Pennsylvania Department of Education (PDE):

<https://www.pa.gov/agencies/education.html>

Pennsylvania Training and Technical Assistance Network (PaTTAN):

<http://www.pattan.net/>

Annual Public Notice:

<https://www.wmasd.org/publicnotice.aspx>

Special Education Mission and Vision

Our vision is that all special education students will graduate with a variety of post-secondary options available so that they may become responsible, productive, and confident citizens.

Our mission is to provide a well-rounded education to all students with and without disabilities, so that they have what they need to pursue lifelong growth and success. This can only be done through the collaborative efforts of school staff, administration, and parents/families.

Glossary of Special Education Acronyms

504 – A Section of the Rehabilitation Act of 1973

ADHD - Attention Deficit Hyperactivity Disorder

AT--Assistive Technology

ED - Emotional Disability

ER--Initial Evaluation Report

ESY--Extended School Year

FAPE--Free Appropriate Public Education

FBA--Functional Behavior Assessment

FMSD - Fannett-Metal School District

ID--Intellectual Disability

IDEA--Individuals with Disabilities Education Act

IEE--Independent Educational Evaluation

IEP--Individualized Education Plan

LRE - Least Restrictive Environment

NORA - Notice of Recommended Assignment (for students with Gifted IEP's)

NOREP/PWR--Notice of Recommended Educational Placement/Prior Written Notice

PTE--Permission to Evaluate

PTR--Permission to Reevaluate

PBSP--Positive Behavior Support Plan

RR--Reevaluation

SLD – Specific Learning Disability

Confidentiality

In Special Education, privacy is important. As professionals, we have knowledge of various personal and educational facts regarding students and their families. Being part of a small community, it is of utmost importance to protect the privacy of those individuals and family units by never discussing student information, in particular Special Education student information, in public with anyone *nor in private with others who are not primarily involved with the issues*. This may include other FMSD teachers and/or staff.

Initial Evaluation Procedure

FMSD requests an evaluation:

1. A student can be referred for an ER following a pre-referral intervention (IST, SAP, Title I). The teacher will contact the Building Principal/Special Education Director to discuss an appropriate intervention and plan.
2. FMSD staff must consult with the Special Education Director before suggesting an ER to a parent.
3. The Special Education Director will contact the parents to discuss the Permission to Evaluate and set up a date for the evaluation.
4. The Special Education Director will issue a PTE form with a Procedural Safeguard Notice.
 - If FMSD does not receive the signed PTE back, a 2nd notice will be sent
 - Prior to sending a 3rd notice, the Special Education Director will contact the parent to again discuss the PTE and purpose. The 3rd notice will be sent. All communication dates will be documented.

5. When the PTE is received, the date it was received back will be documented on the form. A copy of the ER must be presented to the parent no later than 60 calendar days from the receipt date.

6. If the student is eligible for special education, an IEP meeting will be convened within 30 days of the ER date. If the student is not eligible for special education, the Special Education Director will issue a NOREP stating such.

Parent/Guardian requests and evaluation:

1. If a parent makes an oral request to any school professional or administrator, a PTE and Procedural Safeguards Notice must be issued by the Special Education Director within 10 calendar days.

2. If a parent makes a request in writing, a PTE and Procedural Safeguards Notice must be issued in a timely manner.

3. A parent may request an ER once per year.

- If FMSD does not receive the signed PTE back, a 2nd notice will be sent.
- Prior to sending a 3rd notice, the Special Education Director will contact the parent by phone to again discuss the PTE and purpose. The 3rd notice will be sent. All communication dates will be documented.

4. When the PTE is received, the date will be documented on the form. A copy of the ER must be presented to the parent no later than 60 calendar days from the receipt date.

5. If the student is eligible for special education, an IEP meeting will be convened within 30 days of the ER. If the student is not eligible for special education, the Special Education Director will issue a (NOREP) stating such.

Re-evaluation (RR) Procedures

RRs are required once every three years for all disability categories, except for individuals with an ID. Students with ID must be reevaluated every two years.

1. If the IEP team reviews existing data, determines that no additional data is needed, and the student still qualifies for special education, then the RR report can be completed and a copy will be sent to the parent. An IEP meeting will be held within 30 days of the RR report.

2. If the IEP team determines that additional data is needed to complete the RR, then the Special Education Director will issue a PTR and Procedural Safeguards Notice.

- If FMSD does not receive the signed PTR back, a 2nd notice will be sent.
- Prior to sending a 3rd notice, the Special Education Director will contact the parent by phone to again discuss the PTR and purpose. The 3rd notice will be sent. All communication dates will be documented.
- If parental consent cannot be obtained, FMSD may proceed to collect additional data without parent consent.

3. When the PTR is received, the date will be documented on the form. A copy of the RR must be presented to the parent no later than 60 calendar days from the PTR receipt date.

4. If the student continues to be eligible for special education, an IEP meeting will be convened within 30 days of the RR. If the student is no longer eligible for special education, the Special Education Director will issue a NOREP stating such.

Waiving an RR

If FMSD and the parent agree that a RR is not necessary, the Special Education Director will issue the Agreement to Waive Reevaluation form. FMSD must indicate on the form the reasons it has made this determination. The parent may agree to waive or proceed with the RR. If parental consent is obtained, then no RR report is written. The RR is then waived for three years from that date of the parent signature.

****Waiving an RR is not an option for an ID student**

Gifted Screening and Assessment

As per Chapter 16 evaluations, if a parent requests an evaluation for gifted support services, the school district must complete an evaluation or get a NORA signed indicating that an evaluation does not need to be completed. As indicated in the previous evaluation procedures, if a parent makes an oral or written request, they should be given the appropriate forms to complete: Gifted Permission to Evaluate and the SIGS Home Rating Scale form. If parents make general inquiries about gifted support services, the gifted support teacher should reach out to the parent and explain the process.

If a student's teacher believes that a student should be referred for a gifted evaluation, the teacher should follow the below GIEP Program Eligibility Procedures (see Appendix B).

As per Chapter 16 regulations, parents may request one gifted evaluation per school year. Parents may also request that an independent evaluation be considered, but may not seek a publicly funded independent evaluation per Chapter 16 regulations.

The goal of Fannett-Metal School District is to locate and identify all students of school age who reside within the district who are thought to be gifted and in need of specially

designed instruction. The Annual Notice (Appendix A) discusses services for school age students with disabilities or mental giftedness.

Gifted Written Report Procedures

The school psychologist generates a GIEP Initial Referral. A copy is sent to the parents. For eligible students, the gifted support teacher arranges the GIEP meeting and sends the invitation to the parents. The gifted support teacher is responsible for writing the GIEP and requesting the NORA from the Director of Special Education at least 5 school days prior to the meeting. The Director of Special Education is responsible for generating the NORA. For the students who qualify for services, in order to begin to receive initial provisions of services, a signed NORA must be returned.

Independent Educational Evaluations Procedures (IEE's)

According to IDEA, the parents of a child with a disability have the right to obtain an IEE for their child. An independent evaluation means an evaluation conducted by a qualified examiner who is not employed by FMSD.

After reviewing the ER or RR conducted by the school psychologist, the parent may disagree with the findings by completing a written request for an evaluation at district expense. All requests for an IEE will be submitted to the Special Education Director, who will then discuss the request with the Superintendent. The Special Education Director will be responsible for responding to the request, in writing, within 10 days.

If the IEE request is approved by the LEA, the Special Education Director will send the parent a letter outlining the procedures for an independent evaluation and a list of IEE evaluators. The parent is responsible for arranging the evaluation and contacting the Special Educator Director for payment. *FMSD will not pay for the evaluation until the report is received directly from the evaluator.*

If FMUSD denies the IEE request, the parent will be notified by the Special Education Director in writing via NOREP/PWN that the evaluation was denied and the reasons for denying the request.

If parents obtain an IEE at private expense, it must be shared with FMUSD. The results of the private evaluation shall be considered by FMUSD in any decision made with respect to the provision of a free appropriate public education to the child.

If an IEE is conducted at FMUSD's expense, the criteria under which the evaluation is obtained, including the location of the valuation and the qualifications of the examiner, must be the same as the criteria which the FMUSD school psychologist contractor uses when he/she conducts an evaluation. A parent is only entitled to one IEE at public expense per ER/RR conducted by FMUSD.

IEP/GIEP Procedures: Invitations

For initial IEPs/GIEPs (students newly identified as disabled or gifted), after the Director of Special Education assigns the student to a roster, the special education or gifted support teacher drafts the initial IEP/GIEP after receiving notification of the completion of the evaluation. The evaluation report can be obtained on IEP Writer.

For annual IEP's, the FIRST BOX on the Invitation is checked ("Develop an IEP, if your child is eligible, or continues to be eligible, for special education and related services."). If the meeting is to review an RR and do an annual IEP, then the FIRST AND FIFTH BOXES are checked and by "Other," FMUSD should write, "Review the need for additional evaluation data." If the meeting is to review the current IEP and make revisions, then the SECOND BOX is checked ("Discuss possible changes in your child's current IEP and revise it as needed").

The THIRD AND FOURTH boxes, “Transition Planning” and “Transition Services,” must be checked for all students ages 14 and up within the IEP year.

One copy is sent to the parents. Three attempts to secure parental participation are required to be documented. The attempts may include the first phone call to schedule the meeting, the sent invitation, email or phone reminders (“confirmation calls”), and a contact via telephone the day of the meeting if the parent does not arrive on time or at all. The attempts should be documented in the IEP by the IEP Case Manager. If parent does not come to the meeting, participate via phone, or remotely:

- Hold the meeting with teachers/agencies/providers
- Finalize the first invite.
- Send documents home and document that in the IEP.
- Call parents to set up another time for a meeting and document in IEP.
- Create another invite and mail it home. Document in IEP.
- Attempt to hold the meeting with the parent/guardian.

If parent does not come to the meeting or participate via phone:

- Follow steps above: Document in IEP.

If parent wishes not to participate in IEP meeting:

- Document in IEP
- Hold IEP meeting
- Send home all documents to be signed
- Give all originals with checklist to the Director of Special Education.

IEP/GIEP Procedures:

The special education/gifted support teacher who is the case manager for the student drafts the IEP. At the IEP/GIEP meeting, the special education/gifted support teacher generally facilitates the meeting. The required team members that must attend the meeting include the LEA (an Administrator, most likely the Director of Special Education), a special education teacher, and a regular education teacher. The parent/guardian and any student 14 years or older must be invited. An agency representative should be involved in the meeting if the student is involved with any agency such as: School Based Behavioral Health Team, Mental Health Providers, Department of Human Services Liaison, OVR, ODS, Community Options etc.

Procedural Safeguards/IEP Procedures

Parents of special education students should be given a copy of the Procedural Safeguards Notice at the Annual IEP meeting if they have not previously been given a copy during the current school year (unless changes were made mid-year). The special education teacher must document on the Procedural Safeguards parent signature page of the IEP when the parent was issued a copy if the parent does not attend the meeting. Parents of gifted students must be given a copy of the Parental Rights at every GIEP meeting.

IEP Procedures: Transition

Transition planning is required by IDEA and Chapter 14. Research shows that a large number of students receiving special education services do not pursue education or training beyond high school, and when compared to the general population, are not as successful as adults in the work place.

Transition planning and programming helps to close these gaps. In PA, transition planning **MUST** be addressed in the IEP of any student that turns 14 years or older. These services **MUST** include early planning for post-secondary education, employment and

independent living. All transition planning has to begin with assessments. These usually include formal assessments (standardized, daily living skills, behavior, aptitude etc.). They also include interest inventories, employability tests, and self-determination assessments as well as informal assessments such as interviews, questionnaires and observations. Based on the student's post-secondary goals, the IEP is written to develop the transition services, activities, goals and needs. A minimum of one service and one activity must be developed for the student during each IEP cycle in the areas of postsecondary education and training, employment, and independent living. The service and activity must differ from year to year. Federal Law (IDEA) requires that community agency representatives be invited to participate in the IEP meeting and to provide programming for transition services prior to and after graduation.

FMSD will link students and parents to local agencies. These agencies can be (but not limited to): Early Reach, Office of Vocational Rehabilitation, and Office of Developmental Supports (ODS), etc. Agencies can provide support by providing job coaches, providing funding, completing community-based assessments, linking students with community-based employment and/or meeting with classes, parents and students on a regular basis.

Here are two links for two PA agencies:

Office of Vocational Rehabilitation:

<https://www.dli.pa.gov/Individuals/DisabilityServices/ovr/Pages/default.aspx>

Department of Human Services:

<https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/IntellectualDisabilities-Services.aspx>

IEP Procedures: Extended School Year

ESY services are special education and related services that are provided to students with disabilities beyond the 180-day school year. In accordance with the IDEA, school districts must provide ESY services to students who need it to ensure FAPE.

1. The IEP team will discuss ESY each year for every student with a disability.
2. The IEP team will review data that has been collected from the current school year. Data may include, but is not limited to: progress reports, parent input, teacher observations, agency reports, results of various assessments, progress monitoring.
3. The IEP team will then consider the following seven factors to make an ESY determination:
 - a. Regression--reverts to a lower level of functioning
 - b. Recoupment--trouble recovering skills
 - c. Regression and recoupment--reverts to a lower level of functioning and trouble recovering skills
 - d. Mastery--extent to which an important skill was consolidated
 - e. Self-sufficiency and independence--skill is crucial for independence from caretakers
 - f. Successive interruptions--extent student withdraws from learning process
 - g. Severity of disability--student is a member of the Armstrong Group
4. Students must have an IEP ESY decision by Feb 28th of each school year.
5. If ESY is needed for FAPE, the Special Education Director will issue a NOREP by March 31st of each school year.

IEP Procedures: LRE Section

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 the school district 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

Specially Designed Instruction/IEP at-a-glance

The special education teacher/case manager/gifted support teacher is responsible for disseminating the IEP At A Glance, which includes Specially Designed Instruction (SDI) pages/copies to all teachers for each student every school year, as well as making general education teachers aware of the contents of the student's IEP, strengths, and needs. The IEP At A Glance should be copied for every teacher the student has. Additionally,

Special education teachers/case managers are also responsible for making general education teachers aware of any changes made in an IEP throughout the school year and updating teachers on upcoming special rotations.

NOREP/NORA Procedures

NOREP's are issued for changes in service, when a student is not eligible for special education, or when a student exits special education. There are other circumstances that require a NOREP as well, such as a 45-day placement, denial of an IEE, a student's graduation, and ESY. NOREP's should be issued at annual IEP meetings when the services change from year to year.

NORA's are issued for all students in gifted education for initial services, changes in services (including year to year), non-eligible students, or exiting gifted support services. If a student receives both special education and gifted education, only a NOREP is issued and no NORA is issued. In the event that a student is enrolled in the district with an existing IEP, the Special Ed Director will issue a NOREP for the anticipated start date. This ensures that the respective school will adopt the IEP until the 30-day review meeting and/or completion of the ER/RR to determine continued eligibility.

Parents should be offered ten days to review the services outlined in the IEP and NOREP before signing and returning the NOREP. If the parent signs the NOREP at the meeting, the LEA representative should date and initial in the Date of Receipt box on the front page of the NOREP. If the parent chooses to take ten days, the IEP case manager is responsible for ensuring that it is returned by the tenth day. If needed, subsequent mailings of the NOREP to the parent can be sent by the Special Ed. Director, but the IEP case manager must notify the Special Ed. Director that this is needed. If the parent does not return or respond to the NOREP, a copy should be issued every ten days, totaling three issuances with the third sent via certified mail. If there is no response to the

NOREP, the box on the front should be checked indicating that the parent did not return the NOREP.

Outside Placements

Students with IEP's who are placed outside the school district are still considered students of their respective buildings. When a student is placed outside the district, a cumulative file is still maintained at the District, and should follow the student as the student progresses in grade and building. If the student is placed outside the district in kindergarten, the Special Ed. Director creates a cumulative file to maintain all original copies of special education records.

All efforts to involve FMSD students who are in outside placements should be made on a continuous basis and at IEP meetings. Involvement may include participation in certain courses, sports, clubs, or other school activities. The building principal and/or school counselor for the student are highly encouraged to attend all outside placement meetings with the Special Ed. Director

Functional Behavioral Assessment and Positive Behavior Support Plan Procedures

All Functional Behavioral Assessments (FBA) should be completed in accordance with the Pennsylvania Department of Education's Bureau of Special Education procedures and Chapter 14 regulations. The following procedures should be used as guidance for school teams and personnel regarding the process of completing an FBA within the district's buildings. FBA's should be completed any time school teams or personnel need to determine if a student's behavior is impacting his/her learning or that of others, and that the student may need a Positive Behavior Support Plan (PBSP). A PBSP cannot be created without first completing an FBA. In addition, an FBA should be completed in order to determine if the function of behavior has remained the same.

An informal FBA consists of a review of existing data/records, an informal classroom observation, and may include a problem-solving meeting with school staff and parents. No Permission to Evaluate Consent Form or Permission to Reevaluate Consent Form is required for an informal FBA. The process for informal FBA's will be implemented and tracked through general education if the student does not receive special education services.

A formal FBA may consist of checklists, rating scales, teacher and parent input or interviews, and structured classroom observations. The state form, FBA Process, is available at this link:

<https://www.pattan.net/assets/PaTTAN/14/14bfl395-09f3-4c61-a035-b21e204e9454.pdf>

A Permission to Evaluate Consent Form for special education (for students who are not receiving special education services) or Permission to Reevaluate Consent Form for special education (for students who currently receive special education services) must be issued for a formal FBA process.

Manifestation Determination

The manifestation determination process is required when considering the exclusion of a student with a disability that constitutes a disciplinary change of placement. If it is deemed necessary that a manifestation determination should be completed, the IEP case manager, the Director of Special Ed., and potentially a school psychologist facilitate the process. The IEP case manager comes to the meeting with a draft of the manifestation. The Manifestation Determination information sheet and worksheet are available and the worksheet may also be completed within IEP Writer.

Students Transferring Districts

For students transferring districts within Pennsylvania, FMSD must provide services comparable to those described in the current IEP.

1. The Special Ed. Director will review incoming transfer records to determine if the IEP can be implemented within the district or an outside placement. This may occur no later than five business days of application to the district. U
 - FMSD shall take steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education and related services to the child.
 - If the records cannot be provided, the Special Education Director will ask the parent questions regarding the type of program and the amount of services their child may have received. Comparable services will be provided until the completion of an ER.
2. If the transfer student's IEP is current and can be implemented, the IEP will be adopted by FMSD.
3. If the transfer student's IEP cannot be implemented, FMSD will create and implement a new IEP.

For students transferring from districts in another state, IDEA requires that FMSD must provide services comparable to those described in the current IEP until an ER is completed.

1. The Special Ed. Director will review incoming transfer records to determine if the IEP can be implemented within the district or an outside placement. This may occur no later than five business days of application to the district.
 - FMSD shall take steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education and related services to the child.

- If the records cannot be provided, the Special Ed. Director will ask the parent questions regarding the type of program and the amount of services their child may have received. Comparable services will be provided until the completion of an initial evaluation.
- 2. The Special Ed. Director will issue a PTE form to the parents in order to conduct an ER to determine eligibility for special education and services in Pennsylvania. Once the PTE is signed and returned, the district has 60 days to complete the ER.
- 3. The ER report will be provided to the parents and a new IEP will be created within 30 days of the ER report

Health Information

Information regarding immunization requirements, student Physical Exam forms, Medication Policies, Medication Administration Consent by our school nurse, and Dental Forms can be found on our webpage under the Student Services tab at the following link:
<https://fmtigers.org/student-services/health-services/>

School health services are provided on-campus through one full-time and one part-time nurse. In addition to routine issues such as vision, hearing, and weight screenings, our school nurses help students with chronic medical conditions function and thrive within the educational setting. Medication administration, glucose monitoring, consultation with physicians, and development of medically related health plans are typically managed throughout the school day by our nurses.

Our current school nurses are:

Teresa Barnish - 717-349-3052 (Secondary Nurse)

Laura Jones - 717-349-3008 (Elementary Nurse)

Homeless Resources

Information regarding families facing homelessness can be found on the district website at <https://fmtigers.org/student-services/homeless-resources/>

If you have questions, please connect with FMSD district homeless liaison, Coral McMath at 717-349-3006.

You may also connect with staff from the Lincoln Intermediate Unit to discuss questions you may have if you are experiencing homelessness:

Elizabeth Fortuner, Outreach and Marketing Specialist

(717) 809-4589

edfortuner@iu12.org

Missy Gosnell, Program Liaison

Office (717) 718-5944

magosnell@iu12.org

Sonia Pitzi, Regional Coordinator

Office (717) 718-5924

Mobile (717) 253-4862

slpitz@iu12.org

Reporting Child Abuse

If you know, or suspect, that a child is being abused or neglected call:

Childline Child Abuse Hotline: 1-800-932-0313

Franklin County Children and Youth: 717-263-1900

504/Chapter 15 Service Agreements

A. Introduction

In accordance with Chapter 15 of the Regulations of the Pennsylvania State Board of Education, as well as Section 504 of the Americans with Disabilities Act, FMSD shall provide each “protected handicapped pupil” (hereafter referred to as “student with a disability”) enrolled in the district, without cost to the student or family, those related aids, services or accommodations which are needed to afford the student equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities without discrimination and to the maximum extent appropriate to the student’s abilities.

When the district and parents agree that a student is eligible for identification, a written service agreement shall be executed. Specific procedures for development of the service agreement are not mandated. Personal meetings are recommended and written parental consent of the service agreement is required.

If the parents and district cannot agree as to the student’s eligibility or the related aids, services and accommodations that should or should no longer be provided to the student, either party may use the procedural safeguard system to resolve the dispute. Procedural safeguards include the parents’ right to an informal conference with school personnel, request for resolution by the Pennsylvania Department of Education, and a formal due process hearing conducted through the Right to Education Office. The district shall notify parents, in writing, of their rights in this regard. Such notice is contained in the Notice of Procedural Safeguards for Chapter 15/Section 504.

B. Definition

In order to qualify as a student with a disability under Chapter 15/Section 504, a student must:

1. Be of an age at which public education is offered in the district
2. Have a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the student's school program; and
3. Not be eligible as defined by Chapter 14 or be eligible, but raise a claim of discrimination, under Section 15.10.

C. Annual Notice

In accord with Chapter 15 requirements, FMSD provides annual notice to parents of enrolled students that it does not discriminate against students with disabilities through the Annual Public Notice and the district website.

Teachers shall be directed to the Special Ed. Director when they suspect or a parent informs them that a student may be eligible for identification under Chapter 15/Section 504.

D. Determination of Eligibility

Identification of a child as a student with a disability should always be considered when an expenditure of funds will be necessary to provide the aids, services or accommodations required for a student or when the parent makes a specific request for services under Chapter 15 regulations. Such procedures should not be used for the routine general education classroom accommodations that are frequently made to accommodate individual student needs. Students who are receiving special education services Page | 40 under Chapter 14 regulations are also protected under Chapter 15, but no separate documentation is made and all Chapter 14 procedures and paperwork supersede Chapter 15.

A child is identified as a student with a disability under Chapter 15/Section 504 using the following procedures:

1. The parent or school staff indicate verbally or in writing that the student may be eligible under Chapter 15/Section 504. Eligibility may also be documented through a Chapter 14 evaluation for special education, or if the parent supplies an evaluation from outside the school district indicating possible eligibility under Chapter 15/Section 504.
2. The parent is issued the Notice of Intent to Initiate or Modify Service Agreement, along with a Parent Input Form and Procedural Safeguards for Chapter 15/Section 504.
3. After the Notice and Parent Input Form are received, school staff initiate the Chapter 15/Section 504 evaluation process. The student's teacher(s) complete the Teacher Input Form.
4. The student's eligibility or non-eligibility is documented through the Evaluation Summary form, which is completed by the school psychologist, applicable school personnel and the parents.
5. If the student is eligible under Chapter 15/Section 504, a Service Agreement is drafted by the team.
6. The Notice of Eligibility/Non-Eligibility indicating that the student is eligible or not eligible is issued to the parents with the Procedural Safeguards.

If the evaluation is for initial identification and annual review, the school psychologist issues and facilitates all paperwork.

The Invitation to Participate in a Chapter 15/Section 504 Team Meeting should be utilized for all meetings, whether they are for initial or annual meetings.

E. Evaluation

The scope and specific activities of an evaluation to determine a student's eligibility for a 504 plan, as a student with a disability, will be planned on an individual basis by a school psychologist. Parent and teacher input should be gathered using the Parent Input Form and Teacher Input Form. If an evaluation for Chapter 14 has been completed, the team may utilize the information in the Evaluation or Reevaluation Report to facilitate the evaluation process. The team must utilize the Evaluation Summary Form to facilitate the evaluation process.

F. Reevaluation

As required under Chapter 15, students with a Service Agreement must be reevaluated "periodically." Periodic reevaluations shall occur approximately every three years by or around the anniversary date of the initial evaluation for Chapter 15 services.

Reevaluations should also be conducted when there is a significant change in accommodations/aids/services, including a change in the frequency or duration, and any time when the team deems appropriate or the parent requests a reevaluation. A school psychologist will review the reevaluation with the team.

G. Service Provision

When a student is identified as a student with a disability, the aids, services or accommodations to be provided by the district are described in a written Service Agreement that is executed by the team. The agreement shall specify:

1. The specific related aids, services or accommodations the student shall receive;
2. The date the services shall begin and when they should be reviewed/discontinued;
3. When appropriate, any special disciplinary procedures which should be followed;
and
4. When appropriate, the procedures to be followed in the event of a medical emergency.

H. Students with Temporary Health Conditions including Traumatic Brain Injury (TBI)

Students with temporary health conditions, such as broken bones, may be evaluated for 504/Chapter 15 eligibility if a parent requests evaluation or if school personnel feel that an evaluation would be appropriate. Students with TBI, including concussions, may be evaluated for eligibility after their symptoms persist for a period of six or more months, as recommended by district personnel, or at any time the parent makes a request for a Service Agreement.

I. Students Transferring into District with an Existing Service Agreement

If a student with an existing Service Agreement transfers into FMUSD, the district will review the plan and any other applicable records and information, determine if the plan is appropriate, and implement the plan if it is deemed appropriate. If the district determines the plan is not appropriate, the district will reevaluate the student under Chapter 15/Section 504 to determine eligibility and need.

J. Annual Updates and/or Modifications to Service Agreement

Modification of the Service Agreement requires notice to parents of the district's intent to modify the agreement, on the Notice of Intent to initiate or Modify Service Agreement form. Following parent consent, school personnel shall execute the modified service agreement in cooperation with the parent, using Chapter 15/Section 504 Service Agreement and indicating that this is a modified (not initial) Service Agreement.

If parents wish to modify the Service Agreement, the request shall be made, in writing, to the Special Ed. Director and shall specify the modifications desired in the current service

agreement. Within 25 school days, school personnel shall communicate with the parent to execute a modified Service Agreement.

If school personnel and parents agree, the Service Agreement may be updated annually with no changes if no changes are needed.

K. Termination of Service Agreement

If the school wishes to terminate the Service Agreement, the Special Ed. Director must issue the Notice of Eligibility/Non-Eligibility form indicating non-eligibility.

If the parent requests to terminate the Service Agreement, the request shall be made to the Special Ed. Director and shall specify the reasons for the parent's request to terminate the agreement. Within 25 school days, the Special Ed. Director shall communicate with parents and send the Notice of Eligibility/NonEligibility form.

L. Confidentiality of Student Information and Records

FMSD shall provide for the confidentiality of information regarding students with disabilities in accordance with the provisions of Chapters 12 and 14 of the Regulations of the State Board of Education and Section 513(a) of the Family Education Rights and Privacy Act of 1974. All copies of the district notices and correspondence, parent correspondence and service agreements related to Chapter 15 shall be maintained in a confidential file at FMSD..

N. Examples of Aids, Services and Accommodations

Aids, services, and accommodations under Chapter 15/Section 504 include reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless it can be demonstrated that

making the modification would fundamentally alter the nature of the service, program, or activity. Related services may include supportive services that ensure the student receives a free and appropriate public education and protection from discrimination.

Appendix A

Annual Notice of Special Education Services

Annual Public Notice of Special Education Services and Programs, Services for Gifted Students, and Services for Protected Handicapped Students

Overview

State and federal special education regulations require each school district to provide annual notice to parents/guardians of children who reside within a school district regarding the school district's identification and screening, and evaluation activities including the location and time of the activities, by publishing an annual public notice to parents, in newspapers or by other accessible media. This notice shall inform parents throughout the school district of the child identification activities and the procedures followed to ensure confidentiality of information pertaining to students with disabilities or eligible young children.

The Fannett-Metal School District (“the District”) is required to provide a free appropriate public education (FAPE) to children with disabilities who are determined, through the evaluation process, to need special education and related services under Individuals with Disabilities Education Act (IDEA) and 22 Pa. School Code §14. A school age child with a disability, who is determined to be in need of special education and related services, is identified as a child with a disability eligible for special education in need of specially designed instruction. The following are the disability categories as determined under IDEA:

- Autism
- Deafness
- Deaf/Blindness
- Emotional Disturbance
- Traumatic Brain Injury Hearing Impairment
- Specific Learning Disability
- Intellectual Disability
- Multiple Disabilities
- Other Health Impairment
- Speech and Language Impairment
- Orthopedic Impairment
- Visual Impairment including Blindness

Early Intervention

Children age three through the age of admission to first grade are eligible if they have developmental delays and, as a result, need Special Education and related services.

Developmental delay is defined as a child who is less than the age of beginners and at least 3 years of age and is considered to have a developmental delay when one of the following exists:

(i) The child's score, on a developmental assessment device, on an assessment instrument which yields a score in months, indicates that the child is delayed by 25% of the child's chronological age in one or more developmental areas. (ii) The child is delayed in one or more of the developmental areas, as documented by test performance of 1.5 standard deviations below the mean on standardized tests. Developmental areas include cognitive, communicative, physical, social/emotional and self-help. If you have additional questions and need additional information regarding Early Intervention Services you may contact Lincoln Intermediate Unit #12 at the LIU 12 Early Intervention Referral Line (717) 624-6491.

Evaluation Process

"Evaluation" is the procedure used to determine whether a child has a disability and if the child's disability is of the nature and extent that the child would be eligible for Special Education and related services. Evaluation procedures are determined on an individual basis by a Multi-disciplinary Evaluation (MDE) team, which includes the parents. Evaluation for the purpose of determining if a child is a child with a disability eligible for Special Education does not include the procedures or basic tests that are administered to all children.

Parents who believe their child is a child with a disability may request, at any time, that the District conduct an evaluation to determine if the child is eligible to receive Special Education and related services. This request must be made in writing to the Director of Special Education. If a parent makes an oral request for an evaluation, the District shall provide the parent with a form for that purpose within 10 days of the oral request.

Consent

School entities cannot proceed with an evaluation, or with the initial provision of Special Education and related services, without the written consent of the parents. For additional information related to consent, please refer the Procedural Safeguards Notice which can be found at the PaTTAN website, www.Pattan.net or on the District website. Once written parental consent is obtained, the District will proceed with the evaluation process.

Program Development

Once the evaluation process is completed, a team of qualified professionals and parents determine whether the child is eligible. If the child is eligible, the individualized education program (IEP) team meets, develops the program, and determines the educational placement. Once the IEP team develops the program and determines the educational placement, the District will issue a notice of recommended educational placement/prior written notice (NOREP/PWN). Your written consent is required before initial services can be provided. The parent has the right to revoke consent after initial placement.

Gifted Education

Parents who suspect that their child is in need of specially designed instruction beyond that required in 22 Pa. School Code §4 (relating to academic standards and assessments) may request in writing that their child be evaluated under the criteria for Gifted Education Services in accordance with 22 Pa. School Code §16.22. If a student is both Gifted and eligible for Special Education, the procedures in IDEA and Chapter 14 shall take precedence. For additional information, please contact the Director of Special Education and Student Services at 717-349-3087.

Protected Handicapped Students

In compliance with state and federal law, including Section 504 of the Rehabilitation Act of 1973 (504) and 22 PA School Code Chapter 15, the District will provide to each protected handicapped student, without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities. In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability that substantially limits a major life activity or prohibits participation in or access to an aspect of the school program. These services and protections for “protected handicapped students” are distinct from those applicable to all eligible or exceptional students with disabilities enrolled in Special Education programs.

For additional information related to Section 504/Chapter 15 services, the parent may refer to Section 504, Chapter 15, and the Basic Education Circular entitled Implementation of Chapter 15. Parents may also contact the Director of Special Education and Student Services at 717-349-3087 to request further information on the rights of parents and children, provision of services, evaluation and screening (including purpose, time and location), and due process procedures.

Confidentiality of Personally Identifiable Student Information

The District and to some extent the other services providers may maintain records concerning children enrolled in the District, including students with disabilities. Records are maintained as long as they are educationally relevant. All records are maintained confidentiality and subject to the requirements of the Family Educational Rights and Privacy Act (FERPA). Your consent, or consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable student information is released, except as permitted under applicable law. The age of majority in Pennsylvania is 18.

When educational records, other than those which must be maintained under applicable law, are no longer educationally relevant, the District must notify parents in writing, and may destroy the records, or at the request of a parent/guardian, must destroy the records. For additional information related to student records, please refer to FERPA.

This notice is only a summary of the Special Education services, evaluation and screening activities, and rights and protections pertaining to children with disabilities, children thought to be disabled, and their parents. For more information or to request evaluation or screening of a public or private school child, contact the responsible school entity listed below. For preschool age children, information may be obtained and screenings and evaluations may be requested by contacting the Intermediate Unit.

James Hogue
Director of Special Education and Student Services
14823 Path Valley Road
Willow Hill, PA 17271
717-349-3087
hoguej@fmtigers.org

Appendix B

GIEP Program Eligibility

In the Fannett-Metal School District, efforts are being made to help identify gifted and talented students, and to provide enrichment activities and acceleration activities in appropriate areas. Student eligibility will be determined using multiple areas as listed below during each K-2 grade-level. All students will be assessed using these multiple areas of determination near the end of their 2nd grade year to determine if potential for a GIEP may be beneficial for a particular student. Students recommended for such at their 2nd grade year will be evaluated using a Gifted and Talented formalized evaluation. From there, and based on the other factored areas involved, a GIEP may or may not be created at the end of their second grade year, to start in their third grade year.

Grades K-1

- Teachers will provide accelerated materials as needed to students who appear to move through content quickly and gain skills quickly.

Grade 2 - Teachers will continue to provide accelerated instruction as necessary through the grade levels. In the second grade, though, the following will be completed in the Spring of the second grade year by teachers, parents and staff regarding students they believe show higher than usual growth and learning patterns.

- SIGS School Rating Scale
- SIGS Home Rating Scale
- Teacher recommendation letter - 1 current teacher and 1 previous teacher
- Student writing sample
- Report Cards for the student
- Classroom data-points (ie Acadience, etc.)

The GIEP team at the school will review these areas of determination and, if they reveal that a student may benefit from a GIEP, the student will then be tested, utilizing a Gifted and Talented battery of testing (ie. the SAGES 3 evaluation).

If a GIEP is created, the student will be pulled during the week for accelerated instruction, project opportunities, etc.

If after the second grade year, a student begins to express signs of accelerated learning and skill level, this same process will be followed for that student at his or her grade level.

