

**West Mifflin Area School District
Office of Special Education
91 Commonwealth Avenue
West Mifflin, PA 15122
(412) 466-9131**

SPECIAL EDUCATION Handbook

West Mifflin Area School District

Special Education Department

Noelle Haney
Director of Pupil Services

Dayna Sikora
Director of Special Education

Rachel Flinner
School Psychologist

Karen Sabo
Special Education Administrative
Assistant

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TABLE OF CONTENTS

3	Welcome/Quick References	24	IEP Writing Day
4	Multidisciplinary Evaluation/Reevaluation for Special Education and Gifted Procedures	25	Procedure/NOREP/NORA Procedures Requesting NOREP/NORA
5	Evaluation Consent Form (Initial, Reevaluation) or Gifted PTE Procedures	25	Percentage Calculation for IEP and NOREP Development
6	Evaluation/Reevaluation Report (ER/RR) for Special Education Procedures	27	Pennsylvania Medical Assistance (MA) Procedures
7	Gifted Screening and Assessment	27	Early Intervention Procedures
8	Gifted Written Report Procedures	28	Early Entrance to Kindergarten and First Grade Procedures
9	Gifted Evaluation Process Chart	28	New (to District) Special Education Students
10	Reevaluation Procedures	29	Outside Placement Students
11	Reevaluation Process Flowchart	29	Homebound Special Education Students
12	Reevaluation Waivers	30	Shredding/Confidentiality of Records
13	Reevaluation Report Writing Procedures	30	Exiting Students from Related Services & Special Education
14	Independent Educational Evaluations Procedures (IEE's)	30	WMASD and Non-District Mental Health Services: A Comparison Chart
16	IEP/GIEP Procedures: Invitations	32	Positive Behavior Support Procedure
17	IEP/GIEP Procedures: Meetings/IEP Procedures: Procedural Safeguards/IEP Procedures:	37	Functional Behavioral Assessment and Positive Behavior Support Plan Procedures
18	IEP Goals and Educational Benefit Review	38	Manifestation Determination
18	Progress Monitoring	38	Related Service Referrals
18	IEP Procedures: Transition	38	Assistive Technology Referrals
19	IEP Procedures: Extended School Year	39	504/Chapter 15 Service Agreements
21	IEP Procedures: LRE Section	42	SLP-AT Consultation Request
24	IEP/GIEP Procedures: Concluding the Meeting	43	SLP- as ACCESS Biller, Trainer, Coordinator
24	Specially Designed Instruction (SDI) Procedures/IEP At A Glance	44	SLP Early Intervention-Kdg. Transition

WELCOME

We hope that this manual will be a resource and guide for all procedures within the Special Education Department and the operation of special education services across the school district. This handbook outlines procedures and provides required and useful documents and forms. The Special Education Department can provide additional clarification or assistance.

This manual has been developed as only a guide for the West Mifflin Area School District and not intended to supersede any state guidelines or regulations.

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: <http://www2.ed.gov/about/offices/list/ocr/504faq.html>

Chapter 16: State regulations for gifted students:

www.pacode.com/secure/data/022/Chapter16/Chap16toc.html

Pennsylvania Department of Education (PDE):

http://www.education.state.pa.us/portal/server.pt/community/pennsylvania_department_of_education/7237

Pennsylvania Training and Technical Assistance Network (PaTTAN): <http://www.pattan.net/>

Annual Public Notice: <https://www.wmasd.org/publicnotice.aspx>

MULTIDISCIPLINARY EVALUATION/REEVALUATION FOR SPECIAL EDUCATION AND GIFTED PROCEDURES

All initial evaluations and reevaluations for special education and gifted support services which require a Consent Form must be specifically sent to the school psychologist.

If the request for an evaluation is a **verbal request** for evaluation/reevaluation for **special education from the guardian** to any school staff member, the school staff member must notify the SED immediately to issue the Permission to Evaluate – Consent Form (PTE-CF) or Permission to Reevaluate – Consent Form (PTR-CF) to the parent within 10 days of the receipt of the request, which is generated in IEP Writer along with a referral packet, which may contain any of the following: the Parent Input Form, parent rating scales, a speech Parent Input Form, and the Procedural Safeguards Letter and Notice. The SED tracks the PTE-CF/PTR-CF for follow-up. Consent Forms sent and received are tracked in IEP Writer by the school psychologist.

If the request is a **verbal request** for evaluation for **gifted** from the parent to any school staff member, the school staff member must notify the SED the day the parent makes a verbal request.

If the request is a **written request** for evaluation/reevaluation for **special education or gifted from the guardian**, the teacher dates and initials the original request and sends the original request the day it is received to the SED and emails the school psychologist to inform them of the impending request for an evaluation. The SED issues the Permission to Evaluate or Reevaluate Consent Form or Gifted Permission to Evaluate to parents along with the Parent Input Form. An email from the parent is considered a written request and should be forwarded to the school psychologist the same day that it is received.

If the request for evaluation or reevaluation for **special education or gifted is initiated by school personnel**, the school team will hold a meeting with the school psychologist and other applicable staff to review data. Meetings and progress monitoring should be ongoing and occurring before this point if the referral is from the school through the Student Assistance Program (SAP). The school psychologist will complete a Permission to Evaluate Consent Form or Permission to Reevaluate Consent Form (Special Education) or inform the SED secretary for a Gifted Permission to Evaluate Form shortly after the meeting. The SED secretary issues the Gifted permission.

Second and third notices of the Consent Form, are sent within ten school days of each other if the first or second Consent Form is not received from the parent. These are created in IEP Writer. The third copy is sent via certified mail after the psychologist/SED secretary calls the parent. Ten school days after the third attempt, a letter to parents documenting the attempts to secure consent and dates they were sent, along with a statement that because they have not responded, an evaluation cannot be completed, is sent. A copy of the letter and Consent Form are sent to the school for the student's file and the original letter and Consent Form are filed in the SED.

The *receipt* of the Permission to Evaluate or Permission to Reevaluate Consent Form triggers the following by the school psychologist:

- The date received is written or stamped in the box on the front of the form.
- The SEC secretary emails relevant school personnel regarding the receipt of the Consent and the "due date" of the evaluation or reevaluation.
- The PTE-CF/PTR-CF receipt date is entered into IEP Writer.
- The student's information is added to the pending evaluations section of the Assessment Log.

- The SED secretary checks the “Pending Consents” files and the “Inactive” files to determine if a file already exists for the student. If a file exists in the “Inactive” files, it is to be pulled and placed in the “Pending Consents” drawer. If no file exists, one should be started with a label including the student’s name (Last, First) and the student’s date of birth on a removable label on the tab. The file should then be placed into the “Pending Evaluations” section of the drawer.
- If applicable, a referral to speech/language therapists, occupational and/or physical therapy, or Allegheny Intermediate Unit for hearing, vision, or pupil personnel departments, is emailed or faxed to the appropriate department.
- The school psychologist gathers and attaches applicable rating scales. This packet is then given to the secretary to trigger the referral packet being sent to the school.
 - The Data Collection File Checklist, when completed by the school psychologist, indicates which information should be sent to the school and also what the school should send back to the SED. In addition to the checklist, the packet *may* also include the following materials:
 - Teacher Input Form (Elementary)
 - Teacher Input Form (Secondary)
 - Rating scale(s)
 - Medical Input Form
 - Classroom Observation Form
 - The SED secretary should file a copy of the PTE-CF or PTR-CF in the pending PTE-CF or PTR-CF file. If the school packet is not received by the due date, contact should be made with the student’s teacher to obtain the completed packet.
 - Once the school referral packet is received, the SED secretary writes or stamps the date received on the PTE-CF or PTR-CF form. A copy of the Consent Form is given to the school psychologist along with the referral packet. The original Consent Form is filed in the student’s file in the “Pending Consents” drawer.
- If necessary, the SED secretary follows up with parents regarding the Parent Input Form and rating scale(s) if these materials were not received with the Permission. First, a phone call is made to verify if they were received. If they were not, then second and third copies are mailed to the parents. All contacts and mailings should be documented in IEP Writer under the Parent Call Log.

EVALUATION CONSENT FORM (INITIAL, REEVALUATION) OR GIFTED PTE PROCEDURES

The school psychologist and the SED secretary complete the Assessment Log via the U: Drive for all evaluations and reevaluations for special education and gifted. For Consent or Gifted Permission (parent request or school referral), the SED secretary completes the PTE-CF, PTR-CF or Gifted PTE in IEP Writer, prints a single-sided yellow paper copy (original), and makes two double-sided white paper copies. The original is mailed to the parent along with a white copy for the parent to keep for their files. The other white copy is filed in the pending PTE-CF/PTR-CF file. The parent is to return the original yellow copy.

The Procedural Safeguards Letter and Procedural Safeguards Notice for special education or gifted Notice of Parental Rights is completed and a copy of the completed front page is filed in the student’s SE file.

For **special education** evaluations or reevaluations, the following are sent:

1. Permission to Evaluate or Reevaluate Consent Form
2. Parent Input Form for Initial Evaluation or Parent Input Form for Reevaluation

3. Parent rating scales (if applicable)
4. Release of Confidential Information (if applicable; the SED secretary will make a copy for the file)
5. Procedural Safeguards

For **gifted** evaluations, send:

1. Gifted Permission to Evaluate
2. Parent Input Form (for gifted)
3. Parent Rights

A *stamped return envelope* addressed to the SED should be inserted with the above materials and wrapped around items one through four (special education) or one and two (gifted).

If Consent is not received within ten school days, a Second Notice is created in IEP Writer and mailed to the parent. After the second copy is sent, the SED secretary contacts the parent to confirm that they have received a copy, tell them a second copy was sent, and that an additional, third certified copy will be sent if the Consent Form is not received within ten school days of the second notice. A Third Notice is created in IEP Writer and is sent via certified mail. If the Third Notice is not received after another ten school days, a letter indicating that parents have not responded is sent to the parents documenting the dated attempts and that because they have not responded, an evaluation or reevaluation cannot be completed. A copy of this letter, along with copies of the dated Consent Forms, are sent to the school for the student's file. A copy of the letter is filed in the student's Pending Consent file with the copies of the attempts all having the "Letter Not Returned" box checked on them.

EVALUATION/REEVALUATION REPORT (ER/RR) FOR SPECIAL EDUCATION PROCEDURES

The school psychologist discusses the case with the Supervisor on an ongoing basis. If applicable, the school psychologist gives a draft ER/RR to Supervisor to review. After the draft is reviewed, it is finalized within IEP Writer. The school psychologist prints the ER/RR and gives it, stapled, to the SED secretary with the appropriate members listed.

Parent Mailing:

For students ***eligible for special education***, the SED secretary mails a copy of the signed ER/RR to the parents along with a copy of the signature page for the parent to sign and return.

For students ***not eligible or no longer eligible for special education***, the SED secretary mails a copy of the ER/RR and non-eligible NOREP to parents along with an additional copy of the signature page and a return envelope. The SED secretary follows up with subsequent second and third (certified) mailings of the ER/RR and additional copies of the report, signature page, and NOREP, every ten school days if the parent does not respond.

No response to the third copy within ten school days generates a letter, which is sent to parents. The letter indicates that since they have not responded, it is assumed they agree with general education and that the student will continue as thus. The letter is mailed along with a copy of the report signed by all staff and a copy of the NOREP with the front "Letter Not Returned" box checked and signed by the Superintendent or designee and three sent dates on the front.

To conclude the evaluation for *non-eligible* students, the parent must respond by returning the signature page and NOREP. The SED secretary makes two copies of the entire signed report with all signature pages from both the school and the parents within it. One copy is sent to the parents for their records, and the other copy is retained for the SED's student file. The student's file is then purged and either filed in the Active, Not Eligible or Non-Active files in the SED.

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, a Gifted Parent Input Form and the Gifted Rating Scales form. If parents make general inquiries about gifted support services, the gifted support teacher should reach out to the parent and explain the process. Even if the student is referred on for a full evaluation for gifted, it still is considered a parent request if the parent made the initial inquiry for a screening.

If a student's teacher believes that a student should be referred for a gifted evaluation, the teacher should refer the student to the E-SAP/SAP team. The E-SAP/SAP team will discuss the recommendation and current interventions, and to determine if an evaluation is appropriate. The classroom teacher, in conjunction with the gifted support teacher, should complete West Mifflin Area School District's Gifted Referral to bring to the E-SAP or SAP meeting. If the school team agrees that there is sufficient data to suggest that a full evaluation is necessary, the process for referral by school personnel should be followed.

In addition, the Gifted Leadership Team will meet quarterly to review data such as grades, test scores, and GPA as a screening for potential students with giftedness.

Upon completion of the individual evaluation, the school psychologist will work with the GMDE team to determine eligibility according to district. Teachers provided input through two input forms: West Mifflin Area School District Gifted Teacher Input Form and Gifted Rating Scales. A recommendation is made in the form of a Gifted Written Report regarding eligibility or non-eligibility. GIEP meetings are scheduled in accordance with IEP/GIEP meeting procedures. For students not recommended as eligible, parents will receive a phone call from the school psychologist. The school psychologist will explain the results of the test and if the parents choose, they will be offered a Gifted Multidisciplinary Evaluation (GMDE) team meeting by mailing an invitation with the GWR. If they do not wish to attend, a NORA (Notice of Recommended Assignment) is mailed to the parent. If they wish to attend a GMDE team meeting, the NORA is issued at the GMDE meeting by the LEA representative.

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 West Mifflin Area School District locates and identifies all students of school age who reside within the district who are thought to be gifted and in need of specially designed instruction. A letter explaining gifted services is sent home to every parent and given to each teacher. In addition, West Mifflin Area School District's Required Annual Notice discusses services for school age students with disabilities or mental giftedness. This Annual Notice is on the West Mifflin School District website, it is located in each building office, and it is provided to parents upon request.

The multiple criteria that indicates a student may be mentally gifted include:

- A year or more above grade achievement level in one or more subjects as measured by nationally normed and validated achievement tests.
- An observed or measured rate of acquisition/retention of new academic content or skills.
- Demonstrated achievement, performance or expertise in one or more academic areas as evidenced by excellence of products, portfolio, or research, as well as criterion-referenced team judgement.
- Early and measured use of high- level thinking skills (Guilford/Bloom's Taxonomy), academic creativity, leadership skills, intense academic interest areas, communication skills, foreign language aptitude or technology expertise.
- Documented, observed, validated or assessed evidence that intervening factors such as English as a second language, learning disability, physical impairment, emotional disability, gender or race bias, or socio/cultural deprivation, are masking gifted abilities.

The West Mifflin Area School District offers a variety of services for students with mental giftedness. Gifted education for each gifted student is based on the unique needs of the student, not solely on the student's classification. The gifted services enable them to participate in acceleration or enrichment programs, or both, as appropriate, and to receive services according to their intellectual and academic abilities and needs. The gifted support teacher collaborates with general education teachers to ensure that students are challenged in ways appropriate to their abilities while inside the regular classroom. Students are also offered pull-out (enrichment) classes along with the opportunity to participate in academic events offered in and around the city. This event allows students to not only collaborate with each other but to also compete in friendly events that focus on Math, Science, History, Technology and Creativity.

GIFTED WRITTEN REPORT PROCEDURES

The school psychologist generates a GWR from IEP Writer and gives it to the SED secretary. For eligible students, a copy is sent to the parents.

For *eligible* students, the gifted support teacher arranges the GMDE/GIEP meeting and mails the invitation to the parents. The gifted support teacher is responsible for writing the GIEP and requesting the NORA from the SED secretary at least 5 school days prior to the meeting. For *non-eligible* students, if the parent is interested in attending a meeting, the School Psychologist arranges the GMDE meeting in conjunction with the gifted support teacher and mails an invitation to the parents. The SED secretary is responsible for generating the NORA. If parents do not wish to attend a meeting, a copy of the non-eligible NORA is sent to the parents with a return envelope. For the students to begin to receive initial provisions of services, a signed NORA must be returned.

GIFTED EVALUATION PROCESS CHART

Child Find/Universal Screening: MTSS (PSSA, Keystones, GPA classroom data)

Teacher referral

Parent request

Gifted Support Teacher completes Gifted Screening Packet in conjunction with student's teacher; Team discussion at E-SAP/SAP; if school refers student for an evaluation:

Principal supplies request form to parent (verbal request) or accepts parent letter (written request including email)

Referral sent to Special Education Department

Special Education Department sends:
 Gifted Permission to Evaluate, Gifted Parent Input Form, & Parental Rights (& notifies gifted support teacher, general education teacher, and principal; also school counselor for secondary students)

Gifted Permission to Evaluate received
 (Special Education Department notifies gifted support teacher, general education teacher, and principal; also guidance counselor for secondary)
 - Gifted support teacher coordinates distribution of Gifted Referral Packet
 - Completed Gifted Referral Packet sent to Special Education Department/School Psychologist

Gifted Written Report completed by School Psychologist;
 - Gifted Written Report (GWR) sent to parents
 - School notified of eligibility

Eligible

Gifted Support Teacher schedules Gifted Individualized Education Plan (GIEP) meeting within 30 calendar days of date of GWR date
 Eligibility finalized at GIEP team meeting
 GIEP developed by team at meeting
 NORA issued at end of GIEP meeting

Not Eligible

Phone call from School Psychologist to parents
 GMDE meeting scheduled at request of parents and NORA issued at GMDE meeting
OR
 NORA issued via mail by Special Education Department if parents do not wish to attend meeting

REEVALUATION PROCEDURES

In accordance with IDEA and Chapter 14 regulations, reevaluations must be conducted every three years, with the exception of students who fall under the educational disability category of Intellectual Disability, or who are educated within Approved Private Schools. Reevaluations for students with a disability category of Intellectually Disabled must occur every two years. Other instances of reevaluations include the following:

- To change a student's level of services (such as from itinerant to supplemental)
- To change a student's disability category or remove a disability category
- To exit a student from special education services (either if the student is believed to no longer have a disability, or if the student continues to have an educational disability but is believed to be no longer in need of special education services)
- To change a student's placement (location of services) (from emotional support to autistic support, from learning support to emotional support)

1. Issue a Prior Written Notice

*Review Existing data 90 days before the reevaluation report is due

*Students with intellectual disabilities must be reevaluated with new data at least once every 4 years

2. Review Existing Data (records, state and local assessment data, grades, curriculum based-assessments, District benchmarks, information from related service providers, behavioral information, and any other information)

* All revelations begin with a review of existing data by the IEP team for all disability categories.

*The data reviewed is documented in the section titled Summarize Information Reviewed of the RR

*The IEP team then determines whether there is a need for additional data.

*Collect data to complete sections 1-7

*Call the parent to discuss the review of data, making at least three documented attempts

*If determined while discussing with the parent that the additional data are needed

*Collect parent input through written means or over the telephone (document methods of contact and dates)

*The special education teacher also conducts a classroom observation

3. IEP Teams Determines NO ADDITIONAL DATA is needed

*The appropriate box is checked and the reason(s) are written on the RR. Ensure that findings are summarized and conclusions regarding eligibility are made.

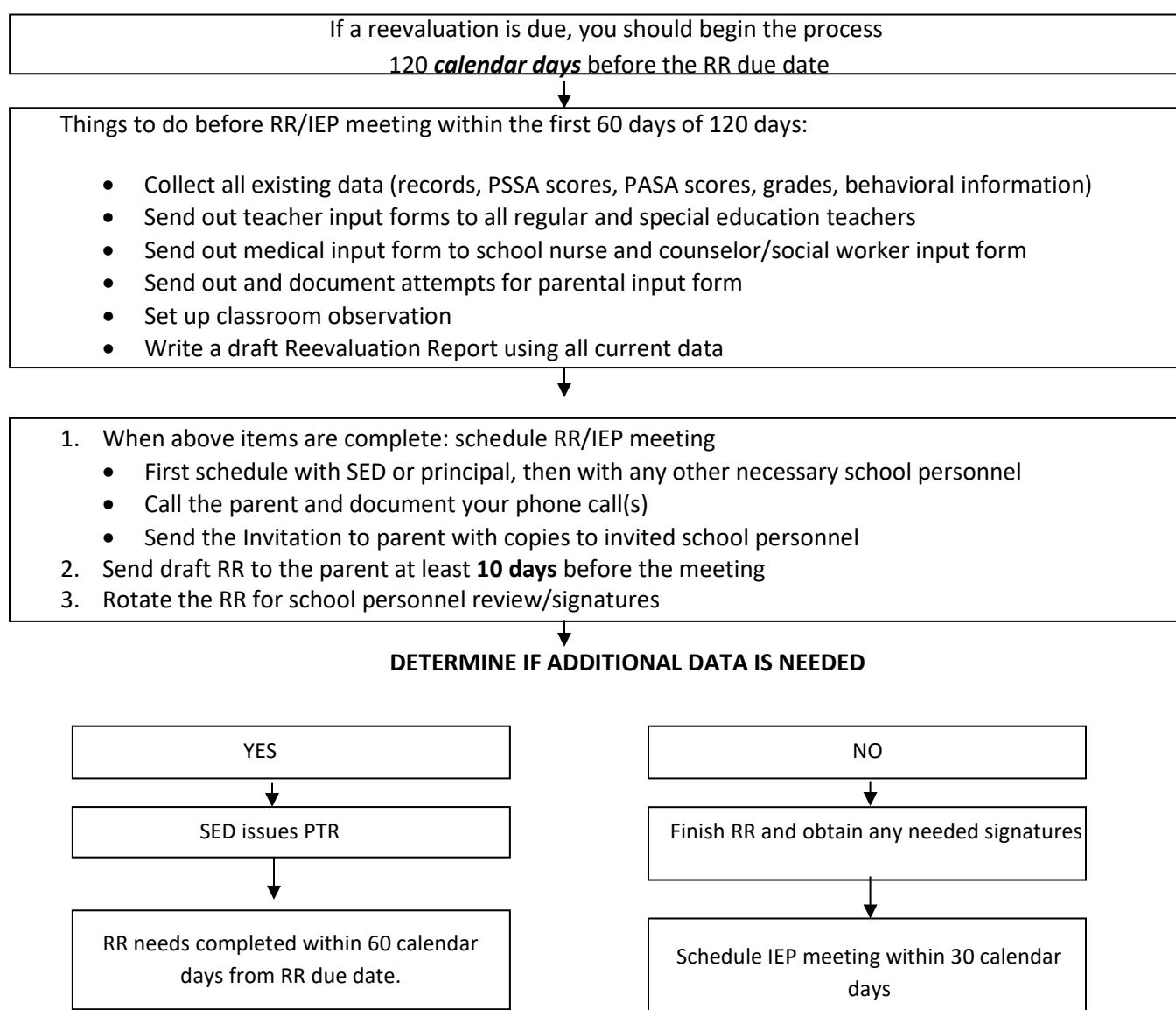
The school psychologist is then notified to review the draft RR in IEP Writer at least 5 working days before it needs sent to the parent.

If additional data are needed within the first 60 days of the 120 days, the Special Education Department and SED secretary are notified to send a Permission to Reevaluate Consent Form (PTR-CF) to the parent. The team has 60 calendar days (excluding the summer break) to collect the additional data and

complete the Reevaluation Report. The due date is considered to be the original RR due date or 60 days from the date the PTR-CF is received, **whichever comes first**. The special education case manager must inform the school psychologist at least 60 days prior to the due date of the report, if testing is needed. If the team determines that additional data are not needed, the Reevaluation Report is completed and an IEP meeting is held or scheduled within 30 days. The date of the Reevaluation Report and the date the report is provided to parents should be the same date. If the team proceeds to the IEP, the parent must be in agreement and a **Ten Day Waiver** must be issued and signed by the parent. The waiver form from IEP Writer is to be used. If the team proceeds to the IEP, the Invitation should also be changed accordingly and initialed by the parent at the meeting. An IEP is required to be developed within 30 calendar days after the date of the evaluation or reevaluation (includes all holidays, summer days: IEP development must be conducted within 30 calendar days).

See the following “Reevaluation Procedures” flowchart for further information:

Reevaluation Process Flowchart



REEVALUATION WAIVERS

Typically, it is district practice to not waive reevaluations. However, in certain, specific circumstances, reevaluations may be waived. Special education teachers may request a waiver for a reevaluation if the student is a second semester senior or other extenuating circumstances arise.

In order to request a waiver for a reevaluation, the special education teacher should email the school psychologist and CC the Supervisor. Included in the email should be the student's name, grade, and date of last reevaluation, educational disability, and the reason for the request. If the request is granted, the case manager generates an RR waiver within IEP Writer. The special education teacher is responsible for obtaining the parent signature, dating the document, and returning a copy to the SED.

REEVALUATION REPORT WRITING PROCEDURES

The purpose of a reevaluation is to determine if a student continues to be educationally disabled and in need of special education services. Therefore, the student's current goals and their progress on the goals is essential information to include in the RR. If there is not enough data to determine this or if the data is showing that there is not a need or an educational disability, then the additional data process needs to be implemented in order to make this determination.

The following are section-specific procedures for Reevaluation Reports:

- Beginning section:
 - "Date IEP Team Reviewed Existing Evaluation Data" is the date that Permission to Re-Evaluate is sent to the parents
- Information reviewed:
 - If the parent never provided input, the attempts to obtain input, including what was mailed and the date(s) and/or the date(s) the parent was called must be documented in the parent input section of the RR. A minimum of 3 attempts must be made.
 - Aptitude and achievement tests include individually administered tests of cognitive ability or achievement. Tests administered for the initial and previous reevaluations should be summarized and composite scores should be listed; subtest scores do not need to be included unless there is something significant that needs to be noted.
 - Current classroom-based assessments and local and/or state assessments include CBAs or CBMs such as ALEXS, Waggle, Moby Max, and group-administered tests of school ability and academic achievement. CDT and PSSA scores should be included here if available. Classroom-based assessments also include grades.
 - "Observations by teachers and related service providers" should include all current teacher input, as well as input and/or evaluations from related service providers such as speech/language, OT, and PT. This section should also include classroom observations.
 - Under teacher recommendations, include the adaptations and accommodations presently utilized for the student, as well as any recommendations made for the student by any teacher.
- Determination of need for additional data:
 - This section is determined by reviewing current data 90 days prior to when the RR is due. In this section, only item one or two should be completed. Item one is completed if the team decides that additional data are not needed. The Special Education teacher will send out a PTR and complete the sections under SUMMARIZE INFORMATION REVIEWED. Item two is completed if the team decides that additional data are needed. The special education teacher will notify the special education office to send out a PTR and the school psychologist will complete the testing. The school psychologist will add the testing results and recommendations to the RR and the special education case manager will complete the rest of the RR.
- Functional Behavior Assessments (FBA):
 - If a student needs a Positive Behavior Support Plan (PBSP), then an FBA is conducted by the school psychologist. The school psychologist will put the FBA in the RR and the special education teacher will complete the rest of the RR.
- Determination of Specific Learning Disability:
 - This section must be completed for all initial evaluations, as well as for all reevaluations if the student has an SLD as a primary or secondary disability.

The special education teacher should utilize appropriate written expression skills and follow all standard rules of grammar and mechanics of writing. Before issuing paperwork to the SED or parents to review, the writing should be proofread for spelling and grammatical errors.

The first time something that needs abbreviated is listed in an RR, it should be written out first, and then the abbreviation should be listed in parentheses following the first mention of it. Subsequent listings should just use the abbreviation. For example: Attention-Deficit/Hyperactivity Disorder (ADHD) [first reference in the report] and then ADHD (subsequent references in report).

When referring to school subjects, English and other languages (e.g., Spanish) should always be capitalized. Whether or not other subjects are capitalized is the discretion of the special education teacher; it just needs to be consistent throughout the RR.

The students' and parents' names should be used in the report. Do not refer to the student as "Student" or to the parents as "mom" or "dad" in the report.

If information is being utilized from a previous ER or RR, the tense of the wording should be changed from present tense to past tense. Be sure that only recent data is included within the RR.

INDEPENDENT EDUCATIONAL EVALUATION PROCEDURES (IEE's)

Parents have the right to request an Independent Educational Evaluation (IEE) of their child if they disagree with the evaluation conducted by the West Mifflin Area School District. An IEE is an evaluation by a qualified professional who is not an employee of the West Mifflin Area School District. Parents may request an IEE at the school district's expense if they disagree with an educational evaluation completed by the school district. The parent's reason why he/she objects to the public evaluation in writing will be requested. All requests for an IEE shall be submitted in writing to the Director of Special Education Services.

In response to a parent request for an IEE at public expense, the West Mifflin Area School District, as represented by the Director of Pupil Services, is responsible for, without unnecessary delay:

- Providing to the parent information about where they may obtain an independent educational evaluation within 10 school days of written request.
- Providing to the parent the school district criteria that applies to the independent educational evaluation within 10 school days of written request.

And either:

- Provide the IEE at public expense

Or

- Issue a NOREP/PWN when the LEA declines the parent's request for an IEE at public expense, with reason for denial, and file a due process complaint, without delay, to request a hearing to show that its evaluation is appropriate. If the hearing officer decides that the district evaluation is appropriate, West Mifflin Area School District will not be financially responsible for the IEE.

If parents obtain an IEE at their own expense, the results of the evaluation shall be considered by the school district, if it meets the district's criteria and the student is in need of specially designed instruction, in any decision made with respect to the provision of a free appropriate public education (FAPE) to the child, and may be presented as evidence at a due process hearing regarding the child.

Note: A parent is entitled to only one (1) IEE at the public expense each time the district conducts an evaluation with which the parent(s)/guardian(s) disagree.

Criteria for an Independent Educational Evaluation to be Completed at Public Expense

1. *Purpose:* To determine whether a child a) has an educational disability and b) requires specially designed instruction in order to access a free, appropriate, public education (FAPE).

Educational Disability Categories: Autism, Emotional Disturbance, Intellectual Disability, Multiple Disabilities, Other Health Impairment, Specific Learning Disability, Traumatic Brain Injury, Deaf/Blindness, Deafness, Hearing Impairment, Speech/Language Impairment, Visual Impairment including Blindness, Orthopedic Impairment.

2. *Qualified Professional:* Evaluator must be either a Pennsylvania Certified School Psychologist or a Nationally Certified School Psychologist (NCSP). For deaf/blindness, hearing impairment, visual impairment, and orthopedic impairment, the disability diagnosis must be made by a medical doctor; however, the educational components of the evaluation should be completed by a certified school psychologist. Evaluations of speech/language impairments can be completed by a Speech/Language Pathologist or Therapist who is familiar with the school setting.

3. *Evaluation Components:* The criteria under which the IEE at public expense is obtained **MUST** be the same criteria *used* by the district in conducting an appropriate evaluation. Therefore, the following components must be included in an independent educational evaluation:

- a. Reason(s) for referral:
- b. Sources of evaluation data:
 - i. Input, information, and/or evaluations provided by the parent(s);
 - ii. Observations (including from teachers and related service providers);
 - iii. Observations in the classroom/educational environment;
 - iv. Recommendations from teachers
 - v. Physical condition (including health, vision, and hearing), social or cultural background, and adaptive behavior relevant to the student's suspected disability and potential need for special education;
 - vi. Assessments (including, when appropriate, classroom-based assessments, aptitude and achievement test, local/state assessments, behavioral assessments, vocational technical assessment results, interests/preferences/aptitudes for secondary transition, etc.);
- c. If an assessment is not conducted under standard conditions, describe the extent to which it varied from standard conditions (including if the assessment was given in the student's native language or other mode of communication);
- d. Determining factors (The student must not be found to be eligible for special education and related services if the determining factor for the student's disability is due to a lack of appropriate instruction in Reading, including the essential components of Reading instruction, or Math. The determining factor must also not be due to the student's limited English proficiency.)
- e. Summary of findings/interpretation of evaluation results, including:
 - i. Present levels of academic achievement
 - ii. Present levels of functional performance, including developmental needs
 - iii. Behavioral information
- f. Conclusions

- i. Must include if the student has an educational disability, and if so, which disability/disabilities, and if they are or are not in need of specially designed instruction
- ii. Recommendations for consideration by the IEP team to enable the student to participate as appropriate in the general education curriculum (including special considerations the IEP team must consider before developing the IEP, measurable annual goals, specially designed instruction, and supplementary aids and services)
- g. Signatures (the evaluation must be signed by the examiner and any other personnel that contributed to the evaluation)

The district MUST be given a complete copy of the IEE and determine that the IEE is in compliance with all of the policy/procedures in order to remit payment for the IEE.

If the evaluation has already been conducted and paid for, the district shall issue correspondence advising the parent/guardian that the district will not reimburse the parent/guardian for the evaluation until it receives a complete and unredacted copy of the report of the evaluation and determines that it is in compliance with local policy. The district shall require documentation substantiating that the parents/guardians paid for or incurred the obligation to pay for the evaluation without reimbursement from a public or private source of insurance or reimbursement.

The above criteria are in accordance with §300.502(e)(1) of the Individuals with Disabilities Education Improvement Act (IDEIA) which states, "If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency [school district] uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation."

IEP/GIEP PROCEDURES: INVITATIONS

For initial IEPs/GIEPs (students newly identified as disabled or gifted), after the Supervisor of Special Education/SED secretary 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 from the SED. The evaluation report can be obtained on IEP Writer and EdInsight. **For initial IEPs, the FIRST AND FIFTH BOXES** on the Invitation are chosen ("Develop an IEP, if your child is eligible, or continues to be eligible, for special education and related services" and "Other"; by "Other," the teacher should write, "Review the Evaluation Report").

For most **annual IEP/GIEP** meetings, the special education/gifted support teacher chooses two to three available dates/times for an IEP/GIEP meeting, and checks with the SED secretary for the Supervisor or Principal, any other necessary school personnel, agency representative (OVR, Early Reach, Supports Coordinator, and the parents. An IEP Invitation or GIEP Invitation is created by the special education/gifted support teacher. The IEP team must include a Local Education Agency (LEA) representative and a general education teacher. **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," the teacher 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. There is no longer a separate invitation for the student, but documentation of attempts to include the student must be noted in the present levels of the IEP.

One copy is mailed to the parents. Additional copies for all people listed are disseminated to each person on the invitation. A PDF can be emailed to all invited attendees as an attachment. Any personnel invited to the IEP meeting that are outside of the district are either emailed copies or mailed copies via regular mail. When the invitation is issued, the building secretary must be notified so that coverage for the teachers can be secured. A copy of the invitation is also sent to the SED/SED secretary (which can be done electronically).

Three attempts to secure parental participation are required to be documented. The attempts may include the first phone call to schedule the meeting, the mailed 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 SED secretary.

IEP/GIEP PROCEDURES: MEETINGS

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 facilitates the meeting. The required team members that must attend the meeting include the LEA, 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.

IEP/GIEP PROCEDURES: PROCEDURAL SAFEGUARDS

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/GIEP PROCEDURES: IEP GOALS AND EDUCATIONAL BENEFIT REVIEW

During the IEP meeting, the special education teacher should discuss the student's current goals, progress on goals, and proposed goals. Goal areas should be noted for every goal; specifically, for learning support goals, the subject area(s) should be noted (if applicable), and for related service provider goals, the area should be noted before the goal (e.g., S/L, OT, PT, etc.). Teachers should use the Educational Benefit Review form as a reference.

PROGRESS MONITORING

Progress monitoring is a scientifically based practice used to assess a child's academic progress on IEP goals and evaluate the effectiveness of instruction. IDEA 2004 states that a student's IEP must contain a description of how the child's progress toward meeting the annual goals will be measured, and that periodic reports be provided.

THE IMPORTANCE OF PROGRESS MONITORING WITH DATA COLLECTION

Informs instruction and alters variables to better address the individual student needs; Accelerates learning because students are receiving well-designed and calibrated appropriate instruction; Enables more efficient communication with families and other professionals about students' progress; and higher expectations for students by teachers; Provides technical advantages for quantifying progress; Documents student progress for accountability purposes

According to the law, teachers must collect baseline data in August via a state-approved screener and monitor the progress of each student at the middle and end of the year.

West Mifflin Area School District special education teachers (case managers) will progress monitor on a bi-monthly basis. Quarterly progress reports will be sent home with report cards.

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.

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.

Workforce Innovative Opportunity Acts is making it necessary for school districts and agencies to find employment that pays a competitive rate. The SED, in conjunction with the transition coordinator, has to answer 5 questions on PIMS, which include, which students were given work-based assessments or work-based learning experiences.

Our Transition Coordinator is given time within the schedule to work on transition. The Transition Coordinator meets with each student 14 years and older, completes formal and informal assessments, devises a plan for the IEP, connects the students to the correct agencies and follows through with the planning. The TC will work with all students in the district that are intellectually disabilities to get them hooked up with services through the Office of Intellectual Disability. The TC is responsible to provide meaningful experiences for post-secondary planning prior to graduating from high school. There must be a variety of experiences offered through activities and services. In addition, the TC is responsible to link students, educators 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). 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.

Office of Vocational Rehabilitation: <https://www.dli.pa.gov/Individuals/Disability-Services/ovr/Pages/default.aspx>

Department of Human Services: <https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/Intellectual-Disabilities-Services.aspx>

IEP PROCEDURES: EXTENDED SCHOOL YEAR

Extended School Year (ESY) services are special education supports or related services provided to students who are eligible for and in need of the service or support beyond the regular school term in order for the provision of Free and Appropriate Public Education (FAPE).

Eligibility determination must be completed at **every** IEP meeting. Goal(s) must be chosen to monitor for ESY eligibility by the IEP team.

Students who are initially identified as being eligible for and in need of special education services also must have the ESY section completed at their initial IEP. Due to a lack of data on progress toward goals because of the initial identification, these students may not be eligible for ESY under regression and recoument, but the IEP team should consider other factors in determining ESY eligibility. For all students, the IEP team must identify ESY goals to progress monitor for eligibility.

The targeted group of students for ESY includes students with severe Autism Spectrum Disorders, Emotional Disturbance, and Intellectual Disabilities. The targeted group also includes students with Multiple Disabilities and degenerative impairments. ESY eligibility determination, which is made by the IEP team, must be made for students in the targeted group **no later than February 28th** of each school year. The team may do this through the annual IEP meeting if it occurs before February 28th during the school year, or an additional IEP meeting may occur before February 28th. The NOREP reflecting

eligibility must be issued to the parents **no later than March 31st**. These timelines allow for parents to exercise their rights if necessary.

For *students who are not in the targeted group*, ESY eligibility determination must also occur every year and in a manner that is timely enough to allow parents to exercise their due process rights. If parents disagree with the ESY eligibility determination, they have a right to an expedited due process hearing.

Students who turn 21 years of age during the school term may be eligible for ESY services in the summer in which they are 21 if the IEP team has determined that the student is eligible for and in need of ESY services.

ESY must be reflected in a NOREP if the student is eligible for ESY and was not previously eligible, if the IEP team is deleting ESY services from the IEP, if the parents requested ESY and the student was not eligible, or if the district proposes to change or refuses to change ESY services.

The seven factors of eligibility include the following:

1. Regression
2. Recoupment
3. Maintenance of skills
4. Emerging skills and opportunity for skill breakthrough
5. Self-sufficiency and independence from caregivers
6. Withdrawal from the learning process
7. The nature and/or severity of the child's disability

In order to collect regression and recoupment data, data should be collected on the goal for 7 to 10 days before a break in instruction in order to establish a baseline. The median piece of datum would represent the baseline score. After the break, data should be collected for the same amount of days with a median score used as the regression figure. A 20% or greater loss over baseline is significant regression. After six weeks of education, data should be collected for an additional 7 to 10 days, with the median score compared to baseline. If the student has not returned to baseline, they have significant recoupment issues.

The data used to decide may include:

- Teacher made pre- and post-tests or anecdotal reports
- Progress reports and data on IEP goals from consecutive IEPs
- Work samples reported in data form
- Curriculum-based assessments and measurements
- Criterion-referenced assessments
- Functional and/or ecological life skills assessments made in natural environment
- Functional behavior assessments and positive behavior support plan data
- Averaged rates of retention
- Data documenting the time necessary for the student to regain skills after educational interruptions, maintained before and after interruptions in the educational program
- Parent reports and/or data documenting negative changes in adaptive behaviors or other important skill areas
- Reports from medical or agency professionals documenting degenerative conditions which are exacerbated during breaks in educational services

ESY services may include, but are not limited to:

- In-district ESY services

- Out-of-district ESY services
- Speech/language, occupational, or physical therapy
- Tutoring services
- Take-home packet with a calendar of summer activities
- Take-home packets with practice books/workbooks
- Daily writing practice journals with story starters
- Software borrowed over the summer break
- Psychological Counseling
- Group social skills

[Information adopted with revisions from the PDE ESY booklet, Allegheny Intermediate Unit ESY information, and ESY Basic Education Circular]

PDE ESY Booklet:

<https://www.pattan.net/CMSPages/GetAmazonFile.aspx?path=~%5Cpattan%5Cmedia%5Cmaterials%5Cpublications%5Cimages%5Cesy-services-pa-12-19wba.pdf&hash=1052908d6c875e8103de9a7371094ae0f8d5a341126ffcb00f3a10f78d9ddb87&ext=.pdf>

Basic Education Circular: <https://www.education.pa.gov/Policy-Funding/BECS/Pages/default.aspx>

IEP/GIEP PROCEDURES: LRE SECTION

When responding to the “QUESTIONS FOR IEP TEAM” section of the IEP, please include details as described in the annotated version. This section provides an explanation of the IEP team’s decision with respect to Least Restrictive Environment (LRE). Please refer to the attached example responses. To view the annotated form of the IEP in its entirety, click on:

http://pattan.net-website.s3.amazonaws.com/images/2013/07/08/Annotated_IEP_Rev050913.pdf

VII. EDUCATIONAL PLACEMENT

A. QUESTIONS FOR IEP TEAM – The following questions must be reviewed and discussed by the IEP team prior to providing the explanations regarding participation with students without disabilities.

It is the responsibility of each public agency to ensure that, to the maximum extent appropriate, students with disabilities, including those in public or private institutions or other care facilities, are educated with students who are not disabled. Special classes, separate schooling or other removal of students with disabilities from the general educational environment occurs only when the nature or severity of the disability is such that education in general education classes, EVEN WITH the use of supplementary aids and services, cannot be achieved satisfactorily.

- What supplementary aids and services were considered? What supplementary aids and services were rejected? Explain why the supplementary aids and services will or will not enable the student to make progress on the goals and objectives (if applicable) in this IEP in the general education class.
(Provide an explanation under every bullet.)
- What benefits are provided in the general education class with supplementary aids and services versus the benefits provided in the special education class?
(Provide an explanation under every bullet.)

- What potentially beneficial effects and/or harmful effects might be expected on the student with disabilities or the other students in the class, even with supplementary aids and services?
(Provide an explanation under every bullet.)
- To what extent, if any, will the student participate with nondisabled peers in extracurricular activities or other nonacademic activities?
(Provide an explanation under every bullet.)

ANNOTATED:

These questions must be reviewed and discussed by the IEP team as they begin to determine the student's educational placement. It is important to remember that the student's parents must be part of any group that makes decisions on the educational placement of their child. The purpose for reviewing and discussing these questions is to ensure that the IEP team has given adequate consideration to placement of this student in the general education classroom with supplementary aids and services, prior to considering removal from the general education classroom. The IEP team's discussion of these questions should be reflected in the answers to the next items on the IEP:

*Explanation of the extent, if any, to which the student will not participate with students without disabilities in the regular education **class**, AND*

*Explanation of the extent, if any, to which the student will not participate with students without disabilities in the regular education **curriculum***

Supplementary Aids and Services are defined as aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate.

The purpose of providing supplementary aids and services is to support students with disabilities as active learners and participants with nondisabled peers as well as to enable their access to the general curriculum. To that end, supplementary aids and services include modification to the general curriculum to ensure that a student with a disability is not removed from education in age-appropriate regular education classrooms solely because of needed modification in the general curriculum.

Federal and state regulations do not include a list of supplementary aids and services; therefore, IEP teams may need additional information to ensure that they are reviewing the range of possibilities. To assist IEP teams in reviewing the range of supplementary aids and services that may be provided, PDE has developed a Fact Sheet on *Supplementary Aids and Services as well as a Supplementary Aids and Service Consideration Toolkit* to assist teams in identifying appropriate supplementary aids and services for an individual student.

Framework for Access and Belonging: <https://www.pattan.net/Supports/Inclusive-Practices/Framework-for-Access-Belonging>

The Supplementary Aids and Services Fact Sheet provides a framework of four categories of supplementary aids and services as well as illustrative examples from each of the four categories: Collaborative Practices, Instruction, Physical, and Social-Behavioral. The IEP team can link to the document via this address:

[http://www.portal.state.pa.us/portal/server.pt/document/356682/2nd final sas fact sheet 12 18 06 pdf](http://www.portal.state.pa.us/portal/server.pt/document/356682/2nd_final_sas_fact_sheet_12_18_06.pdf)

- **Explanation of the extent, if any, to which the student will not participate with students without disabilities in the regular education class:**
- **Explanation of the extent, if any, to which the student will not participate with students without disabilities in the general education curriculum:**

ANNOTATED:

The IEP must include an explanation and a description of those activities, if any, in which the student will NOT participate with students without disabilities within the regular education classroom and school activities. These required IEP statements should be based on the IEP team's consideration of a full range of supplementary aids and services that will enable the student to make meaningful education benefit in the regular education classroom. Assistance to the team in identifying the full range of supplementary aids and services can be found by using the *Supplementary Aids and Services Consideration Toolkit* and the PDE fact sheet: *Supplementary Aids and Services*:

http://www.pattan.net/category/Educational%20Initiatives/Inclusive%20Practices/page/Supplementary_Aids_and_Services_SaS_Consideration_Toolkit_.html

The team's discussion of the previous "Questions for IEP teams" should be reflected in the responses to these two items on the IEP. For example, if the team has determined that the student will not participate in the regular class for the portion of the day, the explanation should include a rationale for this decision (e.g., the specific supplementary aids and services that were considered and rejected and why; the benefits afforded to the student via removal versus those afforded the student in the general education classroom with supplementary aids and services provided; if the decision was based upon potential harmful effects to the student or others, these should be described, etc.) Likewise, if the team has determined that the student will not participate in the general education curriculum for a portion of the day, the explanation for this item should include a rationale that clearly reflect their review and discussion of the "Questions for IEP teams."

EXAMPLE RESPONSES TO "QUESTIONS FOR IEP TEAM" (LRE):

The Individual Education Program team determination and explanation of the extent, if any, a student will not participate with non-disabled children in the regular class and in the regular education classroom:

1. What supplementary aids and services were considered? **(This is the area that you would list all possibilities of aids and services/SDI items that may be possibilities). Such as: Professional development related to collaboration, team teaching, provided alternate materials, instructional adaptations (reading tests, repeated directions), specific seating, adapted equipment, individualized behavior support plans, paraeducator, and modified curriculum**
2. What supplementary aids and services were rejected? **(This is the area that you would list the more restrictive/intense supplementary aides and services not necessarily used for the majority of students.) Such as: The use of adaptive equipment, modified curriculum, para-educator support was rejected**
3. Explain why the supplementary aides and service will or will not enable the student to make progress on the goals and objectives in this IEP in the general education class. **Such as: Student requires a quiet area, limited distractions, ability to hear test being read, attention to teacher, paraeducator would restrict independence**
4. What benefits are provided in the regular education class with supplementary aids and services versus the benefits provided in the special education class? **Such as: Regular education class does not**

permit oral reading of tests, limited visual distractions, extensive repeat of directions, extensive time to complete lessons

5. What potentially beneficial effects and/or harmful effects might be expected on the student with disabilities or the other students in the class, even with supplementary aids and services? **Such as: The student does not attend to instruction within the classroom setting, emotional needs, behavioral outburst is a distraction to other students, throws items, self-injurious behaviors and others**

6. To what extent, if any, will the student participate with non-disabled peers in extracurricular activities or other nonacademic activities? **Such as: Regular education classes, recess, lunch, list any clubs (e.g., chorus, band, sports, year book staff, interact club, sporting events, plays)**

IEP/GIEP PROCEDURES: CONCLUDING THE MEETING

At the conclusion of the meeting, the special education/gifted support teacher issues the NOREP or NORA to the parent to secure a parent signature and approval. Only after the NOREP is presented, the special education teacher should issue the Medical Assistance Consent Form. The teacher should send all original paperwork listed on IEP Checklist to the SED secretary. All paperwork should be finalized and given to the SED secretary within 5 work days. If all of the paperwork is not signed, mail it home and bring all originals to the SED within 5 work days.

If the NORA/NOREP is not signed at the meeting or returned by the parent, the SED secretary will send it home for a total of 3 attempts. In order for a student to receive initial provision of services, a signed NORA/NOREP must be signed by a parent.

SPECIALLY DESIGNED INSTRUCTION (SDI) PROCEDURES/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. Within the first week of school, the teacher will collect documentation that every teacher received a copy which could include a signature page or electronic receipt. Special education teachers 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.

IEP WRITING DAY PROCEDURE

If a special education teacher would like to request an IEP writing day, he or she should complete the conference request form on the Intranet, notify the Building Principal (first) and SED Director (second), and put in AESOP as a "school business" day. If the day is not approved, alternate days will be issued. The number of allowable days is designated in the Bargaining Agreement. IEP days can be used for IEP's, RR's, Progress Monitoring Reports and any other documentation needed for special education purposes.

NOREP/NORA PROCEDURES

NOREP's are issued at all IEP meetings, 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 because 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 SED secretary 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.

The special education teacher, gifted support teacher, or building principal requesting the NOREP completes the **NOREP Request Form** when the IEP is being drafted. This form must be sent to the SED secretary **no less than 5 school days before** the date the NOREP will be needed. If the NOREP request form is received less than 5 days before the meeting, the special education teacher may be required to reschedule the IEP meeting. The teacher should utilize the Percentage Calculation for IEP and NOREP Development procedures on the following pages to assist with this process. The NOREP is generated by the SED secretary. A copy of the NOREP as well as the original request form is held at the Special Education Department and the original NOREP is sent back to the special education teacher or principal along with a copy for the parent to retain.

At the IEP meeting, a LEA representative must present the NOREP. The LEA representative is the Supervisor of Special Education, building principals, School Psychologist or other administrators. 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 SED secretary, but the IEP case manager must notify the SED secretary 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.

REQUESTING NOREP/NORA

Special education teachers/gifted support teachers are responsible to request a NOREP from the SED secretary 5 work days prior to the IEP meeting. The request form can be found online and consists of the following questions:

- Student Name
- Case Manager
- Request Date
- Meeting Date
- Is this a change in placement?
- If this is a change in placement, has an RR been conducted?
- The current educational placement is:
- The recommended educational placement is:
- ESY Eligible: Yes No

PERCENTAGE CALCULATION FOR IEP AND NOREP DEVELOPMENT

You will calculate two different percentages. They do not need to equal 100% when added together. They may or may not be the same percentage.

First, calculate the “where”:

- This percentage will apply to the “VII. A. Educational Placement—Explanation of the extent, if any, to which the student will not participate with students without disabilities in the regular education class.” **AND** the “VIII. Penn Data Reporting: Educational Environment” sections of the IEP. The former statement is confusing because it’s a double-negative—what it really means is, when will the student be outside of general education with only other special education students?
- Calculate the number of minutes per day that the student is not in general education. All “pull-out” services, are counted. If the student does not receive a related service every day, calculate the number of minutes it would be for one day if the service was “spread out” across the week. Take the total number of minutes the service is provided per week and divide by 5. For example, if the student receives OT 30 minutes a week, this would be an “average” of 6 minutes a day.
- Example:

Resource math in the LS classroom	45 min./day	
Speech/language in S/L classroom	30 min./week	→ 6 min./day
		=51 min./day (outside of general education)
- Then, convert minutes to hours by dividing by 60
- Divide the number of hours outside of general education by the total number of hours in the school day.
 - This is the percentage of time the student spends outside general education. Refer to this percentage in the “VII. A. Educational Placement...” section to answer the question on the IEP that asks when the student is not with general education students.
- Next, subtract the number of hours the student spends outside of general education from the total number of hours in the school day.
- Divide number of hours in general education by the total number of hours in the school day to get the percentage for “VIII. Penn Data Reporting”.

Second, calculate the “what”.

- This percentage will apply to “VII. B. Type of support” section of the IEP **AND** the NOREP item number 7.
- Calculate the total number of minutes per day the student receives special education services. All pull out, push in inclusion, and related services count—any service that you or a related service provider (OT, PT, S/L) give the student is counted, whether you are pushing in to their general education classroom or pulling them into your learning support classroom. Paraprofessional support, ESL, and Title 1/2/tutorial reading do NOT count. Average the number of minutes per day if the student doesn’t receive the service every day (same procedure as above).
- Example:

Learning support in the general education classroom	2.5 hours/day	→ 150 min./day
Speech/language in the S/L classroom (pull out)	3x/wk.	→ 18 min./day
Speech/language in the general education classroom	1x/wk.	→ 6 min./day
OT	30 min./wk.	→ 6 min./day
PT	30 min./wk.	→ 6 min./day
Social work services	30 min./wk.	→ 6 min./day

= 192 min./day (of special education services)

- Then, convert minutes to hours by dividing by 60:
 $192 / 60 = 3.2$ hours (of special education services per day)
- Divide the number of hours of special education services by the total number of hours in the school day (which is 6.5).
 $3.2 / 6.5 = 49\%$ → This is the percentage of the student's day that they receive special education services. Refer to this percentage in the "VII. B. 1. Type of Support – Amount of special education supports" (check itinerant, supplemental, or full-time) section of the IEP, as well as on number 7 of the NOREP.

The **IEP/NOREP Percentage Calculation Chart** can be used for this process.

PENNSYLVANIA MEDICAL ASSISTANCE (MA) PROCEDURES

The special education teacher or speech/language pathologist is responsible for obtaining the parent signature on the **PA Medical Assistance Billing Parental Consent** form. New regulations indicate that this form only needs to be signed ONCE by the parent; however, it is good practice to have it signed at every annual meeting. Once the form is signed, a copy should be given to the SED secretary for the file.

The special education teacher or speech/language pathologist sends the signed MA form to the SED secretary along with a copy of the IEP and other required paperwork if the form has been issued and signed at the meeting.

EARLY INTERVENTION PROCEDURES

Upon notification from the AIU that a DART transition meeting is to be held, the School Psychologist will compile a list of Early Intervention students on the district's roster and corroborate the roster with the list of students from the AIU. Any discrepancies should be clarified with the AIU DART department.

After the DART transition meeting is held, the School Psychologist will determine the course of action that the district will take for each Early Intervention student. Per regulations, the district may choose one of three options: 1.) adopt the student's existing IEP from Early Intervention, as is; 2.) adopt the student's existing IEP from Early Intervention, and make any needed revisions; or 3.) reevaluate the student.

Parents must be informed in writing of the district's action by April 15th of each year. If the district chooses to ***adopt the student's existing IEP from Early Intervention, as is***, the SED secretary will issue a NOREP and Notice, as well as a copy of the school-age Procedural Safeguards Notice. Once the signed NOREP is received from the parents, a new file will be created in the SED with copies of the Early Intervention paperwork and NOREP, and copies will be sent to the corresponding personnel at the building level (i.e., speech/language pathologist [SLP] if the student is speech/language only).

If the district chooses to ***adopt the student's existing IEP from Early Intervention with revisions***, then a Notice will be sent to the parents along with the school-age Procedural Safeguards Notice. A copy of this letter will be sent to the corresponding personnel, including the building principal. Then, the SLP or staff member contacts the parents to ask if they would like to come in for a meeting to revise the existing Early Intervention IEP, or if they would be willing to do an IEP revision over the phone. If the parent wants a meeting, the SLP or relevant personnel sets up an "Other" meeting to revise the existing IEP. If the parent is willing to do IEP revisions over the phone, the SLP or staff member drafts the revisions and sends a copy to the parents. Once the parents receive the draft copy, the SLP or staff member will review the revisions over the phone with the parents. The revision process should include a new cover page and revision section indicating the changes made to the Early Intervention IEP, with

the IEP attached. No parent signature is inserted if the revision is over the telephone. Signatures are required if a meeting is held. The revision process must occur before the last day of the school year, with the IEP implementation date as the first day of the following school year. After the revision process is completed, the parents are mailed or issued the NOREP for their approval and signature. SED procedures for NOREP's should be followed.

If the district chooses to **reevaluate the student**, a Permission to Reevaluate Consent Form is issued with Notice, Procedural Safeguards, Parent Input Form, and rating scales, per SED procedures for Permission to Reevaluate. Once the reevaluation is completed, a new school-age IEP is drafted and an IEP meeting is held at the student's building before the last day of the next school year, with the implementation date as the first day of the following school year.

If a reevaluation is not completed, the SED will track when the next reevaluation is due in order to remain in compliance with state regulations.

EARLY ENTRANCE TO KINDERGARTEN AND FIRST GRADE PROCEDURES

Early entrance to kindergarten and first grade is allowable in the district per WMASD Policy number 201, "Admission of Students." Early entrance to kindergarten would include students who will turn five (5) after September 1 and before October 31. Early entrance to first grade would include students who will turn six (6) after September 1 and before October 31.

For early entrance, the student must demonstrate "readiness" by the first day of the school term through the following:

- The parent must submit a written request for early entrance to the superintendent.
- The school psychologist must complete an evaluation including cognitive testing, an assessment of social skills behavior and achievement testing of the student and make a recommendation to the superintendent.
- The superintendent must approve the recommendation.
- The Board may then admit the student for early entrance.

In order to complete the process, the following steps are taken:

1. The parent/guardian submits the request in writing to the superintendent.
2. The request is forwarded to the school psychologist in the Special Education Department (SED).
3. The SED sends a general parent permission, a parent input form, and behavior rating scales, along with a stamped envelope, to the parents.
4. Once parent permission is received, teacher input form, behavior rating scales are sent to the student's preschool (if applicable).
6. The school psychologist completes a Psychological Report and submits the summary to the superintendent indicating whether or not the student is recommended for early entrance. A copy of the evaluation results is sent to the parents.
8. Once the superintendent has approved the recommendation, a cover letter indicating approval or disapproval is sent to the parents. A copy is also sent to the student's school.
9. A copy of the letters and evaluation results are filed in the SED.

NEW (TO DISTRICT) SPECIAL EDUCATION STUDENTS

For students **from another Pennsylvania school district**:

When a student enrolls in the district with an existing IEP from another school district in Pennsylvania, the SED reviews the paperwork and the Supervisor assigns the student to a roster. The SED secretary

enters the student's information into IEP Writer and generates a NOREP to adopt the student's existing IEP. PowerSchool is also updated (PIMS and Attendance Type). The NOREP should be dated as the student's first day in the district. A new special education file is created by the department for the SED's files.

If necessary, a Permission to Reevaluate Consent Form is issued by the SED to clarify the educational disability, change services, or determine a continued need for services.

The assigned special education teacher holds an IEP meeting for the new student within 30 days from the student's first day in the district. An IEP cover sheet and signature page are completed at the meeting with any immediate and necessary revisions made. The IEP team reconvenes in 30 days with a new IEP generated. In the event that a student enrolls into the district over the summer and his or her annual IEP is due on or before October 15th, the 30 - day review meeting may be waived. If a reevaluation is needed, the current IEP will be revised within 30 days and a new IEP will be written after the RR is completed and mailed to the family upon completion.

For students *from another state*:

When a student enrolls in the district with an existing IEP from another state, the SED reviews the paperwork and the Supervisor assigns the student to a roster. The SED secretary enters the student's information into IEP Writer and the assigned case manager issues the initial NOREP. The SED secretary and or school psychologist issues a Permission to Evaluate Consent Form (not Reevaluation) per Pennsylvania Chapter 14 regulations. The student's current IEP from the other state is followed until the new evaluation is completed, with the assigned special education teacher holding an IEP meeting for the new student within 30 days upon the student's first day in the district. An IEP cover sheet and signature page are completed at the meeting with any immediate and necessary revisions made. The parent is informed about the initial evaluation requirement and process. If the student is eligible for special education services in accordance with Pennsylvania regulations, a new IEP is generated based on the new evaluation and an IEP meeting is held within 30 days of the issuance of the Evaluation Report.

OUTSIDE PLACEMENT STUDENTS

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 SED creates a cumulative file and sends it to the building to maintain. The building should maintain a file with the student's attendance, credits, and any other applicable records that are supplied by the outside school. For special education students, all original copies of special education records are maintained at the Special Education Department and not at the building.

All efforts to involve West Mifflin Area School District 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 Supervisor of special education/pupil services.

HOMEBOUND SPECIAL EDUCATION STUDENTS

The district's procedures for providing homebound instruction to students apply to all students. The SED must be notified IMMEDIATELY if any special education student goes on homebound due to PDE's

requirement of homebound reporting. The SED will maintain a roster of all homebound students within the school district.

SHREDDING/CONFIDENTIALITY OF RECORDS

If a teacher or other staff member would like to bring a large amount (a box or more) of shredding to the department, he/she should put the paperwork in a *box with a lid, bound two ways with tape, and marked "CONFIDENTIAL" and "SHRED"*. The teacher will be directed to put the box in the designated area of the building for the shredding company.

Original student files for all types of files, with the exception of outside placements, are maintained in the SED. The SED is responsible for the maintenance of the original student records for special education, gifted support, 504 service agreements, and non-eligible files. These files should be kept separate from the student's cumulative file since they are not the same type of file. Students who are not eligible for the various services should have a file maintained in the back section of the drawers corresponding to the service that they are not eligible for (e.g., students who are not eligible for special education should be kept in the inactive special education files.)

All of the above types of student records are to be kept highly confidential in locked locations. Unless a staff member has an educationally relevant need to view the file, it is confidential. Any person viewing the file should make a note of the date and person reviewing in the file's review log.

EXITING STUDENTS FROM RELATED SERVICES AND SPECIAL EDUCATION

If a teacher feels that a student could possibly exit from special education, he/she must notify the school psychologist 90 days prior to the annual IEP meeting. The school psychologist and/or related service professional will make the recommendations, send the RR to the family, call the family to discuss the RR and see if they want a meeting.

If a student is ***exited from special education or from a related service***, but is still a student within the district, the case manager completes the NOREP and sends it to the parent/guardian. The SED secretary then makes the necessary changes in IEP Writer and PowerSchool. The original special education file is retained in the SED, but moved to the inactive files. This same procedure applies if the parent unilaterally withdraws their child from special education.

When students ***graduate*** with existing IEP's, GIEP's, and 504/Chapter 15 service agreements, all original special education, gifted, and 504/Chapter 15 files are maintained in the SED inactive files for six (6) years, at which time a notification letter is sent to student indicating that if they do not pick up the file by a certain date, it will be destroyed.

If a student ***withdraws*** from the district or ***moves*** to another school district, the SED maintains the original file.

WMASD AND NON-DISTRICT MENTAL HEALTH SERVICES: A COMPARISON CHART

Services are available to students and families through a variety of means, which the district can help to facilitate. The following comparison chart can be utilized to assist school staff in explaining the differences between the various services to parents and students:

<i>Service</i>	<i>Who Provides?</i>	<i>Description of Services</i>
Guidance Counselor— Elementary	Guidance Counselor employed by WMASD and/or	- To support students in the academic setting - Triage and refer students to possible outside services

	contracted by WMASD	<ul style="list-style-type: none"> - Groups, including social skills, anger management, and anxiety issues - Crisis management as needed - Teacher consultation - Coordinate building ESAP services <p><i>Who to contact:</i></p>
Guidance Counselor—Middle/High School	Guidance Counselor employed by WMASD	<ul style="list-style-type: none"> - Support student's therapy outside of school or to help facilitate referrals to outside therapy - Support treatment plan for outside therapy in the school setting - Work with student on barriers to school (social issues, mental health, drug/alcohol issues, grief, family issues, etc.) - Crisis management as needed - Liaison between parents and teachers
Family Behavioral Resources (FBR)-Middle School	FBR employed by Family Behavioral Resources	<p>Work with student on barriers to school (social issues, mental health, drug/alcohol issues, grief, family issues, etc.)</p> <ul style="list-style-type: none"> - Crisis management as needed - Involved in the development of FBA - Model appropriate behaviors for students in the classroom
Student Assistance Program (SAP/ESAP)	Turtle Creek	<ul style="list-style-type: none"> - School can refer students for SAP or ESAP screening/assessment if they believe there are barriers to learning caused by mental health and/or drug/alcohol issues - For issues beyond typical services provided by school social worker or guidance counselor - Can be an avenue to facilitate school-based mental health services
School-Based Mental Health	Family Behavioral Resources	<ul style="list-style-type: none"> - Clinical service/therapy - Same as office-based therapy; service not provided by WMASD employees; district provides satellite office for student and FBR therapist to meet - Must be set up by the parent until the student is 14 years of age - Usually 1 day per week of talk therapy <p><i>Who to contact: Family Behavioral Resources</i></p>
School-Based Behavioral Health Team (not offered through the school)	Family Behavioral Resources	<ul style="list-style-type: none"> - Individual Counseling - Group Interventions - Family Therapy - Crisis Support/Interventions - Classroom observations and strategies for teachers - Case Management services - Connection to community programs and resources

		- Not employed by WMASD
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POSITIVE BEHAVIOR SUPPORT PROCEDURE

SECTION A – INTERVENTION LEVELS

The West Mifflin Area School District’s Positive Behavior Support for Exceptional Students consists of four levels, based upon best practices and current professional research. The four levels of intervention are:

Level I – Discipline Policy

The district has a Board-approved Student Rights/Surveys policy. This policy should be reviewed whenever interventions are considered. (Note: Special Education Standards and Regulations must be considered along with the current case law.)

A disciplinary change of placement occurs, and a manifestation determination meeting is needed when a student who is receiving special education services is excluded from school:

1. For more than 10 days in a row, or
2. For more than 15 school days in any one school year, or
3. When 11 – 15 constitute a pattern of exclusion, or
4. For even one school day for a student with an intellectual disability

TIER 1 (Universal Supports received by all students)

Level II – Classroom Proactive Behavior Strategies

Traditional classroom management has been associated with “discipline”, “control”, or other terms that connote reducing or eliminating student behavior problem(s). In this view, classroom management has been narrowly defined as something that needs to happen before teachers can teach their students effectively or something that needs to happen when students are disruptive so that teachers may continue teaching their students.

Effective classroom management is a rather complicated matter which is impacted by a variety of different things, including student, teacher, and environmental factors. Classroom behavior management and instruction are interwoven processes. Effective instructional practices are likely to decrease student disruptions and impact positive behavioral responses, while effective positive behavior support strategies are likely to impact instructional outcomes. Successful classroom management involves preventing problems from occurring by creating environments that encourage learning and appropriate behavior, as well as, responding effectively when behavior problem(s) do occur. Additionally, the long-range goal of classroom behavior management should be for all students to learn to manage their own behaviors. Effective classroom management must involve proactive classroom strategies, positive behavioral interventions to be used when problems arise, and continued emphasis on student learning to manage their own behaviors. Without proactive classroom management methods, as well as an emphasis on student self-management, behavior change interventions will have limited long - term effectiveness.

TIER 2 (Classroom-based supports for some students)

Level III - Intensive Positive Behavior Support

The primary goal of effective positive behavior support is to produce long lasting behavior change by teaching alternative skills and building supportive environments. Some student(s) whose behavior interfere(s) with learning may respond well to typical classroom positive support strategies. However, other students may require more intensive positive behavior support.

Positive behavior support is based upon four (4) main assumptions:

1. Challenging behaviors serve as a function for the students.
2. Challenging behaviors are context related.
3. Effective interventions are based on a thorough understanding of the problem behavior.
4. Behavior support plans should be guided by two (2) values: 1) all students with disabilities should be treated with the same dignity and respect as their peers without disabilities, and 2) all students with disabilities have the right to be included in integrated activities.

This positive behavior support policy will not attempt to list the individual procedures that may be appropriate for specific problems. Given the diverse characteristics of students and of the learning environment, the same behavior intervention may be effective for one student and not the other student that exhibits the same behavioral difficulty. Additionally, the goal of positive behavior support is not to develop a listing of positive behavioral techniques which should be uniformly applied to all students, but rather to develop a comprehensive set of positive interventions that meets the unique needs of specific individuals and results in long lasting behavioral change.

The following guidelines should be followed when creating and implementing positive behavioral supports:

Step 1: School Psychologist conducts a Functional Assessment of the Behavior, after PTR is received or three attempts are made.

During the functional assessment, the team should strive to understand the student and the nature of the student's problem behavior(s) in relation to the student's environment. Three (3) outcomes should be accomplished: 1) predict the times and circumstances under which the behavior is likely to occur; 2) identify the purpose of the behavior; and 3) identify the student variables and lifestyle factors that may influence the behavior(s). During the functional assessment, teams should gather broad, then specific information about the student, behavior(s), and environment. Initially, the behavior must be operationally defined and the social significance for changing the behavior should be specified. The team should use Initial Line of Inquiry tools, interviews, rating scales, team discussions, and review student records to gather broad information. The information gathering process should lead to the identification of the events surrounding the behavior's occurrence.

Step 2: Develop Hypothesis Statements

After the functional assessment is completed, the team should summarize and synthesize all of the information in order to develop hypothesis statements about the problem behavior(s). Specific and global hypothesis statement should be generated. A specific hypothesis statement should describe antecedent or setting events, identify the problem behavior(s) and describe the behavior(s) function(s). A global hypothesis statement should identify student variable and lifestyle variables that may contribute to the problem behavior(s). Global hypotheses lead to modifications that could be made for long term prevention while specific hypotheses lead to antecedent/setting events that could be modified and alternative skills that could be taught.

Step 3: Design a Positive Behavioral Support Plan

Positive behavior support plans contain: a) description of the problem behavior(s) and why they are important to change; b) hypotheses regarding the problem behavior(s); c) intervention strategies; d) supports for team members; and e) evaluation procedures. Intervention strategies are directly linked to the hypotheses and fall into four main areas: antecedent/setting event strategies, alternative skills training, consequence strategies, and long-term prevention. When designating and implementing positive behavioral support plans, teams should remember that each plan is highly individualized and may vary over time. As the child develops more skills, s/he may not require interventions in one or more of the four categories.

Step 4: Evaluate Effectiveness

When evaluating the effectiveness of the positive behavioral support plan, teams should answer three (3) key questions:

1. Was there a reduction in the problem behavior(s)?
2. Was there an increase in alternative skills?
3. Did meaningful outcomes result for the student?

Effectiveness of the positive behavioral support plan should be documented in a number of ways, including recording and graphing frequency of the problem behavior(s) and/or alternative skills, recording the students' activities, using progress notes, noting changes in grades, and summarizing behavioral and/or academic reports.

Step 5: Modify the Positive Behavior Support Plan as Needed

After evaluating the positive behavior support plan's effectiveness, teams should identify whether further assessment is needed, whether they should modify specific components, or whether or not the plan should address new goals. The positive behavior support plan is meant to be an "evolving" or "on-going" document. As part of the IEP, the positive behavior support plan should be reviewed at least annually or more often depending upon the student's needs.

TIER 3 (Out of class supports for a targeted group of students)**Level IV: Significantly Intensive Behavior Support Techniques****Restraint Procedures**

1. Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when:
 - a) The student is acting in a manner as to be a clear and present danger to himself, to other students or to employees, and;
 - b) Only when less restrictive measures and techniques have proven to be or are less effective.
2. The Staff member who conducted the restraint is responsible for:
 - a) Immediately reporting the incident to the Building Principal;
 - b) Completing the Restraint Report and submitting a copy to the Building Principal the same day as the incident.
3. The Building Principal, on the same day as the restraint will:

- a) Notify the parents, either by telephone or in person of the use of a restraint;
 - b) Document whether the parent requests/declines an IEP meeting
 - c) Immediately report the incident to the Special Education Director
 - d) Forward a copy of the Restraint Report to the Special Education Director;
 - e) Inform the Special Education Director, as to whether or not parents requested an IEP meeting (if student is already identified for Special Education).
4. The SED secretary will:
- Regular Education Student:
- a) Issue Permission to Evaluate Consent Form within twenty-four hours of the incident
- Special Education Student:
- a) Within twenty-four hours of the incident, notify the IEP case manager to schedule an IEP meeting within ten (10) school days of the incident unless the parent, after reviewing the notice, agrees in writing to waive the meeting.
5. The IEP Case Manager, within 24 hours of the incident, will:
- a) Schedule an IEP meeting within ten (10) school days of the incident unless the parent, after reviewing the notice, agrees in writing to waive the meeting;
 - b) Mail the parents the Restraint Notification, which includes the Invitation to Participate in the IEP Team Meeting;
 - b) If unable to obtain a written response from the parent within eight (8) school days, the IEP Team Meeting shall be held.
6. For identified students, the IEP Team, if a meeting is held, shall:
- a) Consider whether the student needs a Functional Behavioral Assessment, Reevaluation, a new or revised Positive Behavioral Support Plan or a change of placement to address the inappropriate behavior;
 - b) Document as a Revision to the IEP.
7. For special education students, The Supervisor of Special Education, or designee, will be responsible for:
- a) Entering restraints in the Restraint Information System Collection (RISC):
 - b) Reporting any restraints that result in an injury to a student and/or staff person via email to the Bureau of Special Education.
8. Each time a restraint is entered into the RISC, the BSE staff will be notified via PDE's email system. The restraint will be reviewed within two (2) working days of recording. The BSE will notify the school contact person if additional information or clarification is needed.
9. If no restraints are used during the entire school year, the Supervisor of Special Education shall report "no restraints in the recently completed school year" in the RISC System.

The Interventions for Level IV may include the following:

1. *Passive Physical Restraint*: Physical containment of a student by direct contact for the purpose of restricting and inappropriate behavior. The behavior must be one that presents a danger to self or others. The student must remain calm for a specified time in order to be released from the restraint.

2. *Mechanical Restraint*: Used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination and as agreed to by the student's parents/guardians. Mechanical restraints shall only be used to prevent a student from injuring him/herself or others or shall promote normative body positioning and physical functioning.

3. *Exclusionary Time-Out*: Used to extinguish external stimuli so that student may regain emotional composure.

SECTION B – OTHER CONSIDERATIONS

Prohibitive Adverse Techniques (Forbidden by State Regulations and Standards)

The following adverse techniques of handling behavior are considered inappropriate and **MAY NOT** be used by agencies in education programs:

1. Corporal punishment.
2. Punishment for a manifestation of a student's disability.
3. Locked rooms, locked boxes, or other locked structures or spaces from which the students cannot readily exit.
4. Noxious substances.
5. Deprivation of basic human rights, such as withholding meals, water or fresh air.
6. Suspensions constituting a pattern under 22 Pa. Code 14.143(a).
7. Treatment of a demeaning nature.
8. Electric shock.
9. Methods implemented by untrained personnel.
10. Methods which have not been outlined in the agency's plan.

Emergency Procedures

Emergency procedures for behavior that present a clear and present danger to the student or others may be delineated on the IEP. These emergency procedures may include such activities as:

1. Parent contact to immediately remove the student from school.
2. Notifying the police.
3. Notifying mental health.
4. Calling emergency services and ambulance.

5. Nonviolent therapeutic physical crisis intervention by trained staff which may include Level IV techniques.

If a student's behavior is considered to be life threatening in nature, the classroom teacher will immediately take appropriate action to protect all individuals involved, followed by documentation after the incident. The parent/guardian will be notified of the incident as soon as possible by the school personnel. A meeting must be convened with parent/guardian, representatives of the education agency and other appropriate agencies prior to the student returning to the classroom.

FUNCTIONAL BEHAVIORAL ASSESSMENT & 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 Initial Line of Inquiry, checklists, rating scales, teacher and parent input or interviews, and structured classroom observations. The state form, FBA Worksheet, is available on IEP Writer, and should be utilized. State forms, including FBA Information and, and Appendices A, B, and C can also be used to assist in the FBA process. 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 initial evaluations, the process is implemented and tracked through the SED. For reevaluations, the process for formal FBA's are implemented and tracked through the student's IEP case manager and IEP team. The school psychologist will complete the FBA with the team and the IEP case manager will complete the rest of the RR. If a Positive Behavior Support Plan (PBSP) is necessary, the state form should be utilized through IEP Writer. An annotated version, as well as a blank PBSP form for planning, can be used.

If school teams or personnel are in doubt as to whether an informal or formal permission should be issued, issue a Permission to Evaluate Consent Form or Permission to Reevaluate Consent Form for special education.

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, SED staff, including the supervisor and school psychologist, facilitates 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.

RELATED SERVICE REFERRALS

For students currently receiving special education services, a Reevaluation Report indicating a need for additional data, followed by a Reevaluation Consent Form, should be completed. If the student is referred for a related service evaluation ONLY and if the related service is NOT related to adding or changing an educational disability category and if the addition of the related service would not constitute the addition or change of an educational disability, a Permission to Reevaluate Consent Form and Reevaluation Report are not required. For example: Psychological Counseling or Special Transportation could be added without a reevaluation; however, adding hearing support would need a reevaluation.

Related services include the following 16 related services defined in IDEA/Chapter 14: occupational therapy, physical therapy, audiology, counseling, interpreting, medical services provided by a licensed physician, orientation and mobility, parent counseling and training, psychological services, recreation, rehabilitation counseling, school health services and school nurse services, speech/language, special transportation, social work services, and early identification services. Requests for related service evaluations should be sent to the SED.

Occupational and physical therapy referrals are sent to the occupational and physical therapists by the SED through email. Special education teachers do not initiate the referral to the therapists.

If a Permission to Reevaluate Consent Form is issued by the SED, the special education teacher is notified via email when the PTR-CF is received. The special education teacher and any applicable related service personnel have 60 calendar days to complete the RR that was started (unless a triennial RR is due before the 60th day).

The above procedure also applies if there is a referral for hearing or vision services. For hearing and vision, the appropriate AIU forms are completed by the Special Education Department. For social work services, the school social worker is notified. The SED must be notified of specialized transportation decisions that an IEP team has made so that the bus company can be notified. Special transportation must be listed both as a related service and in the present levels of the IEP.

Referrals for psychological services, including behavioral consultation, FBA/PBSP evaluation and development, and evaluations, are completed by the SED.

In order to receive a related service, a student must have a disability documented through either an IEP or a 504 service agreement.

ASSISTIVE TECHNOLOGY REFERRALS

If an IEP team believes that assistive technology is needed for a student, the current AIU procedure and forms should be followed and utilized. Any team requesting AT consultation or evaluation should first notify the Special Education Department. Then, the most current forms can be utilized, which are available on the AIU website: <http://www.aiu3.net/Level3.aspx?id=1220>. The website should be checked before each usage of the forms as the forms change frequently. *See SLP- AT Consultation Request procedure for more details (pg 45).

If a student has a need for assistive technology, this must be documented in the special considerations and present levels sections of the IEP, and a goal must also be created and progress monitored.

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, West Mifflin Area School District 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, West Mifflin Area School District provides annual notice to parents of enrolled students that it does not discriminate against students with disabilities through the Annual Pubic Notice and the district website.

Teachers shall be directed to the school psychologist 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

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 as a student with a disability will be planned on an individual basis by the 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. The school psychologist will complete 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 the West Mifflin Area School District, 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, the school psychologist, teacher, and other 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 SED and shall specify the modifications desired in the current service agreement. Within 25 school days, the school psychologist and other 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. This should be documented through a Cover Letter to Parent to Continue 504, indicated on the Service Agreement, and agreed to by the parent through a Notice of Eligibility/Non-Eligibility.

K. Termination of Service Agreement

If the school wishes to terminate the Service Agreement, the Special Education Department 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 SED and shall specify the reasons for the parent's request to terminate the agreement. Within 25 school days, the school psychologist shall communicate with the parent by sending the Notice of Eligibility/Non-Eligibility form.

L. Compliance, Paperwork, and Responsibility

The school psychologist is responsible for ensuring that the SED is notified when a parent makes a request for a Service Agreement, facilitating a meeting to evaluate or reevaluate the student is

scheduled after parent permission is secured, ensuring that the Service Agreement is written in compliance with Section 504 and Chapter 15, and completing annual updates to the student's Service Agreement on time.

All initial paperwork (including parent permission and parent input) is facilitated by the SED.

The school psychologist is responsible for ensuring that all general education teachers implement and are compliant with all accommodations and services contained in the Service Agreement. The Signature Routing Sheet may be utilized to facilitate this process. Quarterly or semester changes to the teachers and/or staff must also be made aware of the Service Agreement when applicable.

M. Confidentiality of Student Information and Records

West Mifflin Area School District 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 a confidential file in the SED.

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.

SLP-AT Consultation Request Procedures:

- 1) Complete AT Consultation Request document (in word doc format). Kendra Bittner (Kendra.bittner@aiu3.net) can also provide a copy.
- 2) Send to Spec Ed Director for approval. Also attach most recent ER/RR and IEP from current school. Spec Ed. Director needs to forward all documents to dori.anderson@aiu3.net once approved.
- 3) A Training & Consultation Coordinator: Assistive Technology (TaC AT) (such as Kendra Bittner) will schedule an appointment for observation and a meeting with school-based IEP team (parent does not need to attend)
- 4) The TaC AT will help provide recommendations for AT trial and guidance for acquiring devices/materials (ie- trial through PaTTAN, provide info & resources for parents, team, links to Core boards already designed, etc...)
- 5) TaC AT completes the AT Action Plan per team meeting and sends to team. SLP ensures that all team members (including parent) gets a copy
- 6) Trial each for about 4-8 weeks (ie- sign, core board, device, iPad, etc...).
- 7) SLP completes the AT Action Plan based on trial data, parent input, teacher/para observations
- 8) SLP submits action plan to team and discusses recommendations with Spec Ed Director (ie- need iPad with Lamp words for Life & heavy duty case)
- 9) Spec. Ed Director requests requisitions and alerts Tech dept and other administration of necessary equipment

****NOTE:** This process moves more quickly if things have been trialed & data has been collected prior to the AT action plan. ie- If a kindergarten student has not trialed PECS, sign or a core words board, trial these things prior to/during AT Consultation Request process.

ACCESS Information: Role of Related Services and Para-professional as biller, trainer and coordinator

(Process will be updated upon meeting with ACCESS Coordinator)

BILLER:

- 1) Submit credentials to Special Education Secretary
 - a. As a certified SLP
 - i. PA License/ID
 - ii. First Aid/CPR certification card
 - iii. ASHA card
 - iv. Teaching Cert (not TIMS screenshot)
 - b. As a Clinical Fellow
 - i. PA License/ID
 - ii. First Aid/CPR certification card
 - iii. Master's Degree
 - iv. Grad Transcripts
 - v. Teaching Cert (not TIMS screenshot)
 - vi. Mentor/Supervisor needs to sign off on billed hours: Originals must be mailed to ACCESS/AIU
- 2) Bill regularly: PA EasyTrac:
 - a. No need to bill for "student absent" or "provider absent" days
 - b. All service type is "Direct"
 - c. Indicate Indiv vs Group services. Should match IEP Related Services: exceptions may be testing days/hours
- 3) Be aware of Random Moment in Time emails: Access may email a Random Moment in Time study, wherein the SLP is to submit their activity during the Moment in Time selected by the AIU (if it's lunch, mark lunch, if seeing a student, mark which students/group)

TRAINER:

- 1) Access Coordinator ensures that all para credentials student IEPs are sent to AIU and approved
- 2) Access Coordinator ensure students are accessible via EasyTrac and assigns para a Username & Password
- 3) Schedule a time to train para on system:
 - a. Ensure login works (email Suzanne DeSilva if not)
 - b. Correctly select Date/times /services etc...
 - c. Teach "auto fill" and show paras what small changes can be made from log to log (Including hours/progress)
 - d. **ALL DAY PARAS: COMPLETE TWO LOGS PER DAY: ONE LOG FROM AM HOURS to LUNCH, ONE WITH HOURS POST .5 hr LUNCH. All logs will be rejected and need to be re-entered correctly if not**
 - e. Daily Logging procedure:
 - i. Select student name
 - ii. Select "Related Service"

- iii. Select "LOG" beside "PCA"
 - iv. Select "AutoFill"
 - v. Change Date/Hours (if needed)
 - vi. Update Progress note
 - vii. Update Progress
 - viii. Select "Update the database"
 - ix. Select "yes log this" or "Yes, then log another" if logging multiple bills in 1 day
 - x. **NOTE: An error saying " ___has already billed X minutes for this student on [DATE]" may appear: This indicates that one bill has already been submitted by Para or other Related Service (ie-SLP) for that day. This is usually correct: check the box and proceed. This will occur daily for ALL paras, as 2 bills need to be submitted per day**
- f. Teach paras how to print out their logs at the end of each month
- i. Select student name
 - ii. Select "reports"
 - iii. Click "Access Billing" radio button
 - iv. Select "Create Final Report"
 - v. Choose the first day of the target month (ie- 4/01/2022)
 - vi. Click small blue "view" button
 - vii. Print
 - viii. Submit to Spec Ed Director/Supervisor for signing
- 4) Related service providers may choose to offer Para opportunity to bill during speech time or use Speech resources (ie-computer) for para to enter logs throughout the week: this is up to the related service providers discretion, but recommended as resources/time are limited.

SLP-Early Intervention-Kindergarten Transition Procedure – Crossroads Speech & Hearing, INC.

Role of SLP

1) Early Intervention Meetings

- a. Begin February
- b. SLP attends Early Intervention meetings held at West Mifflin High School (typically 2 per year)
- c. Attendants include: Dart service coordinator, West Mifflin SLP, School Psychologist, Spec Ed Director, Early Intervention teacher/SLP, Student's Family
- d. SLP should bring: samples of Core Boards, choice boards, communication binder, etc...to show parents as an example
- e. SLP should:
 - i. Take notes about each student presented
 - ii. **HIGHLIGHT** speech only students and ask:
 - 1. **Where is EI placement** (West Mifflin DART, etc...)*****NEED THIS FOR EVAL**
 - 2. How frequently do they attend (days of the week/ hours)
 - 3. Who is the teacher
 - 4. Sp/Lang deficit
 - 5. Current interventions in home/school (id applicable) ie-sign, device, PECS, etc...
 - iii. Discuss speech program
 - 1. Individual or small group sessions

2. Push-in/Pull out
 3. Accommodations/Classroom support
 4. Assistive Technology Evaluation (if needed)
 5. Speech/language after school tutoring 1X weekly
 6. *****ALL PROGRAM DECISIONS ARE MADE BY IEP TEAM AFTER RR TO DETERMINE APPROPRIATE PLACEMENT/ACCOMMODATIONS
- f. SLP should indicate students with PTRs signed at the meeting-SLP
 - g. Special Ed office will generate a Google Docs Spreadsheet with all Early Intervention students
 - i. SLP should review the spreadsheet regularly and make a note of any with Speech (contributor or speech only) PTRs signed: 60 days to complete

2) Early Intervention Re-Evaluations

- a. SLP (Speech only) or SLP + School Psychologist contact EI placement facility/teacher to set up a time to evaluate student (See contact information)
- b. SLP or SLP + School Psych go to location and assesses student on site (can travel together if possible)
- c. Should include: Unstandardized/standardized assessments & observations made during small group assessment and as classroom observer
- d. SLP or SLP + School psychologist complete report within time frame.
- e. SLP contributes to is case-manager for EI students that qualify
 - i. Case-manager is responsible for setting up IEP meeting
 - ii. IEP implementation date should be 1st student day of next school year