

# **East Central Special Education Unit**

## **SERVICE DELIVERY MANUAL**

**Last Updated May 2013**

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## **RESPONSE TO INTERVENTION (RTI)**

### **\*Fall of 2013 New State Guidelines will be provided from DPI**

#### **Universal Screening**

Screening for instructional purposes is not considered evaluation for eligibility for special education and related services. Screening is to determine appropriate instructional strategies for curriculum implementation.

#### **Response to Intervention (RTI) Tiers**

##### **Research shows that:**

If intervention takes place early enough and is intense enough and often enough there will be great benefits for students.

##### **TIER I:**

- Serves ALL students in the school with well supported instructional programs
- Services are intended to be PROACTIVE and PREVENTIVE
- The general educators play the lead role in the screening, identification and interventions of students at risk or not meeting adequate progress

##### **TIER II:**

- Provides additional timely evidence based instructional strategies to at risk students (Don't Wait to Fail Model)
- Adopts progress monitoring/data collection
- Develops support through small group student instruction providing extra practice on targeted skills.
  - **MASTERY LEARNING IS ESSENTIAL!**
- The classroom teacher collaborates with possible resource staff in the building
- Parents and administrator are informed

##### **TIER III:**

- Identifies instructional gaps
- Provides the most explicit and intense instruction to increase the student's rate of learning
- Monitors progress

##### **RTI Plan:**

- Documents instructional strategies used and the student-centered data collected
- Notifies Parent(s) of the following:
  - Specific concern
  - What strategies/ intervention(s) will be used to increase the student's "rate of learning?"
  - What will be used to progress monitor/"student centered data collection?"
  - Start date and Team Follow Up Date

##### **TIER IV:**

- **Referral for Special Education Eligibility**

## **Procedural Safeguards**

### **Procedural Safeguards In Special Education For Students And Parents (DPI Most Current Booklet)**

#### **EC MUST:**

- Establish, maintain and implement procedural safeguards
- Follow the updated Procedural Safeguards in Special Education for Student and Parents provided by the State of North Dakota
- Parents/legal education decision-maker must be given their parent rights:
  - Upon annual IEP
  - A copy must also be given
    - Upon initial referral or parental request for an evaluation
    - Upon notification that a disciplinary action has or will be taken that would constitute a change in placement: and
    - Upon request by parent
- Procedural safeguards must be provided in the parent's/legal decision maker's native language
- Follow Discipline Procedures Listed and contact the Director, keeping her informed, when needed

## **Parent Prior Notice**

#### **Parent Prior Notice MUST be sent to parents and student if age 15 or older with the specific reason(s) documented:**

- Assessment planning
- Individualized Educational Plan (IEP) meetings/addendums or annual reviews
- Initial referral for evaluation / re-evaluation
- Integrated Written Assessment Report (IWAR) meetings
- Any evaluation /re-evaluation meeting, starting with the gathering of data using the Student Profile
- Discuss evaluation results
- Determination whether the student qualifies for special education
- Graduation or exit from special education services
- Transition Planning for students turning 16 and older
- Other considerations (Transfer of Rights-required)

The Prior Notice must be understandable to parents and in their native language.

Staff **MUST** complete the entire form (Do not leave a box or line empty, simply document information or indicate N/A)

Please Check Box; “Parental Right for Public School Students Receiving Special Education Services-Notice of Procedural Safeguards” is enclosed when appropriate.

If you have any questions, refer to TieNet Guide to completing the PWN.

**TieNet Reminder:**

All documents must be finalized in TieNet within 30 days of the meeting date. Finalize documents in the order in which they were created.

## EVALUATION PROCESS

An evaluation must be done prior to an initial placement. There is an option to allow for three-year reevaluations not to be conducted, but East Central has chosen not to use that option except for in rare circumstances as approved by the Director.

### Student Profile

**Remind team of confidentiality requirements.**

**Check box regarding “Parental Rights” once provided.**

**Check the appropriate box in TieNet that indicates initial, reevaluation, or assessment for other purposes.**

**Must send a Prior Written Notice that indicates all action that may take place at the meeting.**

### **Evaluation and Re-evaluation MUST include:**

- Existing Data with the following components:
  - Evaluation and information provided by the parent
  - Current classroom based local or state assessment
  - Classroom observation
  - Observations by teachers and related service providers
  - Must state who said what, including the parent
  - Information on participation in local or state assessments
  - All areas must include: Student/Classroom Characteristics/Influences (environmental) Sources of information-Findings (strengths and challenges)
    - Cognitive Functioning-Listening Skill, Listening Comprehension, Ability compared to same age peers
    - Academic Performance-Reading (Phonemic Awareness, Phonics, Fluency, Vocabulary, and Text Comprehension) Math (Reasoning, Calculation), Learning Styles, etc. (State assessment information could be included in this section)
    - Communicative Status-receptive and expressive language
    - Physical Characteristics-medical, vision, hearing, motor (fine and gross)
    - Emotional/Social Development-Social Skills, Leisure
    - Behavior Skills-Adaptive Behavior, Self Care, Independent Living, Self Direction, Health & Safety, School Attendance
    - Ecological Factors Functional and Community Participation Home/Family, Neighborhood
    - Other: (Such as District and State Wide Assessment Results and/or Outside Agency information)

- Outside Agency and/or Independent Evaluation information is considered if applicable
- This information is then used to determine if any additional data is needed.
- If additional information is needed, an assessment plan is written.
- Sources of information should be identified on the profile.
- **If no additional information is needed in any of the areas of functioning:**
  - On TieNet, complete an IWAR indicating that no additional information was needed.
  - Parents **MUST** sign the Integrated Written Assessment Report (IWAR), indicating they are aware and were included in determining that no additional information is needed to determine or confirm that the student has a disability, and that they have been informed of their rights regarding 300.533(d) –Requirements if additional data is not needed.

## **Assessment Plan**

**Carefully consider “Considerations for Nonbiased Assessment” If any boxes are checked, they must be addressed in the assessment plan.**

**Assessment Plan – Written by Assessment Plan Team (same as multidisciplinary team)  
Must:**

- Be developed prior to evaluation
- Be nondiscriminatory
- Be tailored to educational needs and NOT a single intelligence quotient
- Consider the student’s impaired sensory, manual or special skills
- Assess in all areas related to suspected disability
- Be administered in the student’s native language
- Be administered by trained personnel and are valid and reliable
- Include information enabling the student to be involved in and progress in the general curriculum
- Include Multiple measures \*SLD teachers must use an appropriate battery of assessments.
- **Describe any evaluation procedure that will be conducted. Specific test names are not needed, but include a statement to reflect that area of assessment along with assessment tools as deemed necessary by the qualified examiner.**



## **The Multi-Disciplinary Team**

### **The Multi-Disciplinary Team includes:**

1. Parents\*
2. General Education Teacher \*
3. Special Education Teacher \*
4. Local Education Agency (LEA), Administrator (or their Designee)\*
5. If there is an evaluation – An individual who can interpret the instructional implications of evaluation results (may be a member of the team described above)\*
6. At the discretion of the parents or Local Education Agency (LEA), other individuals who have knowledge / special expertise regarding the student
7. The Student – (if appropriate)\*If the student serves as his or her own guardian.

\*Core team member

## **Consent for Evaluation**

### **The building administrator or evaluation case manager will:**

1. Obtain informed consent through written permission to assess from the parent/guardian
2. Contact the local Special Education Director if:
  - a. The parent does not respond to a request to provide consent
  - b. The student is a Ward of the State and not residing with the student's parent
  - c. The student is home schooled or placed in a private school by the parents at their own expense.
3. **Provide the parents a copy of the Assessment Plan and the Consent for Evaluation upon completion of the meeting.**

### **If the parents do not consent to testing, they will mark “no” on the Consent for Evaluation form.**

The case manager will file that form in the cumulative file. If the student has not yet been added in TieNet, a blank copy of the form may need to be used to be handwritten at the meeting.

### **If the student MOVES during Assessment:**

- The district **MUST** coordinate with the student's prior and current school placement as expeditiously as possible to ensure prompt completion of the full evaluation.

#### **Initial Evaluation ONLY:**

When parents provide an outside evaluation that the team is accepting as an evaluation upon which an eligibility decision is made, the team is required to:

- Generate an assessment plan or add a question to the assessment plan that already exists
- Obtain written consent for evaluation from the parent, even though it may be after-the-fact

**Remember: Evaluation must be completed within 60 days of the date the parent signs the Consent for Evaluation.**

## **Reevaluation**

### **Reevaluation:**

- Must occur within 3 years of last evaluation
- **May not** occur more than once a year unless parent and the school agree
- May occur if the Local Education Agency (LEA) determines a need
- May occur if the student's parents request

**Any evaluation / reevaluation meeting can be completed through a Student Profile Meeting with no further questions. Provided that it includes:**

- Review of existing evaluation data
- Information provided by the parents and documented as parent contribution
- Current classroom based assessments and observations that are documented and reviewed
- Related services personnel must provide observations, in addition to the classroom teachers
- A statement that the student participates in local or state assessments

**If no additional information is needed in any of the areas of functioning:**

- On TieNet, complete an IWAR indicating that no additional information is needed.
- Parents **MUST** sign the Integrated Written Assessment Report (IWAR), indicating they are aware and were included in determining that no additional information is needed to determine or confirm that the student has a disability, and that they have been informed of their rights regarding 300.533(d) –Requirements if additional data is not needed

**If no additional assessment occurs, the IWAR must include:**

**Insert statements: “The team agrees that no additional information is needed and {First name} continues to qualify for special education services in the area of {Primary Disability}.”**

**Preschool: “The team agrees that no additional information is needed and {First Name} qualifies for special education services in the area of...”**

**Boxes in TieNet: DO NOT check the box at the top that indicates, “Parent and school have determined re-evaluation is not necessary”. If no further assessment will be conducted, DO CHECK the box at the bottom that indicates, “Student Profile has been completed and the team has determined that no additional information is needed.”**

## **DETERMINATION OF ELIGIBILITY**

### **Integrated Written Assessment Procedure**

**\*For more information, refer to the Power Point information on IWARs found in the appendices of this manual.**

**The IWAR is to be used only for eligibility determinations so it is mainly used for initial evaluations and three-year reevaluations. It may be used to document disability category changes at other times as well. If assessments are completed for other reasons, document using the Meeting Notes form in TieNet.**

**ALL initial and reevaluations MUST have an IWAR.**

**Integrated Written Assessment Report (IWAR) must include:**

**Remind team of confidentiality requirements**

**Review Procedural Safeguards and document**

- Findings from all sources
  - Observational information relating to the student’s current level of functioning
  - Input from all team members that reflects all areas of the student’s current levels of functioning
  - Integrated assessment data
  - Input from all team members, including parent
  - All other current and relevant data
  - Consideration of nondiscriminatory procedures that were addressed throughout the evaluation process
  - If an Outside Agency or Independent Evaluation was conducted, it must be considered and documented in the report
  - Determination of the student’s disability in one of the following areas:
    - Autism
    - Deaf-Blindness
    - Emotional Disturbance
    - Hearing Impairment including Deafness
    - Intellectual Disability

- Non-categorical Delay (ages 3-9)
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment including Blindness
- **Impact of the disability on the child's education**
- Immediate needs
- **The IWAR must be completed within 60 days of the initial consent for evaluation.**

The IWAR MUST be written in an understandable manner for parents and others.

The IWAR must indicate that:

(Insert statement for TieNet)

**The process, procedures and instruments used in this assessment considered environmental, economic, and cultural factors and were not considered to be influential in determining a disability. The results of this evaluation are felt to be non-biased and an accurate measure of \_\_\_\_'s ability at this time. All assessments were administered by qualified personnel. The disability does not appear to be the result of environmental, socioeconomic status, motor or sensory deficits, or emotional issues.**

**The team MUST NOT determine the student eligible and must document if there is a:**

1. Lack of appropriate instruction in Reading and Math
2. Limited English Proficiency

**The IWAR is NOT to be signed until the end of the meeting.**

- **Clarification:**
  - When you sign the IWAR, it is an agreement with the team decision regarding assessment results and determination of the disability
  - If a team member is in disagreement with the team decision he/she MUST develop and submit a statement indicating such and his/her reasons, within 10 days.
  - The IWAR does not establish whether special education or related services are required; that is determined through the IEP process.
- **Parents MUST receive a copy of the Individual Evaluation Reports and Integrated Written Assessment Report (IWAR) at NO COST**

**The Multi-Disciplinary Team (MDT) must include:**

- **A qualified diagnostician (to interpret evaluation results)**

- **Data based documentation that the disability is NOT DUE to lack of instruction**

**If additional information still needs to be obtained after the IWAR meeting:** The team must complete the IWAR within 60 days. If more testing is needed, the team must determine if there is a disability based on the information available at that time. Meeting Notes may be used to document the results of the new assessment information UNLESS the disability category changes. If the disability category changes, the team must complete a new IWAR. If a related service is added, the team can complete a Meeting Notes form and make an amendment to the IEP if necessary.

### **Additional Considerations for SLD**

**The Integrated Written Assessment Report MUST include:**

- Identification of SLD in one of the eight areas (must check the appropriate box)
  - Oral Language
  - Listening Comprehension
  - Written Expression
  - Basic Reading Skills
  - Reading Comprehension
  - Reading Fluency
  - Mathematics Calculation
  - Mathematic Problem Solving
- A description for the basis of the determination that the child has a learning disability
- That the student does not **achieve adequately for the student's age, or meet State-approved grade level standards**
- That the student does not **make sufficient progress to meet State-approved grade level standards**
- **Classroom observation**
  - **Must be done by someone other than the classroom teacher**
  - **State any relevant behavior noted and the relationship of that behavior to the child's academic functioning**
  - **Include information comparing observed data to typical peers on a typical day**
  - **Was the observed data consistent with what the general education teacher reports and does it substantiate any other gathered data**
- **Statement that the SLD eligibility determination was not due to the following:**
  - Vision, hearing, or motor disability
  - Intellectual Disability
  - Emotional disturbance
  - Environmental, cultural, economic disadvantaged
  - Limited English Proficiency
- Documentation of **educationally relevant medical findings (300.311)**
- On TieNet, select either the discrepancy model or the RTI model for SLD eligibility determination. East Central is not currently using the RTI model to identify students.

**If RTI, process then document the:**

- Instructional strategies used
- Student centered data collected
- Student's parents were notified about:
  - The state policies regarding the amount and nature of student performance data that would be collected **and** the general education services that would be provided
  - Strategies for increasing the student's rate of learning
  - The parent's right to request an evaluation
- **Signature of each team member for approval (300.311)**

**Additional Considerations for Intellectual Disability**

Documentation of adaptive behavior functioning that includes communication, daily living and socialization must be included.

**Eligibility Considerations for Emotional Disturbance**

East Central Special Education has adopted the North Dakota ED Guidelines.

**Individual Assessment Reports**  
**Individual Reports are not required by the state.**

**If Individual Assessment Reports are completed, reports MUST include the following:**

1. Classroom Observation
2. Observation during assessment
3. Determination of the student's educational needs from the assessment

## **Two Prong Requirement for Service**

- 1. Does the student meet eligibility criteria for one or more of the disability categories identified under IDEA?**
- 2. Does the student require specialized instruction because of his/her disability? (This is determined through the IEP Process)**

If a child has a mild articulation problem that most likely can be corrected within a short period of time (2 years or less), a child may be placed on a Speech Intervention Plan instead of an IEP if the team decides that is an appropriate option.

## **Consent for Placement**

**\* This form MUST be signed by the Parent/ Legal Guardian when the student is first/initially placed in Special Education. A new form is not signed if services are added. Indicate services in the area of the student's disability. When additional services are added, it is done through the IEP process and there is no need for another Written Consent for Placement.**

**If a new student moves into the East Central Special Education Unit without an initial consent for special education services, the case manager needs to print a blank copy of the consent for evaluation and obtain the parents signature. That copy will then be filed in the student's cumulative file.**

## **Early Childhood Outcomes Process (Information from DPI)**

The ND ECO Process provides an entry rating for every preschool child with an IEP when they begin receiving early childhood special education services and an exit rating when the child transitions out of or exits services. The entry and exit ratings will be gathered in the following three outcome areas:

1. Children have positive social-emotional skills;
2. Children acquire and use knowledge and skills; and
3. Children use appropriate behavior to meet their needs.

### **Definitions (From DPI)**

#### **Entry Data:**

Entry data must be collected when a child enters Part B early childhood special education services. Entry into Part B early childhood special education services could be when a child: 1) is newly identified as eligible for Part B; 2) transitions from Part C to Part B; 3) enters a ND ECSE program from another state; or 4) reenters a program after an exit rating was completed.

#### **Exit Data:**

Exit data should be gathered during the time period right before the child leaves the early childhood special education services or by the time the child turns 6 years of age.

#### **Progress Data:**

The team must complete questions relating to progress at the same meeting when the team completes the child's exit rating. Progress is defined as the acquisition of at least one new skill or behavior related to the outcome.

### **PROCEDURES:**

#### **Entry:**

If an Early Childhood Special Education placement of more than 6 months is anticipated, the Early Childhood Outcomes form needs to be completed on TieNet. To aid in the completion of the outcomes, information is gathered from the all available sources including the parents. Service providers will need to assess the child using one of the state approved anchor tools. Consent to administer the anchor tool needs to be obtained from the parents. Once all the information has been gathered, the team meets to select the appropriate ratings that characterize the child's skills and behaviors to complete the ECO entry level ratings. This needs to be completed within 60 days of the child entering Preschool services.

#### **Exit:**

The ECO process must also be completed when a child exits early childhood special education services if they have been receiving services for at least 6 months. This should be completed



during the time right before the child leaves Early Childhood Special Education services **or by the time the child turns 6 years old.**

**Early Childhood Outcomes Process:**

- \*Send Prior Notice for ECO Process (combine with IEP notice)
- \*Give pamphlet at IEP meeting
- \*Obtain consent for anchor tool
- \*Send Prior Notice for ECO meeting to complete entry ratings
- \*Complete ECO rating form (use date the child entered the program)
- \*Update Parent Contact
- \*Send ECO entrance and exit information to the EC Office

## **INDIVIDUALIZED EDUCATION PROGRAMS**

### **Developing an Initial IEP**

**December 1<sup>st</sup> Child Count reminder- all students must have a current finalized IEP on December 1<sup>st</sup> of each year.**

#### **Summer Birthday Reminders:**

**If a student is NCD and turns 10 during the summer, he or she must be identified with a disability in one of the other disability areas OR dismissed by that time.**

**If a student with a disability turns 16 during the summer, he or she must be on a Transition IEP.**

**If a student with a disability turns 18 during the summer, Transfer of Rights must be signed.**

#### **An IEP must:**

- Be developed within 30 days of identifying a student (IWAR meeting date) and must be implemented for the student **if** he/she needs a specially designed program
- Be reviewed **within** 12 months, not to exceed 12 months
- Be in effect prior to starting services

### **Early Childhood Special Education (ECSE) IEP Team**

#### **Part C Transition Referral**

The EC Special Education Unit will collaborate with Part C personnel to ensure a smooth transition from ages 0-3 services. When a child turns 2 years, 6 months, Part C arranges a meeting that includes the Special Education Preschool Teacher. Parents may decide to “opt out” and not have their information released to Part B. The purpose of the 2-6 meeting is to determine if more assessment is necessary. The team will review current assessment information and determine if more assessment is needed to determine eligibility for Part B.

When the child turns 2 years, 9 months, the Special Education Preschool Teacher arranges a second meeting to finalize plans for the transition. At this meeting, all required team members will assist in the determination of eligibility based on current assessment information. If the child is eligible, an individual educational program will be developed (IEP). At this point, the parents can decide if they want to have Part C personnel included in the Part B IEP meeting. **If the team decides to write an IEP they should follow the procedures for Developing Individualized Educational Program for Early Childhood.** The IEP needs to be finalized

within 30 days of this meeting AND it needs to be in place by the child's 3<sup>rd</sup> birthday. The team can also decide to use the IFSP if appropriate. If the IFSP is appropriate the team needs to consider the goals and interventions that are already in place in the IFSP.

The IEP and IFSP developed for a child who will reach age 3 during the summer specify the child's program upon the third birthday, including ESY services needed by that particular child to receive FAPE. If ESY services are not needed to provide FAPE, the date of initiation of services would be the beginning of the upcoming school year.

**An Early Childhood Special Education (ECSE) IEP Team MUST include:**

1. Parents
2. General Education Teacher
3. Special Education Teacher
4. Representative of Local Education Agency (LEA) is the Administrator (or their Designee)
5. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team
6. If appropriate, Part C Service Coordinator or Representative of IFSP (for initial transition meeting)
7. Agency personnel as appropriate
8. Related services as appropriate

If the child will still be 5 on December 1<sup>st</sup>, use the 3-5 IEP.

**If the team uses an IFSP for the IEP initially (IFSP/IEP) add:**

- The Early Childhood Educational Plan IEP cover page with the student's identifying information and team member information
- The IFSP/IEP Additional Pages
- **Review the IFSP in the development of the IEP**
- Please refer to state guidelines, Understanding Early Childhood Transitions: A Guide for Families and Professionals

Infant Development is responsible for sending the Prior Notice for the 2-6 meeting.  
East Central is responsible for sending the Prior Notice for the 2-9 meeting.

The entry level ratings for the Early Childhood Outcomes process need to be determined within 45 days of the child entering preschool services.

**IEP Team (ages 6 – 15)**

**IEP Forms (ages 6-15) (If the child will be age 6 by December 1<sup>st</sup>, use this IEP).**

**The IEP Team (ages 6-15) MUST include:**

1. Parents
2. General Education Teacher
3. Special Education Teacher
4. Representative of Local Education Agency (LEA) is the Administrator (or their Designee)
5. An individual who can interpret the instructional implications of evaluation results
6. The student – (whenever appropriate)
7. Agency personnel as appropriate
8. Related services as appropriate

**(a) Parent means--**

- (1) A biological or adoptive parent of a child;**
  - (2) A foster parent, unless State law, regulations, or contractual obligations with a State or local entity prohibit a foster parent from acting as a parent;**
  - (3) A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not the State if the child is a ward of the State);**
  - (4) An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or**
  - (5) A surrogate parent who has been appointed in accordance with Sec. 300.519 or section 639(a)(5) of the Act.**
- (b) (1) Except as provided in paragraph (b)(2) of this section, the biological or adoptive parent, when attempting to act as the parent under this part and when more than one party is qualified under paragraph a of this section to act as a parent, must be presumed to be the parent for the purpose of this section unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.**
- (2) If a judicial decree or order identifies a specific person or persons under paragraphs (a)(1) through (4) of this section to act as the “parent” of a child or to make educational decisions on behalf of a child, then such person or persons shall be determined to be the “parent” for purposes of this section.**

### **The Transition IEP Team (ages 16-21)**

**The transition process may be started earlier for students if appropriate, although they would still remain on the 6-15 year old IEP.**

#### **The Transition IEP Team MUST include:**

1. Parents
2. General Education Teacher
3. Special Education Teacher
4. Representative of Local Education Agency (LEA) is the Administrator (or their Designee)
5. An individual who can interpret the instructional implications of evaluation results
6. Agency personnel as appropriate
7. Related services as appropriate
8. The student / young adult **Student needs to have his or her own PWN**

**Transition IEP – (MUST INVITE the student / young adult) and with consent of the parent or young adult, a representative of ANY agency that is likely to be responsible for providing or paying for transition services**

#### **Transition-Measurable Post-Secondary Goal Areas**

**Education or Training**

**Employment**

**Independent Living Skills (leave blank if you anticipate that the student will not need a supported or supervised living setting)**

**Results-oriented terms: “After high school..”, “...will be working...”, “...enrolled in...”, “...live independently.”**

**Use descriptors: “full time”, “part time”, “with assistance”**

**Update annually**

**Include evidence that post-secondary goals are based on age-appropriate transition assessments:**

**Age-appropriate: reflects the student’s chronological age**

**Transition assessments (eg. Enderle-Severson Transition assessment; Scales of Independent Behavior) or Informal (Task analysis, Observations, Student Interviews, Self Determination assessments, Interest Inventories, Functional skill inventories).**

**Documentation: Student grades, statement that GPA meets the requirements for college, summary of student psychological test scores, scores from curriculum-based measurements in PLAAFP, Interest survey documented in the PLAAFP, Enderle Severson Transition Rating Scale or other age-appropriate rating scale**

**Evidence that post-secondary goals are updated annually:**

**\*Change in wording from previous year**

**\*Documentation of discussion in the PLAAFP**

**\*Changes to the Course of Study**

**\*Documentation in T-3**

### **IEP Team Attendance**

- An **Interpreter** must be arranged and invited to the meeting if needed for the parent to understand the meeting (deafness or language barrier).
- **Contact the parent and establish an agreed upon time and date for meeting.**
  - Send the prior notice
  - If parent doesn't arrive call/remind and reschedule if necessary
  - Send a second prior notice
  - If they don't attend the second time- call and then proceed at case manager's discretion.
- **NEW:** The principal and case manager will determine the IEP Team for each student following the IEP Team Regulations.

**These team members will then be required to use an Excusal Form if:**

1. The member's area of curriculum or related service is not being modified or discussed.
2. The member's area of curriculum or related service is being modified or discussed and the member submitted a written report to the parent and IEP team prior to the IEP meeting date.

### **Complete the Excusal of Required IEP Team Member(s) Form**

- The case manager:
  - Will get the Excusal Form from TieNet
  - Will contact the parent and take responsibility for completing the form and obtaining the signature
  - The requesting teacher **MUST** submit their report to the case manager prior to the meeting, if their area of curriculum or related service is being modified or discussed.

If a team member does not show up the day of the meeting, first try to obtain a substitute member. If no one is available, the excusal form can be completed after the meeting.

## **All IEPs Cover Page**

**Make sure that all information is correct on the cover page. If the child is open enrolled from another district, check the appropriate box on the cover page. If the child is agency placed (usually by Social Services), be sure to check the appropriate box on the cover page.**

### **Section D:**

#### **Present Level of Academic Achievement and Functional Performance**

**\*For more information, refer to the Power Point PLAAFP information in the appendices of this manual.**

#### **The Present Level of Academic Achievement and Functional Performance (PLAAFP)**

**MUST include:**

**Remind the team of confidentiality requirements.**

**Review Procedural Safeguards and document.**

- How the disability affects the students involvement and progress in the general education curriculum  
Or for Preschool, how participation in appropriate activities are affected
- Parent input
- Student Strengths and challenges
- Must include baseline data to support current level of functioning
- From a variety of sources, including parent and student input
- Description of patterns of functioning
- Description of need for special education
- All areas of academic and functional performance, as listed in this section
  - Cognitive (listening skills, listening comprehension, ability compared to same age peers)
  - Academic (reading, math, learning styles, etc.)
  - Communication (receptive and expressive language)
  - Physical characteristics (medical, vision, hearing, motor)
  - Emotional/Social Development (social skills, leisure)
  - Behavior Skills (adaptive behavior, self care, independent living, self direction, health and safety, work)
  - Ecological Factors (functional and community participation, home/family, neighborhood)

**WE MUST ALSO be certain it is written so that it is understandable to parents and general educators.**

## Section E: Consideration of Special Factors

The team must consider these factors while developing the IEP. Any factors checked yes must be addressed in the IEP.

1. Has the child been identified by the school district as a child with Limited English Proficiency?
2. Is the child blind or visually impaired?
3. Is the student deaf or hard of hearing?
4. Does the student have communication needs? (If the student receives speech and language services, mark “yes”.)
5. Does the student need assistive technology devices and services?
6. Does the child’s behavior impede the child’s learning or the learning of others?

**\*For more information on behavior and behavior plans, refer to the Power Point information found in the appendices of this manual.**

### All IEPs Section F:

#### **Annual Goals, Short-Term Objectives, and Characteristics of Services**

**\*For more information, refer to the Power Point Goal and Objective information found in the appendices of this manual.**

- **Essential Features of a Goal:**
  - **It must address needs identified in the PLAAFP**
  - **Address the student’s unique needs**
  - **Be reasonably accomplished in a year**
  - **Provide a means to monitor student progress over time**
  - **Transition: must support postsecondary goals**

**Students who take Alternate Assessment aligned to alternate achievement standards, MUST include a description of the benchmarks with the short term objectives**

#### **Required Goal Components:**

**Grade level (use the student’s current grade)**

**Subject area**

**State Standard and benchmark (provided in TieNet)**

**Intent or purpose (“IN order to...”)**

- **Behavior or skill (“The student will...”)**
- **Desired ending level of achievement (measureable: “With \_\_\_\_% accuracy over 9 weeks.”)**

**Attention Case managers: At the beginning of the year, it is your responsibility to inform all service providers of the schedule for reporting progress.**



- Characteristics of services
  - WHO will provide services, specially designed instructions, supportive training, or adaptations/modifications
  - WHAT will services look like-preteaching, reteaching, supportive training, etc.
  - WHERE services will be provided (in the general education classroom, resource room, home)
  - HOW the goal will promote participation in the general education curriculum
    - Without adaptations and modifications
    - With adaptations and modifications
    - With specially designed instruction
    - With supportive services or in an alternate setting
- How and when periodic progress will be provided

**Objectives MUST be written in all areas that a student may take (Reading, Mathematics, and Science) the North Dakota's Alternate Assessment (NDAA).**

**Required Objective Components:**

- Conditions/Circumstances under which behavior is to be performed
- Specific behaviors
- Measureable Criteria for attainment
- Evaluation procedure
- Schedule for determining if objectives are met
- Individualized
- Characteristics of services

**Goals and Objectives MUST include a description of:**

- How progress will be measured
- When periodic review on progress will be provided
- If charts will be used to document progress

**Progress Reports: You must use the drop down boxes, but that alone is not enough when reporting progress to parents. You must write a narrative report indicating how the student is progressing toward meeting the measurable goal.**

**When developing a new IEP in which you have copied the old IEP, remember to clear out the old progress reports.**

**Characteristics of Services MUST be included for both Goals and Objectives (see examples)**

**Goal updates must be completed as indicated in the IEP. Each goal update should be completed in the order the boxes are listed on the IEP.**

## **All IEPs Section G: Adaptation of Educational Services**

Complete **Adaptation** of Educational Services Section:

- Related to the PLAAFP
- Promote advancement toward attaining the Annual Goals
- Include justification for each adaptation and modification
- List only adaptations/modifications that are necessary – **“as needed” is not an option**
- Discuss participation in State and District-wide assessments

### **(Current DPI NDAA Pamphlet)**

Document a statement of any individual **appropriate accommodations necessary to measure the academic achievement and functional performance** on state and district wide assessments. If the student meets the eligibility criteria to take the NDAA, include a statement indicating that. There must be a statement of team rationale for participation in the ND Alternate Assessment.

- Complete the student’s expected participation in districtwide and statewide assessment
- Accommodations on testing need to match the adaptations section of the IEP.
- **IMPORTANT: DO NOT** select any items listed under Modifications on TieNet because they are not permissible under NCLB.

North Dakota State Assessment Options:

1. ND State Assessment with no accommodations
2. ND State Assessment with accommodations documented in the student’s IEP (these must be allowable accommodations)
3. The ND Alternate Assessment 1 (NDAA 1) for students with severe cognitive disabilities under IDEA
4. The ND Alternate Assessment 2 (NDAA 2) for students with persistent learning difficulties served under IDEA
5. A combination of the above in different content areas

## **All IEPs Section H: Description of Activities with Students Who Are Not Disabled**

**Involvement and progress in the general education curriculum and participation in extra curricular and other non-academic activities must be documented.**

**Select the appropriate boxes and provide a general statement that the student can participate in whatever activities peers can unless not applicable for them.**

Check all that apply.

Do not check “counseling” unless it is the school counselor and indicate this in the

comment box.

## **All IEPs Section I: Educational Environment**

Start every placement discussion by answering the question, “Can all, or at least some of this IE, be implemented satisfactorily in the general education environment?”

Be specific and data-driven in your discussion and documentation

### **Documentation MUST include:**

- List of Least Restrictive Environment (LRE) Options
- List why the one option was chosen
- **List why other options were rejected**
- **Documentation of harmful effect (should be no)**

### **General LRE provisions:**

**Must be content specific and include a discussion if student’s needs could be met in the regular classroom with supplementary aids and services.**

- Supplementary services provided in conjunction with general **Error! Contact not defined.**
- Evidence child is educated in neighborhood school unless other arrangements identified by IEP team
- Child’s placement is based on IEP
- Educated with children who are non-disabled
- Removal from general education environment is appropriate by team determination
- Evidence that school/class attended is age appropriate

## **All IEPs Section J: Special Education and Related Services**

### **Essential features of Special Education and Related Services Section:**

- Complete the Special Education and Related Services section
- Total the number of minutes/week the student is receiving services apart from peers
- Do not include classroom support minutes

- Take these minutes and divide by 1800 to compute the % of time in special education
- Subtract the % of time in special education from 100 to determine the % of time in general education
- Check the appropriate box to reflect the LRE

Essential features of Special Education and Related Services section:

- Service
- Number of minutes per week (This is the section where you include classroom support minutes; however, they are not counted in the educational environment %)
- Starting date
- Duration of services
- Service provider by Job Title
- Location of services (include building and room)

### **All IEPs Section Extended School Year**

**Complete Extended School Year (ESY) Section of the IEP, which includes:**

- Sufficient documentation in justification section

**If a meeting is held later in the school year just to determine ESY services,** amend the IEP to add that information. Document the meeting using Meeting Notes. Various options for ESY must be discussed.

### **Transition Services (Ages 16 -21)**

**By the student's 16<sup>th</sup> Birthday a Transition IEP must be in place. Measurable Post Secondary Goals must be based on age appropriate Transition Assessment related to:**

1. Education/Training
2. Employment
3. Independent Living Skills (when appropriate)

**The Transition IEP MUST include:**

- Annual IEP Goals that reasonably enables the student to meet the postsecondary goal
- Services MUST include a course of study that focuses on improving the academic and functional achievement of the student and facilitate their movement from school to post school.

### **Section T-1 Measurable Post Secondary Goals**

**Section T-2 Course of Study – Make sure the courses are filled in for all grades. At the end of the year, fill in the actual credits earned.**

**Section T-3 Transition Services: Strategies and Activities Needed to Assist the Student in Reaching Post Secondary Goals**

**Essential features of Statement of Transition Services section:**

For each post-secondary goal at least one of the following must be completed:

- Instruction
- Related Service(s)
- Community Experience(s)
- Development of Employment and Post-School Objectives
- Acquisition of Daily Living Skills (if appropriate)
- Functional Vocational Evaluation (if appropriate)

For examples of T-3 section entries, see

<http://www.dpi.state.nd.us/transitn/index.shtm>

Access DPI's New Tool – Transition Assessment Matrix at

<http://www.dpi.state.nd.us/transitn/matrix/matrix.shtm>

## **Transfer of Rights Section**

At the IEP meeting, **at least one year prior to the age of majority (age 18)**, the student and family are informed of the educational transfer of rights. This is documented through the IEP process (please see IEP Section, Transition IEP last page). This is documented on the T-2 page. The date should not change in subsequent IEPs.

Upon turning 18, the student is provided with the "Procedural Safeguards in Special Education for Students & Parents". The student with a disability becomes his or her own educational guardian for the special education process unless the student has been determined to be incompetent under State Law.

Students will be given the option of having special education staff continue to notify the student's parents of relevant information. If the majority age student determines that they do not want special education staff to notify the student's parents of meetings, progress, etc., notification will become the responsibility of the student. Either way, the student will receive notifications, reports, etc. when they are age 18 or older.

## **Exit Summary of Performance**

**No evaluation is required when a student/young adult:**

1. Graduates (You must complete a Prior Notice for graduation or exit by age.)
2. Or reaches the age limit

However, an **Exit Summary of Performance** is required.

**The “EXIT SUMMARY OF PERFORMANCE” must include the student’s:**

- Academic Achievement
- Functional Performance
- Recommendations on how to meet Secondary Goals

## **Accessibility of Student’s IEP**

The IEP **MUST** be accessible to each general education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. Each teacher or provider is informed of his or her responsibilities related to implementing the student’s IEP.

- Copies of the IEP are available for review in the case manager’s files at their serving school and in the cumulative files in each local school. Specific accommodation/modifications (Section G), and supports (Section J) are listed in the IEP. Responsibilities are listed in the EC’s Characteristics of Services for each goal/objective (Section F).
- Whenever there are goals/objectives/adaptations/modification that involve the general education environment, the case manager will provide a copy of the pertinent IEP Goal/Objectives and Adaptations of Educational services.
- Each fall **and** when changes are made to the annual IEP, this will be given to the student’s general education teacher(s), administrator and other staff working with the student.
- A record locator form is required to be placed in every cumulative file. TieNet must be indicated as an electronic version of records.

At the beginning of each school year, special education staff members should provide general education teachers with the pertinent information from the IEPs for all their students.

## **A Student on an IEP Moves IN or Out of the Unit**

As a receiving public agency, EC MUST provide a Free and Appropriate Public Education (FAPE) to the student including services comparable to those described in the student's IEP from the previous public agency. Within the first two weeks of attendance in an East Central school, the IEP team should meet to review the IEP and determine if the services as written in the current IEP are appropriate.

- If the transfer is within ND, the above must occur until we either:
  - Adopt the student's IEP from the previous public agency

OR

  - Amend or develop a new IEP that meets the applicable requirements.
  - Notify the local school office when new students from other states enter services at EC. Have them check the special education and East Central boxes.
  - Send the appropriate form to the East Central Business Manager (TieNet form on EC's web site).
- If the transfer is from another state, the first paragraph of information must occur until we:
  - Conduct an evaluation if determined to be necessary by the new LEA/school

AND

  - Develop, adopt, and implement a new IEP, if appropriate, that meets the applicable requirements.
  - Notify the local school office when new students from other states enter services at EC. Have them check the special education and East Central boxes.
  - Send the appropriate form to the East Central Business Manager (TieNet form on EC's web site.)
- The school district must take reasonable steps to promptly obtain the student's records from the previous public agency
- The previous public agency must take reasonable steps to promptly respond to the request from the new public agency

If case managers have difficulty locating students in TieNet at other times during the year, please check with the local school office to make sure the students are marked correctly in Power School and STARS.

## **TieNet Issues related to Exiting Process (From DPI)**

Process for transferring a student from one district to another

1. Student moves to another district.
2. **The receiving district needs to notify the sending district that the student has enrolled in their district and give the sending district 5 business days to complete any open documents and fill out and finalize an exit form.**
3. The receiving district enters the student into STARS. The sending district will no longer have access to the student.
4. The receiving district will need to remove the exit information in the student profile – eligibility section in TIEnet. Do not delete the Exit form as it is part of the student's file. (EC office will do.)
5. The receiving district can then proceed with creating documents.

## **Clarification of Exiting Process (From DPI)**

Process for exiting a student

1. Student exits special education.
2. Case manager completes and finalizes Exit form in TieNet. (The exit date, reason, and school year exiting must be entered.)
3. Information from the Exit form populates back to the student profile-eligibility section.
4. This information is fed back to STARS nightly.
5. Case manager sends TieNet form to Business manager at EC Office **within 20 days of the child entering the special education unit.**

## **Summer Exits**

For a student who enrolled in a new school district over the summer, please select the last day of the previous school year as the exit date. If a student received ESY services in your school district, the last date of the ESY services should be selected.

Process for students found to not have a disability

1. Case manager completes and finalizes the special education paperwork in TieNet for the evaluation process (IWAR).
2. The student is determined to not have a disability on the IWAR or if the parent does not sign the Consent for Initial Placement, the Case manager will need to notify the local school district.
3. The local school district staff will need to go into STARS and remove the serving special ed unit. (in the future, we hope to have this process automated.)
4. Step 3 applies for initial evaluations only.
5. For reevaluations if a student is determined not eligible the student must be exited using the Exit form within TieNet.



For students utilizing the RTI forms that are not determined to continue on to the special Ed evaluation process, you will need to have the local school staff remove the Serving Special Ed Unit check in STARS.

## **Development, Review and Revision of IEP**

### **Summer Birthday Reminders:**

**If a student is NCD and turns 10 during the summer, he or she must be identified with a disability in one of the other disability areas OR be dismissed by that time.**

**If a student with a disability turns 16 during the summer, he or she must be on a Transition IEP.**

**If a student with a disability turns 18 during the summer, the Transfer of Rights must be signed.**

**NCD reminder:** If a child is identified as NCD, either the Preschool Special Education Teacher or a teacher who has the strategist endorsement, whichever is appropriate for the child's age, must attend IWAR and IEP meetings.

### **IEP Teams MUST consider**

#### **(General)**

- Strengths of the student
- Concerns of the parents for enhancing the student's education
- Results of the most current evaluations
- **Academic, developmental and functional needs of the student**

#### **(Special Factors)**

As listed previously.

### **Amendment / Agreement**

#### **In making changes to the student's IEP:**

- Parent(s) and district may agree NOT to convene the IEP team and instead may develop a written document to amend or modify the current IEP
- We MUST insure that the IEP team is informed of the changes and a copy is given to the parents

#### **IEP Amendment Steps in TieNet:**

- **Complete paperwork, including prior notices**
- **Open a new IEP document; indicate purpose/date in the "Comments" box**
- **Copy only the necessary pages of the original IEP**

- **On the cover sheet, click the checkbox by “Amendment” fill in the amendment date**
- **On the PLAAFP, add any new present-level information as well as team members, if needed**
- **Present under “Other”**
- **Complete the amended pages**
- **Finalize**
- **Print pages that were changed, including cover sheet and attach to IEPs (cum, Office).**
- **Parent gets a complete copy.**

### **Discipline and Students with Disabilities**

All students need to be held accountable for their behavior. How a student with a disability is held accountable is determined to a great extent on whether or not the student’s behavior that is manifested is related to his/her disability.

If the student’s disability is NOT related to the behavior manifested, the student should be held accountable for his/her behavior and should be subject to normal school disciplinary policy. However, this must be discussed by the team and documented in the IEP.

If the student’s disability and the behavior ARE related, a different method may be used to hold a student accountable. The IEP team must also discuss this information. An example might be when a student has a disability, which prevents him/her from understanding or responding appropriately to a school rule.

Any time a student on an IEP presents behavior challenges; data will be collected through a Functional Behavioral Assessment (FBA). This data will be used to develop a behavior plan. Ongoing data collection/ progress monitoring must occur through the FBA. This may result in revision of the behavior plan at any time throughout the year.

To determine whether or not a student’s behavior is related to his/her disability, a Manifestation Determination is conducted. Please refer to Appendix A for the TieNet Manifestation Form, which has been adopted by the James River Cooperative to make this determination.

If a student is removed from school for more than 10 consecutive days in a school year, this is considered a change in placement. If the student is removed for more than 10 cumulative school days in a school year and the removals collectively constitute a change of placement (see *The Individuals with Disabilities Education Act Discipline Regulations for Students with Disabilities: Policy Papers in Education* found at <http://www.dpi.state.nd.us/speced/guide/policy/policy.pdf> on DPI website for definition). If this is the case, procedures for long-term removal must be conducted and another placement sought.

On the 11th day a student with a disability has been removed from school, the district has the obligation, by law, to continue the provision of services to the student to the extent necessary to enable him/her to continue to appropriately progress in the general education curriculum and

appropriately advance toward the goals in his/her IEP. If the student has been removed from school beyond the 10 days, whether or not the behavior is related to the disability, the student still has the right to these services.

There are instances when the district can remove a student to an interim educational setting for not more than 45 days. These are explained in the Discipline Policy Paper on the DPI website.

There are also instances when a hearing officer may order a change in placement to an interim alternative educational setting. These are also explained in the Discipline Policy Paper found on the DPI website.

## **Revocation of Consent Procedure**

Parent informs the school that they no longer want services and want to revoke their consent for services.

- **Best Practice:** Have a short meeting; send prior notice with date and reason for meeting.

### **FORM: REVOCATION OF CONSENT FOR SPECIAL EDUCATION AND RELATED SERVICES**

- Fill in the date of the meeting.
- Parent checks and initials the box by “I REVOKE...”
- Parent signs, dates, and checks/initials the appropriate box below the signature.
- Give a copy to parents.

Share the **Prior Written Notice – Revocation of Consent**

- Found under “Procedural Forms (Optional) in TieNet.
- Enter the date that services will be discontinued. This date should match the date that you received the **Revocation of Consent for Special Education and Related Services** form (above).
- Parent checks/initials box of acknowledgement; sign and date on p. 2
- Give a copy to parents

Option 2: Revocation without a meeting

Send **Revocation of Consent for Special Education and Related Services** form.

- Highlight where the parent needs to check/initial, sign and date.
- Provide a stamped, addressed return envelope.

Once the **Revocation of Consent** form is received, send **Prior Written Notice – Revocation of Consent**.

“Services to your child will be discontinued on...” Enter the date that the signed Revocation form was received.

- Highlight where the parent needs to check/initial, sign and date (**form continues on the second page**).
- Provide a stamped, addressed return envelope.
- Send completed copy to parents.

**Fill in the bottom section for School District use**

▪The date you receive the **signed Revocation of Consent** is the same as the date services terminated.

▪Enter the date of the Prior Written Notice.

**Exit the student** in TieNet. Exit reason = Transfer to General Education

**Consolidation of IEP meetings**

EC will continue to try to consolidate, meetings when possible and appropriate (i.e., Three Year Reevaluation and the annual IEP)

**PROCESS FOR DETERMINATION OF NEED FOR ONE-TO-ONE AIDE**

1. General education teacher brings concerns to principal.
2. Building Level Support Team/Special Education Staff meet, review strengths and needs, plan interventions, schedule observation.
  - Cognitive or Physical Disabilities; Identify functional skills, independence level, behavioral issues
  - Behavioral Disabilities: Complete Functional Behavioral Assessment
3. Observations in all settings – academic, playground, gym, music, lunchroom, transitions –minimum of 10 school Days for interventions, observations
4. BLST/Special Ed. Staff meet to:
  - \*Review observational data
  - \*Review students’ abilities and needs
  - \*Plan for the LEAST intrusive ways to assist the student
5. Plan for the Paraeducator Assistance **MUST INCLUDE:**
  - Identified Need
  - Specific Class Activity
  - Time Duration
  - Total Time Needed for Para Support
  - Plan for Moving toward Independence
  - Anticipated Time Reduction in Para Assistance by Annual IEP Review

The following pages must be completed at the IEP Meeting when students have one-on-one Paras.

East Central Special Education  
Paraprofessional Support Work Plan Request

When an IEP Team is considering the need for paraprofessional support with a particular student, this request must be developed by the student's IEP team.

Student's Name: \_\_\_\_\_

Grade: \_\_\_\_\_

Date: \_\_\_\_\_

Document the need for support assistance by answering the following questions:

1. What specific task(s) does the student need help with?
  
  
  
  
  
  
  
  
  
  
2. Is there already someone in the building who can provide the services noted on the matrix? Please describe why or why not.
  
  
  
  
  
  
  
  
  
  
3. Indicate which student goal(s) from the IEP will require para assistance in order to be attained.

Goal# \_\_\_\_\_ Goal# \_\_\_\_\_ Goal# \_\_\_\_\_  
Goal# \_\_\_\_\_

4. Describe the plan for decreasing, discontinuing, or review of the use of Para support. Include what opportunities the student will have to practice the goals independently.
5. Describe the plan for training the para in helping the student to establish independence.
6. Who will be responsible to coordinate training?
7. Who will be responsible for supervision of the para?
8. If the student requires support because of high frequency inappropriate behaviors, describe the structured behavior program to be used and the data collection procedures. The team must describe the positive behavior supports that are in place for the student. Proactive, positive strategies must be used.
9. Target date for student to function independently without support of the Para: \_\_\_\_\_

## Student Assistance Needs Matrix

Review the student's day by period or activity and indicate the times and assistance needed.

Activity	What student can do without assistance	What student needs <u>accommodation</u> to complete	What student cannot do and needs <u>assistance</u> to complete	Identify areas to target for independence (should be identified in IEP)
Arrival/Time				
Period 1/Time				
Period 2/Time				
Period 3/Time				
Period 4/Time				
Lunch/Time				
Recess/Time				
Period 5/Time				
Period 6/Time				
Period 7/Time				
Period 8/Time				
Departure/Time				

## **Surrogate Parent**

When a parent or guardian of a child is unknown or unavailable, or if the child is a ward of the state, the school district must assign an individual to act as this child's surrogate parent. For a child who is a ward of the state, the Director or a judge may appoint a surrogate parent to oversee the child's case. The surrogate has all the procedural rights of a parent and is responsible for representing the child's interest in all matters related to the provision of free appropriate public education.

In the case of an unaccompanied homeless youth, the Director will appoint a surrogate.

Whenever a student is in care, custody, and control of an agency (e.g., County Social Services), the question arises of who carries parental authority in terms of assessment and the IEP process. The answer is...the parent always does unless a judge has terminated parental rights. The questions the case manager needs to ask are:

- Have the parent's rights been terminated (Is there a legal document?)
- Is there a parent available? Please keep the Director informed.



## **SPECIAL EDUCATION DEFINED**

The term "special education" means specially designed instruction, at no cost to the parent, to meet the unique needs of a student with disabilities, including classroom instruction, instruction in physical education, home instruction, and instruction in hospitals and institutions.

Special education services include related services, which are those services that are required to assist a student with disabilities to benefit from special education, such as transportation, occupational therapy, physical therapy and psychological services.

## **Definitions of Exceptional Children**

**Autism** - means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3 that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has a serious emotional disturbance.

**Deaf-blindness** - concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with blindness or deafness.

**Hearing Impairment** – an impairment in hearing, whether permanent or fluctuating, which adversely affects a child's educational performance but which is not included under the definition of “deafness”.

**Intellectual Disability** - means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affects a child's educational performance.

**Orthopedic Impairment** - is a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations,

and fractures or burns which cause contractures.)

**Other Health Impairment** - means limited strength, vitality or alertness including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that

- Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, Tourettes Syndrome, and sickle cell anemia; and
- Adversely affects a child's educational performance.

**Emotional Disturbance**- a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

An inability to learn which cannot be explained by intellectual, sensory or health factors.

An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.

Inappropriate types of behavior or feelings under normal circumstances.

A general pervasive mood of unhappiness or depression

A tendency to develop physical symptoms or fears associated with personal or school problems.

The term includes children who are schizophrenic or autistic. The term does not include children who are socially maladjusted, unless it is determined that they are seriously emotionally disturbed.

**Specific Learning Disability** - a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems, which are primarily the result of visual, hearing or motor handicap, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

**Speech or Language Impairment** - a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, which adversely affects a child's educational performance. The current state guidelines are used to determine disabilities in these areas.

**Traumatic Brain Injury** - means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory perceptual and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

**Visual Impairment** - a visual impairment that, even with correction, adversely affects a child's educational performance. The term includes both partially seeing and blind children.

**Non-categorical Delay** (Referred to as Developmental Delay by federal definition) - the term, child with a disability, for children ages 3 through 9 may include a child (i) who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; (ii) who, for that reason, needs special education and related services; and (iii) if the State adopts the term for children of this age range (or a subset of that range) and the LEA chooses to use the term.

## **ELIGIBILITY**

### **Autism**

Please refer to the State Guidelines: *Identifying, Servicing and Educating Children and Youth with Autism*, for Autism Criterion.

### **Intellectual Disability**

A team evaluation including an individually administered psychological test by a qualified examiner indicating a full scale I.Q. of approximately 70 or below is required.

The student's primary deficit is in the area of intellectual functioning. In addition, deficits must be identified in at least two areas of adaptive functioning: communication, self-care, motor functioning, home living, and emotional/social development. These major deficits may be expected to continue over time. An appropriate educational program will increase the probability that the student will live and work independently in the community.

The student may not be placed in the special education program on the basis of one test.

### **Early Childhood Special Needs**

Categorical Eligibility and Non-categorical Eligibility

**Eligibility for early childhood special education services in North Dakota can be determined in one of two ways:**

- **Categorical Definition:** Eligibility based on a diagnosis in one of the thirteen categorical areas listed in Public Law 108-446, the Individuals with Disabilities Education Improvement Act (IDEA-2004).

There must be a determination by the multidisciplinary team that the child has a disability and requires special education in order to benefit from age-appropriate development learning opportunities. Specific criteria for each categorical area are defined in this section.

- **Non-categorical Definition:** Eligibility based on developmental delay or inconsistencies in demonstrating developmental milestones. **(This criterion is also used for Non-categorical Definition, ages 6-9).**

## **Non-Categorical Delay (ages 3 – 9)**

**The NCD definition should be used ONLY with students who have a delay and who do not meet eligibility criteria under the ND categories of disability.**

**Each student will:**

- Be between the ages of three and nine years of age when enrolled
- Have a team, upon referral, that compiles data using the Student Profile Process
- Have an evaluation, based on the proposed Assessment Plan

**Rule out: Does the student meet criteria for eligibility in one of the ND categories of disability?**

- **If no, does the student qualify for NCD?**

**NCD is defined as demonstrating skills acquisition that is significantly below that of chronologically same age peers in one or more of the following areas:**

- Cognitive
- Fine Motor
- Motor
- Vision
- Hearing
- Communication (including speech and language)
- Pre-academic
- Socialization (interactional and emotional development)
- Adaptive Skills ( including self help, attending, behavior control, and creative play)

**Significantly Below Average is defined as:**

**Criteria:** Performance at / or below 1.5 Standard Deviations (-22 points / 78 standard score) of the mean in any **TWO** areas of development

**OR**

Performance at/ or below 2.0 Standard Deviations (-30 points / 70 standard score) of the mean in **ONE** area of development

**If a student qualifies for NCD, the following staff members MUST be available for consultation:**

- Special Education Strategist
- A Teacher with Credentials in the areas of Education of Intellectual Disability, Emotional Disturbance and Specific Learning Disabilities
- or Early Childhood Special Education credential (for children ages 3 through 5)

**Re-evaluation MUST be completed before the student's 10<sup>th</sup> Birthday resulting in:**

- A plan for Exit from Special Education
- OR**
- Determination of eligibility in one of the ND categories of disability

An Early Childhood Special Education Teacher or a Strategist must attend the meetings for students with NCD.

## **Emotional Disturbance**

Please refer to the State Guidelines: *Resources for Working with Children, Youth, and Young Adults with Emotional Disturbance in North Dakota*, for ED Eligibility Criterion.

## **Hearing Impairment**

A student with a hearing impairment is a one who is being provided with supplementary instruction or amplification equipment because of hearing impairment will have had an otological evaluation and a report filed of the student's need for special services based on audiological and/or medical reports. Students who are hard of hearing students can use amplified sound as a major channel of learning.

## **Other Health Impaired**

Means limited strength, vitality or alertness including a heightened alertness to environmental stimuli, due to a health impairment, that results in limited alertness with respect to the educational environment, that

- Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, Tourettes Syndrome, and sickle cell anemia; and
- Adversely affects a child's educational performance.

## **Orthopedic Impairment**

A medical examination is required for any student with an orthopedic impairment. This must include a recommendation determining the need for specialized equipment and materials. The student's deficit in motor functioning is sufficiently severe to require special equipment and/or prosthetic devices, which require special education and related services. These deficits may be expected to continue, but an appropriate educational program will increase the probability of future independence

## **Specific Learning Disability**

EC's policy will be that if RTI is used in the SLD identification process, an evaluation will be conducted when the child reaches the final tier of intervention. This evaluation will be to determine if the child would meet SLD eligibility criteria.

### **Part One: Ability**

An individual with a learning disability generally has average to above average ability as determined by psychological, aptitude, and/or cognitive assessment.

### **Part Two: Achievement**

The severe discrepancy is educationally significant enough to impact his/her ability to be successful in everyday activities both in and outside of school. When provided with learning experiences appropriate to the student's age and ability levels he/she does not achieve commensurate with his/her age and ability level in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skill, reading fluency, reading comprehension, mathematics calculation, and/or mathematical reasoning.

### **The minimum level of discrepancy considered for:**

Grades K-3	1.00 SD or 15 points
Grades 4-12	1.50 SD or 22/23 points

### **Part Three: Exclusions**

The term ***does not*** include learning problems that are primarily the result of vision, hearing, or motor disabilities, of intellectual disabilities, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

### **Speech and Language Impairments**

A student with a speech or language impairment has been evaluated and determined to have a speech-language impairment, and as a result of this speech-language impairment, needs special education or related services. Students who have a speech or language impairment and no other disability may receive special education (specially designed instruction). “Specially designed instruction” means adapting, as appropriate, the content, methodology, or delivery of instruction to address the unique needs of the student that result from the disability, and ensure access of the student to the general curriculum so that the student can meet the district’s educational standards that apply to all students. Students who have a speech-language impairment that is secondary to another disability may receive related services (services to benefit from special education).

Below are the four subcategories in which the student may qualify:

**Language:** A language disorder is defined as a breakdown in communication that is characterized by difficulties in expressing needs, ideas, or information that may be accompanied by problems in understanding. Language patterns attributed to a dialectical, cultural or ethnic differences or the influence of a foreign language must not be identified as a disorder.

**Articulation/Phonology:** An articulation/phonological impairment is characterized by a failure to use speech sounds that are appropriate for a person’s age and linguistic dialect. Such errors in sound productions may interfere with intelligibility, social communication and/or academic and vocational achievement. Students cannot be considered to have an articulation/phonological impairment based on characteristics that are consistent with cultural and/or linguistic diversity.

**Fluency:** Stuttering is primarily characterized by repetitions (sounds, syllables, part words, whole words and phrases), pauses, and prolongations that differ in number and severity from those of normally fluent individuals. The onset usually occurs during the time that language skills are developing, and onset is generally gradual in nature. Secondary characteristics are frequently evident, and these vary in type and severity from individual to individual. The disfluencies may interfere with intelligibility, social communication, and/or academic and vocational achievement.

**Voice:** Voice impairment is defined as a pitch, loudness or quality condition that calls attention to it rather than to what the speaker is saying.

East Central Special Education has adopted the North Dakota Guidelines for Public School Speech-Language Pathologists.



## **Visual Impairment**

A Visual Impairment including Blindness is impaired vision (20/70 to 20/200 or a restricted field of vision) that even with correction, adversely affects the student's educational performance and requires curriculum adaptations ( i.e., magnifying devices, large print or Braille text) to succeed academically.

Any student receiving services in the category of visually impaired will have had an ophthalmological examination and a report filed in the student's individual file.

DETERMINATION OF DISABILITY: (student's name) *meets/does not* meet special education eligibility under the category of Educational Autism due to (summarize items checked) (see eligibility checklist). Data for determining eligibility was gathered from (list multiple sources of information, i.e., interviews, observations, file reviews, FBA, ADOS results, ABC, High functioning autism scale, ASDS scales, outside evaluation results, parent reports, etc.).

East Central will refer for an outside evaluation if needed to gather some data.

A student is special education in the area of Educational Autism when the student meets criteria items listed below. The evaluation must address all three categories collected from multiple settings. Must have a total of SIX or more features present to be eligible for educational autism.

CATEGORY #1: ATYPICAL DEVELOPMENT OF SOCIAL COMPETENCE: The student displays extreme difficulties in social relationships. *(Two or more behavioral indicators required.)*

- ☐ Limited joint attention and limited use of facial expression as directed toward others
- ☐ Does not show or bring things to others to indicate an interest in an activity
- ☐ Demonstrates difficulties in relating to people, objects, and events (peers)
- ☐ A gross impairment in ability to make and keep friends
- ☐ Shows significant vulnerability and safety issues due to social naiveté
- ☐ Appears to prefer isolated or solitary activities
- ☐ Misinterprets others' behaviors and social cues
- ☐ Demonstrates gross impairments of solitary, imaginative, cooperative, and reciprocal play

CATEGORY #2: DISTURBANCE OF COMMUNICATION: The student displays a qualitative impairment in communication. *(One or more behavioral indicators required.)*

- ☐ Has an absence, loss, or delay of spoken language.
- ☐ Includes echolalia, mechanical, or stilted speech.
- ☐ Has little response to language.
- ☐ Exhibits pronoun reversals
- ☐ Demonstrates difficulty with expressing emotions.
- ☐ Has impairment in the use/interpretation of nonverbal communication, facial expression, or gestures.
- ☐ Uses language in an unconventional way.
- ☐ Uses odd production of speech including intonation, volume, rhythm, or rate.
- ☐ Uses repetitive or idiosyncratic language or has inability to initiate or maintain a conversation when speech is present. (with peers)

CATEGORY #3: ATYPICAL RANGE OF INTERESTS, PATTERNS OF BEHAVIOR, INTEREST AND/OR RESPONSES TO SENSORY STIMULI: The student displays a narrow encompassing preoccupation with objects, sensations, rituals, or routines. *(One or more behavioral indicators required.)*

- ☐ Exhibits atypical, stereotypical, or repetitive responses demonstrating distress or resistance to changes in activity.

- ☐ Demonstrates overreaction or under-reaction to sensory stimuli (which may include sight, smell, hearing, taste, touch, balance, body awareness, and pain).
- ☐ Uses rigid or rule-bound thinking such as an intense, focused preoccupation with a limited range of play, interests, or conversation topics.
- ☐ Shows a lack of true imaginative play verses reenactment.
- ☐ Has difficulty generalizing skills from one setting to another.
- ☐ Insists on following routines or rituals, which may be complex.
- ☐ Demonstrates repetitive thinking and actions and is preoccupied with certain sounds, words, phrases, ideas, or items.
- ☐ Has excellent memory for visual detail, facts, or rote lists.
- ☐ Focuses on small details and demonstrates little awareness of critical elements of information.

DATA FOR DETERMINING DISABILITY WAS GATHERED FROM *(at least two methods must have been used)*:

- ☐ Structured interviews with parents
- ☐ Autism checklists
- ☐ Communication and developmental rating scales
- ☐ Functional behavior assessments
- ☐ Application of diagnostic criteria from the DSM-IV
- ☐ Informal and standardized assessment instruments
- ☐ Cognitive testing

**AND**

Verification that Educational Autism adversely affects the student's present level of performance *(must be evident)*:

- ☐ Educational needs in each category checked above is summarized in report
- ☐ A minimum of one observation in the area of suspected disability was conducted and summarized in report.

DETERMINATION OF DISABILITY: (student's name) meets/does not meet special education eligibility under the category of Emotional Disturbance due to (list areas checked) which has had a significant impact on (student's name) educational performance (see eligibility checklist). Data for determining eligibility was gathered from (list multiple sources of information, i.e., observations, teacher and parent report, behavior rating scales (BASC or Achenbach), file review, NDSA scores, MAP scores, intellectual assessment, academic assessment, curriculum based assessments, Functional Behavior Analysis, etc).

A student is eligible for special education in the area of Emotional Disturbance when there is documentation that indicates that he or she exhibits (ONE OR MORE of the following must be evident):

[ ] An inability to learn that cannot be explained by intellectual, sensory, or health factors (e.g. cannot learn in a general education classroom; has failed to attain satisfactory rate of educational progress)

[ ] An inability to build or maintain satisfactory interpersonal relationships with peers or teachers (e.g. pervasive inability to develop relationships across settings and situations, with at least one being observed in the school setting; may include the inability to show sympathy, empathy, maintain relationships, or be constructively assertive; may also include physical and verbal aggression, lack of affect, distorted emotions towards others, demands for attention, and withdrawal)

[ ] Inappropriate types of behavior or feelings under normal circumstances (e.g. feelings deviate significantly from other students of the same age, gender, and culture; these behaviors must be occurring under normal circumstances, and not in relation to extreme stress, changes, or events; may include behaviors such as withdrawal, fantasizing, emotional conflict in art or written work, or defiant, bizarre, acting out or confused verbalizations)

[ ] A general pervasive mood of unhappiness or depression (e.g., occurs across all settings and not the effect of normal bereavement, including behaviors such as irritable mood, changes in weight, changes in sleep patterns, fatigue, feelings of worthlessness or guilt, indecisiveness, thought of death or suicide);

[ ] A tendency to develop physical symptoms or fears associated with personal or school problems (e.g., physical complaints or symptoms that cannot be verified and are not visible in stressful situations, such as excessive absences, tardiness, refusal to attend school, self-mutilation, unusual sleeping or eating patterns, neglect of self-care and hygiene, hallucinations, psychosomatic illnesses, constantly complaining of being picked on etc.)

(The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.)

And this factor/s (ALL must be evident):

[ ] Has been displayed over a long period of time (e.g. significant amount of time, standard of 6 months, assuming interventions have been implemented and proven ineffective during that time period)

[ ] Has been displayed to a marked degree (e.g. behavior should be observed by more than one person across a variety of settings; noticeable and predictable patterns; significant in rate, frequency, intensity, or duration; behaviors have not changed or improved after implementation of at least two planned and documented interventions at school prior to referral; not a secondary condition attributed to substance abuse, medication, or a general medical condition)

[ ] Has adversely affected educational performance (e.g. academic performance issues such as sudden grade changes, inconsistent performance, excessive time to complete assignments to maintain grades; social/emotional growth issues related to frequency, duration and intensity of behavior compared to peers in the areas of social relationships, self-esteem, self-concept, self-care, and vocational skills; consideration as to whether the behavior adversely affects the education of others);

[ ] The team has considered and ruled out social maladjustment (social maladjustment is defined as a persistent pattern of conduct in which the basic rights of others and other age-appropriate societal norms are violated)

[ ] Observation(s) of student in the area of suspected disability was conducted. Date \_\_\_\_\_

DETERMINATION OF DISABILITY: *(Student's name)* meets/does not meet eligibility for special education under the category of Hearing Impairment as defined as an impairment in hearing, whether permanent or fluctuating, that adversely affects educational performance.

A certified audiologist has provided written documentation in the previous 12 months that *(Student's name)* has neural/sensorineural and/or conductive hearing loss of 25 decibels or greater in the better ear or a unilateral hearing loss of 45 decibels hearing level or greater in the affected ear. (Audiologist's name, summary of audiologist's report, and date of documentation must be included in the IWAR). *(Student's name)* hearing loss is in the following range:

- ☐ Mild Hearing Loss: (25-40 dB HL)
- ☐ Moderate Hearing Loss: (41-55 dB HL)
- ☐ Moderate to Severe Hearing Loss: (56-70 dB HL)
- ☐ Severe Hearing Loss (71-90 dB HL)
- ☐ Profound Hearing Loss (91 dB HL or greater)
- ☐ Unilateral Hearing Loss (one normal hearing ear and one ear with 45 dB or greater HL)
- ☐ Other (Please explain type of syndrome, birth defect, or other cause of hearing impairment.)

The child's Hearing Impairment adversely affects educational performance (at least one must be checked):

- ☐ *he/she* needs to consistently use amplification appropriately in educational settings as determined by a certified audiologist and systematic classroom observation. (Data from audiological measures and observations summarized in IWAR.)
- ☐ *he/she* has an achievement deficit in \_\_\_\_\_ (insert one or more of the following: basic reading skills, reading comprehension, or written language) which is at the 15th percentile or 1.0 standard deviations or more below the mean on standardized assessments (academic achievement data summarized in IWAR).
- ☐ the use and understanding of spoken English for classroom interaction under typical classroom conditions is affected and documented by a systematic observation of communication behaviors (observation summarized in the IWAR)
- ☐ *he/she* uses sign language and/or alternative or augmentative systems alone or in combination with spoken English. (Parent Report, Teacher Report, and/or language sample summarized in IWAR)

Data for determining eligibility was gathered from (List multiple resources, a minimum of one observation in area of disability required):

- ☐ Cumulative file review
- ☐ Review of previous interventions
- ☐ Interview Information (Teacher, Parent, Student)
- ☐ Observation(s) (e.g., classroom, large group, small group, etc.) Date:
- ☐ Tests: Diagnostic Evaluation of Articulation and Phonology, Test of Reading Comprehension, Woodcock Johnson, etc.
- ☐ Classroom based-assessment and interventions
- ☐ Other:

DETERMINATION OF DISABILITY: (student's name) meets/does not meet special education eligibility under the category of Intellectual Disability due to (summarize intellectual functioning, adaptive behavior, and affects on educational performance)

A student is eligible for special education in the area of Intellectual disability when (ALL must be evident):

- ☐ Intellectual ability of 70 (+ 1 standard error of measurement) or below on intelligence test
- ☐ Deficits in adaptive behaviors (communication, social, daily living skills) below the 15<sup>th</sup> percentile
- ☐ Adversely affecting academic performance and not due to environment or experience

Data for determining eligibility was gathered from (List multiple resources, A minimum of one observation in area of disability required [best practice would be three observations]):

- ☐ Cumulative file review
- ☐ Review of previous interventions
- ☐ Interview Information (Teacher, Parent, Student)
- ☐ Observation(s) (e.g., classroom, large group, small group, etc.) Date \_\_\_\_\_
- ☐ Tests (Intelligence Tests, Adaptive Behavior Rating Scales, NDSA, MAP, CBMs, etc.).
- ☐ Other: \_\_\_\_\_

DETERMINATION OF DISABILITY: Based on current evaluation and observation (*student's name*), who is between the ages of 3 and 9 years, *is/ is not* displaying a non-categorical delay disability. Based on the team's assessment (*student's name*) *is/is not* in need of special education services due to a significant developmental delay that is observed in the following area(s):

- ☐ Cognitive
- ☐ Fine Motor
- ☐ Motor
- ☐ Vision
- ☐ Hearing
- ☐ Communication (may include speech and language)
- ☐ Preacademic
- ☐ Socialization (may include interactional and emotional development)
- ☐ Adaptive skills (may include self help, attending, behavior control, play)

Significantly below average is defined as meeting criteria in ONE of the following three categories: (Please check the category that is being used. If Category A or B Criteria is being used, document functioning levels in the area(s) of the child's development.)

☐ CRITERIA A:

Performance at/or below 1.5 Standard Deviations of the mean in any TWO areas of development

OR

Performance at/or below 2.0 Standard Deviations of the mean in ONE area of development

☐ CRITERIA B:

A 30% delay in developmental age functioning in ONE area of development

OR

A 20% delay in developmental age functioning in TWO areas of development

☐ CRITERIA C:

Known risk indicators. This category includes children diagnosed with

1. Syndromes and disorders which have a high probability of resulting in a disability. Examples include Down's Syndrome, Fetal Alcohol, and Spina Bifida
2. This category also includes: children who are functioning above the stated criteria in Category A and B because of intensive early intervention but who are eligible for services based on expected regression if services were to be terminated.
3. Environmentally at-risk students can be included after the impact of severe environmental deprivation can be substantiated, such as when both parents are developmentally disabled.

Data for determining eligibility was gathered from (List multiple resources, a minimum of one observation in area of disability required [best practice would be three observations]):

- ☐ Cumulative file review
- ☐ Review of previous interventions
- ☐ Interview Information (Teacher, Parent, Student)
- ☐ Observations (e.g., classroom, large group, small group, etc.) Date\_\_\_\_\_
- ☐ Tests (Speech Assessments, Visual/Motor/Sensory Assessments, Vision and Hearing Assessments, Academic Assessments, Adaptive Behavior Scales, etc.)
- ☐ Other: \_\_\_\_\_



DETERMINATION OF DISABILITY: *(student's name)* meets/does not meet special education eligibility under the category Other Health Impairment as defined as limited strength, vitality, or alertness, including heightened alertness to environmental stimuli, which results in limited alertness with respect to the educational environment due to *(chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, or Tourette syndrome)*; and adversely affecting *(student's name)* educational performance. (see eligibility checklist)

A student is eligible for special education in the area of Other Health Impairment when a student meets criteria in both items 1 and 2 and must have the documentation indicated in item 3:

1). PRESENCE OF A HEALTH CONDITION *(BOTH must be evident)*

- ☐ Written and signed documentation by a licensed physician or psychology of a diagnosed chronic health condition (Diagnosis, physician's name and address, and date of physician's documentation must be included in the IWAR)
- ☐ For initial evaluations, all documentation is dated within the previous 12 months.

2). In comparison with peers, the health condition ADVERSELY AFFECTS EDUCATIONAL PERFORMANCE within routine timelines *(THREE OR MORE must be evident)*

- ☐ Excessive absenteeism linked to the health condition
- ☐ Specialized health care procedures that are necessary during school day
- ☐ Medications that adversely affect learning and functioning
- ☐ Limited physical strength resulting in decreased capacity to perform school activities
- ☐ Limited endurance resulting in decreased ability to maintain performance
- ☐ Heightened/diminished alertness resulting in impaired abilities
- ☐ Impaired ability to manage and organize materials and complete classroom assignments
- ☐ Impaired ability to follow directions or initiate and complete a task

3). The health condition results in a pattern of unsatisfactory educational performance as determined by a comprehensive evaluation explained throughout the current IWAR, which DOCUMENT THE REQUIRED COMPONENTS evident in items 1 and 2 above. Eligibility findings must be supported by current or existing data from the sources indicated below *(ALL must be evident)*.

- ☐ District-wide, state-wide, or other criteria referenced tests (e.g. MAP, NDSA, DIBELS, etc.)
- ☐ Interviews conducted by a licensed special education teacher and/or school psychologist with classroom teachers and the student's parents or guardians
- ☐ One or more documented observation in the classroom or other learning environment by the special education teacher and/or school psychologist (Best Practice would be three observations) Date\_\_\_\_\_
- ☐ A review of the student's health history, including verification of medical diagnosis and health condition
- ☐ Review of student's records
- ☐ Discrepancy of 1.5 standard deviations on nationally normed rating scales or 1.5x discrepant from peers on structured observational techniques

The evaluation findings *may* also include data from standardized, nationally-normed tests of achievement and ability, an interview with the pupil, information from the school nurse or other individuals knowledgeable about the health condition of the student, behavior rating scales, gross and fine motor and sensory motor measures, communication measures, functional skills checklists, and environmental, socio-cultural, and ethnic information reviews.

DETERMINATION OF DISABILITY: (*Student's name*) *meets/does not meet* eligibility for special education under the category of Orthopedic Impairment as defined as a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

A student is eligible and in need of special education in the area of Orthopedic Impairment when he/she meets criteria in item 1, one of the criteria in item 2, and four of the criteria in item 3:

1). DOCUMENTATION OF A MEDICALLY DIAGNOSED ORTHOPEDIC IMPAIRMENT:

☐ Written documentation by a licensed physician of a severe orthopedic impairment (Insert diagnosis, physician's name, and date of physician's documentation)

2). HIS/HER ORTHOPEDIC IMPAIRMENT ADVERSELY AFFECTS EDUCATIONAL PERFORMANCE (at least one must be checked):

☐ A Lack of functional level in organizational or independent work skills (Data from observations, interviews, and checklists are summarized in IWAR).

☐ An inability to manage or complete motoric portions of classroom tasks within time constraints (Data from observations, interviews, and checklists are summarized in IWAR).

3). The orthopedic impairment results in a pattern of unsatisfactory educational performance as determined by a comprehensive evaluation explained throughout the current IWAR, which DOCUMENT THE REQUIRED COMPONENTS evident in items 1 and 2 above. Eligibility findings must be supported by current or existing data from the sources indicated below (at least four must be checked):

☐ District-wide, state-wide, or other criteria referenced tests (e.g. MAP, NDSA, DIBELS, etc.)

☐ Interviews conducted with classroom teachers and the student's parents or guardians

☐ One or more documented observation in the classroom or other learning environment that indicates discrepancy from peers (Best Practice would be three observations) Date\_\_\_\_\_

☐ A review of the student's health history, including verification of medical diagnosis and health condition

☐ Review of student's records

Data for determining eligibility was gathered from (List multiple resources, a minimum of one observation in a daily routine setting required):

☐ Cumulative file review

☐ Review of previous accommodation, modifications, and/or interventions

☐ Review of classroom based assessments

☐ Interview Information (Teacher, Parent, Student)

☐ Observation(s) (e.g., classroom, large group, small group, etc.) Date(s): \_\_\_\_\_

☐ A review of the student's health history, including verification of medical diagnosis

☐ Checklists and/or Tests: (i.e., **Brigance Screen, Peabody Developmental Motor Scale, Day-C, Carolina Test of Gross Motor Development**)

☐ Other:

DETERMINATION OF DISABILITY: Based on medical reports, evaluation information, and observations, *(student's name)* meets/does not meet eligibility criteria for a Traumatic Brain Injury sustained on \_\_\_\_\_ *(date)*. Traumatic brain injury means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance.

*(Student's name)*'s Traumatic Brain Injury has resulted in impairments in one or more of the following areas (please include pre and post injury information in the body of the report):

- ☐ Cognition (Memory, Reasoning, Abstract Thinking, and/ or Information processing)
- ☐ Academics (Reading, Written Expression and/or Math)
- ☐ Attention
- ☐ Problem solving and Judgment
- ☐ Sensory and/or Perception
- ☐ Social, Emotional, and/or behavior
- ☐ Physical and/or motor functions
- ☐ Speech and Language

*(Student's name)*'s functional impairments *are/are not* primarily the result of previously existing conditions such as visual, hearing, or motor impairments, emotional-behavioral disorders, mental retardation, language or specific learning disabilities.

Data for determining eligibility was gathered from (List multiple resources, a minimum of one observation required [best practice would be three observations]):

- ☐ Cumulative file review
- ☐ Medical reports
- ☐ Review of current and previous academic performance
- ☐ Interview Information (Teacher, Parent, Student)
- ☐ Observations (e.g., classroom, large group, small group, etc.) Date\_\_\_\_\_
- ☐ Tests (Speech Assessments, Visual/Motor/Sensory Assessments, Vision and Hearing Assessments, Academic Assessments, Adaptive Behavior Scales, Behavioral Checklists, etc.)
- ☐ Other: \_\_\_\_\_

DETERMINATION OF DISABILITY: *(student's name)* meets/does not meet special education eligibility under the category of Specific Learning Disability using a REPONSE TO INTERVENTION PROCESS.

Data for determining eligibility was gathered from (List multiple resources, A minimum of one observation in area of disability required [best practice would be three observations]):

- ☐ Cumulative file review
- ☐ Review of previous interventions
- ☐ Interview Information (Teacher, Parent, Student)
- ☐ Observation(s) (e.g., classroom, large group, small group, etc.) Date \_\_\_\_\_
- ☐ Tests (CBM, CBE, MAP, NDSA, Intelligence Tests, Achievement Tests, etc.).
- ☐ Other: \_\_\_\_\_

The child does not make sufficient progress to meet age or State approved grade-level standards when using a process based on the child's response to scientific, research-based intervention: *(Rate of Progress, Achievement Level, and Educational Need must **ALL** be answered 'yes' to meet eligibility criteria)*

1). Is (student's name) RATE OF PROGRESS, when given research-based intervention over time, significantly slower than expected or does the individual maintain expected progress only with greater resources than general educational alone in the areas of concern?

- ☐ Yes *(list area(s) and provide rate of progress data) (thorough description written in IWAR)*
- ☐ No *(list area(s))*

2). is (student's name) ACADEMIC ACHIEVEMENT LEVEL significantly below expectations when compared to grade level peers the area(s) of concern?

- ☐ Yes *(list area(s) and provide discrepancy data) (thorough description written in IWAR)*
- ☐ No *(list area(s))*

3). Does (student's name) EDUCATIONAL NEED require services and support that extends beyond what typical general education resources alone can provide?

- ☐ Yes *(list area(s) and provide resources used to determine need) (thorough description in IWAR)*
- ☐ No *(list area(s))*

DETERMINATION OF DISABILITY: (student's name) meets/does not meet special education eligibility under the category of Specific Learning Disability using a Severe Discrepancy Process.

Data for determining eligibility was gathered from (List multiple resources, A minimum of one observation in area of disability required [best practice would be three observations]):

- ☐ Cumulative file review
- ☐ Review of previous interventions
- ☐ Interview Information (Teacher, Parent, Student)
- ☐ Observation(s) (e.g., classroom, large group, small group, etc.) Date \_\_\_\_\_
- ☐ Tests (CBM, CBE, MAP, NDSA, Intelligence Tests, Achievement Tests, etc.).
- ☐ Other: \_\_\_\_\_

(student's name) does not achieve adequately for his or her age to meet State approved grade-level standards and exhibits a pattern of strengths or weakness in performance, achievement, or both, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments: (Discrepancy between ability and achievement, gap between student's performance and peers and convergent data from multiple sources must ALL be answered 'yes' to meet eligibility criteria)

1). Is there a SIGNIFICANT GAP (1.5 standard deviations from the mean using a regression to the mean formula) between the student's performance on individual measures of intellectual or cognitive ability and standardized measures of achievement?

- ☐ Yes (list area(s) and ability vs. achievement data) (thorough description written in IWAR)
- ☐ No (list area(s))

2). Is there a significant gap between the student's performance on achievement measures in COMPARISON to the average performance of the student's classroom peers (this determination can only be made using measures based on the student's classroom curriculum)?

- ☐ Yes (list area(s) and provide performance data)(thorough description written in IWAR)
- ☐ No (list area(s))

3). If formal means are used to measure achievement, do INFORMAL RESULTS confirm the formal results? Informal results should support formal results, if data is contradicting, additional information should be gathered and when the team has all information needed, professional judgment should be used to make a determination regarding the existence of a discrepancy.

- ☐ Yes (list area(s))
- ☐ No (list area(s))

4.) Is the discrepancy between the student's ability and achievement NOT CORRECTABLE without special education and related services?

- ☐ Yes
- ☐ No

DETERMINATION OF DISABILITY: *(Student's name)* meets/does not meet eligibility for special education under the category of Visual Impairment as defined as impairment in vision that, even with correction, adversely affects a child's educational performance. This includes both partial sight and blindness.

A licensed eye specialist has provided written documentation in the previous 12 months that *(Student's name)* has the following visual impairment (eye specialist's name, summary of report, and date of documentation must be included in the IWAR). *(at least one must be checked)*:

*(Student's name)* has a visual acuity of 20/60 or less in the better eye with the best conventional correction  
His/her vision impairment is in the following range:

- ☐ Moderate Visual Impairment: (20/70 to 20/160)
- ☐ Severe Visual Impairment: (20/200 to 20/400)
- ☐ Profound Visual Impairment: (20/500 to 20/1,000)
- ☐ Near-Total Visual Impairment: (less than 20/1,000)
- ☐ Total Visual Impairment: (no light perception)

Or

*(Student's name)* has a vision impairment that impacts peripheral vision or a congenital and/or degenerating eye condition which impacts visual functioning:

- ☐ Visual field of 20 degrees or less,
- ☐ Progressive cataract
- ☐ Glaucoma
- ☐ Retinitis Pigmentosa
- ☐ Macular Degeneration
- ☐ Other: \_\_\_\_\_

*(Student's name)*'s Visual Impairment adversely affects educational performance (one must be checked):

☐ He/She needs significant modifications and/or accommodations to access educational materials or media as determined by a licensed eye specialist (Data regarding input from the teacher of the visually impaired and observations summarized in IWAR). (Educational material and media includes textbooks, photocopies, white boards, computers, and environmental signs.)

☐ He/She has an achievement deficit in \_\_\_\_\_ (insert one or more of the following: basic reading skills, reading comprehension, or written language) which is at the 15th percentile or 1.0 standard deviations or more below the mean on standardized assessments (academic achievement data summarized in IWAR).

Data for determining eligibility was gathered from (List multiple resources, a minimum of one observation in area of disability required):

- ☐ Cumulative file review
- ☐ Review of previous interventions
- ☐ Interview Information (Teacher, Parent, Student)
- ☐ Observation(s) (e.g., classroom, large group, small group, etc.) Date: \_\_\_\_\_
- ☐ Tests: Evaluation of Visual Functioning (administered by a teacher of the visually impaired)
- ☐ Other: \_\_\_\_\_

# Appendices

## IEP CHECKLIST



#### Assessment Planning Meeting

- \_\_\_\_\_ STARS info to school (Initial)
- \_\_\_\_\_ Parent Contact sheet (Start)
- \_\_\_\_\_ Prior Notice (Parent Rights sent for initials)
- \_\_\_\_\_ Student Profile
- \_\_\_\_\_ Assessment Plan
- \_\_\_\_\_ Consent for Evaluation
- \_\_\_\_\_ Medicaid form
- \_\_\_\_\_ Social Medical form to parents
- \_\_\_\_\_ Excusal form (if needed)
- \_\_\_\_\_ Notify EC office for referrals for Kathy Gewont

#### Assessment Summary Meeting

- \_\_\_\_\_ Evaluation Report
- \_\_\_\_\_ Prior Notice
- \_\_\_\_\_ IWAR
- \_\_\_\_\_ Parent Contact (update)
- \_\_\_\_\_ Inform school if not placed (uncheck Tienet box)
- \_\_\_\_\_ Inform school if placed (uncheck Tienet box and select "Special Ed" and EC)

#### IEP Meeting

- \_\_\_\_\_ Prior Notice (Parent Rights sent annually)
- \_\_\_\_\_ IEP
- \_\_\_\_\_ Consent for Placement (Initial)
- \_\_\_\_\_ Blue book (initial placement)
- \_\_\_\_\_ Medicaid form
- \_\_\_\_\_ Excusal form (if needed)
- \_\_\_\_\_ Record Locator (Initial/Changes)
- \_\_\_\_\_ Parent Contact (update)
- \_\_\_\_\_ Entrance/Exit form to EC office for new placements

#### Dismissal from Special Ed

- \_\_\_\_\_ Prior Notice

- \_\_\_\_\_ Student Profile
- \_\_\_\_\_ IWAR
- \_\_\_\_\_ Excusal form (if needed)
- \_\_\_\_\_ Parent Contact (update)
- \_\_\_\_\_ Entrance/Exit form to EC office

#### STARS Info to the School

- \_\_\_\_\_ New Referrals (check Tienet box)
- \_\_\_\_\_ After IWAR if not placed (uncheck Tienet box)
- \_\_\_\_\_ After initial IEP (uncheck Tienet box and choose "Special Ed" and EC)
- \_\_\_\_\_ When student moves in from another unit (choose "Special Ed" and EC)

#### Early Childhood Outcomes

- \_\_\_\_\_ Prior Notice for ECO process (combine with IEP notice - give pamphlet at IEP meeting)
- \_\_\_\_\_ Consent for anchor tool
- \_\_\_\_\_ Prior Notice for ECO meeting
- \_\_\_\_\_ ECO rating form (use date entered program)
- \_\_\_\_\_ Parent Contact (update)
- \_\_\_\_\_ ECO entrance and exit info to office

**\*\* Inform EC office when students enter district with an active IEP - use Entrance/Exit form (Tienet Form on EC home page). Also inform school and have them select "Special Ed" and EC.**

office

