

Easthampton Public Schools

OFFICE OF SPECIAL EDUCATION

PROCESS AND PROCEDURES MANUAL

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INTRODUCTION AND PURPOSE

The Easthampton Public Schools is committed to providing students with disabilities access to the curriculum and general education programs. With resources and necessary consultative services, we are able to provide the instruction necessary to help ***students with disabilities make progress in identified areas and meet school, state, and federal expectations across all schools.***

Special education support and services should not be viewed as a separate model, but instead as a part of the continuum of supports, services and interventions created to ensure that the general education environment is responsive to the diverse learning needs of all students. Working together, all staff can ensure equal opportunity, full participation and increased outcomes for all learners, including students with disabilities.

This manual has been developed as a resource for the Easthampton preschool-12+ staff, students, administration, and community. It references state and federal regulations and the processes of the Easthampton Public Schools. The following policies and procedures are aligned with:

- The Massachusetts Department of Education, Massachusetts General Laws ch. 71B, et seq., Special Education Regulations 603 CMR 28.00 et. seq. and IDEA 2004.
- Federal laws, *The Individuals with Disability Act* and *Every Student Succeeds Act*
- Section 504 of The Rehabilitation Act of 1973 (as amended).

Referral Process

Referral for Initial Evaluation

A student may be referred for an evaluation by a parent or any person in a caregiving or professional position concerned with the student's development.

Parent Based Referral

Once a formal referral for evaluation has been expressed either in writing or orally by a parent or other person in a caregiving capacity, the school district may not delay the provision of said evaluation. The district must promptly and without delay send notice and seek permission to conduct an initial evaluation for special education eligibility while simultaneously working with the parent to verify residency in Easthampton. The school district has five (5) school working days from receipt of referral to send the parent the evaluation consent form for their signature and consent. Parent consent for evaluation must be obtained before initiating the evaluation. Please note, if a parent/guardian first language is not English (as noted in the home language survey) all correspondence must be translated into their native language.

School Based Referral: Student Support Team

After the principal/designee determines that all efforts have been made to meet the needs of the student within the general education program and these efforts have not been successful, a student shall be referred by school personnel for an evaluation to determine eligibility for special education services. The principal/designee shall ensure all intervention strategies, accommodations and instructional support services used with the student are provided as part of the evaluation information reviewed by the evaluation Team when determining specific areas to be evaluated. Refer to the Student Support Team manual for further information.

Student Privately Placed by Parent

Students who are residents of Easthampton and are enrolled in a private school are entitled to an evaluation upon request. Once the referral has been made, the district has an obligation to notify the parent in writing within five school working days of the referral and provide them with an evaluation consent form while simultaneously working with the parent to verify residency in Easthampton. Prior to sending the evaluation consent form, the special education coordinator shall contact the parent to gather additional information and explain the evaluation process.

The following materials should be included in the district's response to the evaluation request:

- *A Notice of Proposal (N1), answering all six questions*
- *Evaluation Consent Form*
- *Notice of Procedural Safeguards*

Receipt of Consent at End of School Year

If consent is received within thirty (30) to forty-five (45) school days before the end of the school year, the district must ensure that a Team meeting is scheduled so as to allow for the provisions of the proposed IEP or written notice of the Finding of No Eligibility no later than fourteen (14) days after the end of the school year. For consents received fewer than 30 days prior to the end of the school year, the

timeline starts at receipt of consent, stops on last day of school, and re-starts at the start of the following school year.

Timelines/Forms

NOTE: No testing/evaluations shall begin prior to receiving the signed evaluation consent.

The state laws and regulations have established timelines that all school districts must adhere to in the special education eligibility process.

The district has thirty (30) school days, from receipt of parent consent, to conduct all required assessments, and an additional fifteen school days to convene a Team and determine whether or not the student is eligible for special education. The total timeline is forty-five school working days.

Special Education Timelines

Once a referral is made either in writing from a parent or by the Student Support Team it is necessary to follow the guideline set out by the state laws and regulations.

Date Requirements	Necessary Forms
<p>Within 5 school days of receipt of referral</p>	<ul style="list-style-type: none"> 📁 Notice of Proposal (N1) 📁 Evaluation Consent Form (N1A) 📁 Parent’s Notice of Procedural Safeguards
<p>Within 30 school days of receiving parental consent:</p> <ul style="list-style-type: none"> • Evaluations must be completed <p>Within 45 school days of receiving parental consent:</p> <ul style="list-style-type: none"> • Evaluation reports must be completed • Team meeting must be held and an IEP developed (if applicable) 	<ul style="list-style-type: none"> 📁 Reports must be completed and turned in to building Special Education office 3 days prior to Team meeting 📁 Reports must be made available to parents 2 days prior to the Team meeting 📁 Meeting Invitation (N3) 📁 Attendance Sheet (N3A)
<p>At the Team meeting:</p> <ul style="list-style-type: none"> • Attendance • Eligibility Determination • IEP Development (if eligible) • Draft copy of IEP 	<ul style="list-style-type: none"> 📁 Attendance Sheet (N3A) 📁 Special Education Eligibility/Initial and ReEvaluation Determination (ED1) 📁 Documentation of a Specific Learning Disability (SLD) (if applicable) 📁 Admin. Data Page (ADM 1) 📁 Individual Education Program (IEP 1-8)
<p>At the end of the Team meeting parent/guardian will be provided with DRAFT IEP which include summary of goals/services</p> <p>No later than 5 school days after the Team meeting, a completed IEP needs to be submitted to the parent/guardian for signature, <i>unless</i> the parent is given a summary of goals/services in the IEP as developed at the meeting.</p> <p>If the parent is given a summary of goals/services, the district then has 10 school days to send proposed IEP for parent signature.</p> <p>In the case of a Team determination of non-eligibility, the Notice of School District refusal to Act needs to be submitted to the parent/guardian within 10 school days.</p> <p><i>When student is eligible and when an IEP is written within 6 school days Liaison will turn in final copy to include an N1 to Director of Special Education</i></p>	<ul style="list-style-type: none"> 📁 Individual Education Program (IEP 1-8) 📁 Notice of Proposal (N1) 📁 Determination of Placement (PL1) DRAFT IEP 📁 Parent’s Notice of Procedural Safeguards

Evaluation

Upon receiving the signed consent from the parent/guardian, Easthampton Public Schools shall complete the accepted assessment areas for the student within thirty (30) school days.

Evaluations must be performed by trained staff in the language and form most likely to yield accurate information regarding what the child knows and can do academically, developmentally and social/emotionally (if this is a concern) and functionally, unless it is not feasible to do so.

For students with Limited English Proficiency (LEP) or who are English Language Learners (ELL), Easthampton Public Schools must first assess the student's proficiency in English and their native language proficiency in reading, writing, speaking and comprehending before conducting a special education evaluation.

If the student's Primary language is in question; refer to the Home Language Survey completed at the time of registration.

Evaluations of the student must be made in all areas of suspected disability in order to determine eligibility for special education services. **Eligibility cannot and must not be based on the student's lack of reading or math instruction or Limited English Proficiency.**

Evaluation activities need to address whether there is a disability and if the student's inability to progress is a result of a disability. **Evaluations must provide information to determine present levels of academic achievement and related developmental needs.** No single test or assessment shall be used as the sole determinant of eligibility. Rather, a variety of techniques (both formal and informal) including information provided by the parent/guardian, observation of the student in the classroom, work samples/portfolios, interviews and review of the student's record should be used in helping to determine eligibility for special education services.

Evaluations are required prior to a finding that a student is no longer eligible, except for graduation with a regular diploma or aging out. For those students, the Special Education Coordinator must provide a summary of academic and functional performance **Summary of Student Performance**, including recommendations on how to assist the child to meet post secondary goals.

Required Assessments

- An assessment in all areas related to the suspected disability
- An educational assessment by a classroom teacher or guidance counselor of the school district, including:
 - Teacher Assessment (28R/1) (Part B)
- Assessment (s) by specialists shall include all areas of the student's suspected disability.
- For students 14 and over Transition Assessment/Interview
- Observation of the student by someone other than the classroom teacher
- A history of the student's educational progress in the general curriculum. Such assessments shall include information provided by a teacher(s) and /or guidance counselor with current knowledge regarding the student's specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district curriculum;
 - Educational Assessment (28R/1) (Part A)

Optional Assessments

The following assessments may be recommended by the TEAM or requested by the parent/guardian.

- Psychological Evaluation
- Home Assessment or Developmental History
- Health Assessment
- Speech/Language
- Occupational Therapy
- Physical Therapy
- Assistive Technology

Evaluation Procedures

Team members shall coordinate the times of their assessments with the student's teacher(s) and other evaluator(s) so that the student is not over-tested on any given day. Advance notice should be given to teacher(s) and the student so that class work can be adjusted and/or made-up if needed.

The Special Education Coordinator will ensure that the assessments are completed within thirty (30) school days upon receipt of the parent/guardian signed consent. If the consent is received within 30-45 school days before the end of the school year, EPSD ensures that a Team meeting will be scheduled so as to allow for the provision of a proposed IEP or written notice of the finding that the student is not eligible for specialized services not later than fourteen (14) days after the end of the school year. All evaluation reports shall be uploaded to the Special Education Programs Module in the Student Information System three (3) days prior to the meeting. Prior to IEP meeting, reports will then be made available to parent/guardian within forty-eight (48) hours.

Evaluation Reports

All evaluation reports shall be written in clear and basic language. Assessors need to indicate and explain which assessment(s) was used and should interpret and summarize results and diagnostic impressions to help the Team determine eligibility, including the student's present level of performance and area(s) of need. **Educationally relevant recommendations must be identified** in the report to ensure the student's involvement and progress in the general education curriculum. Prior to IEP meeting, Reports will then be made available to parent/guardian within forty-eight (48) hours.

Oral and written communication with parents must be provided in the parent's primary language if such primary language is other than English. Please let the Administrative Assistant to the Director of Special Education or designee know if an interpreter or written translation will be needed well in advance of the meeting.

Independent Evaluation Report Submitted By Parents:

In the event that an Independent Evaluation Report(s) by parents is provided to the district during the evaluation period, efforts will be made to avoid duplication of assessments.

Re-Evaluation

A re-evaluation will be conducted for each student with a current IEP every three years or more frequently if requested or recommended. Re-evaluations occur not more frequently than once a year. When a student is referred for a reevaluation, existing evaluation data should be reviewed first.

The Special Education Coordinator shall send:

- Proposal to Conduct a Re-evaluation (**N1 Notice of Proposed Action**)
- Evaluation Consent Form (**N1A Evaluation Consent Form**)*

(*parent must complete and return)

If the **parent does not return the Re-evaluation Consent Form** within 30 days, the Special Education Coordinator will follow up by contacting the parent.

Additional efforts to obtain parental consent will be made and documented. If the parent revokes consent or refuses to consent to any re-evaluation and the District determines that such action will deny the student a Free and Appropriate Public Education (FAPE), the District shall seek resolution through the Bureau of Special Education Appeals.

When a student is referred for a re-evaluation, existing evaluation data should be reviewed first. If no additional information is needed to determine whether the student continues to be eligible for special education services, EPSD may request that the parent/guardian waive certain assessments. The parent may either consent to waive the assessment(s) or may choose to have the assessment completed regardless of the recommendation for waiver.

A signed Evaluation Consent Form and subsequent evaluations are required prior to finding a student no longer eligible for special education services. The only exception is when a student graduates with a high school diploma or ages out of school at the age of 22. For these students, EPSD must provide a summary of academic and functional performance including recommendations on how to assist the student in meeting their post-secondary goals. Completed Student Summary of Performance will be sent to the Special Education Director's Office one (1) week prior to graduation or 22nd birthday.

Upon receipt of the signed and accepted Evaluation Consent Form, the Special Education Coordinator will then notify the assessors who will be completing the accepted evaluations. **Evaluations must be completed within thirty (30) school days upon receipt of the signed Evaluation Consent Form.** The Special Education Coordinator will schedule the Team meeting and send to parent/guardian and the student if 14 years or older, a Meeting Invitation with a list of invited Team members.

NOTE: All requirements mandated for Initial Evaluations, remain true for re-evaluations. Assessments and assessment reports must focus on the suspected disability as well as the student's current level of performance. Furthermore, all assessment reports must include educationally relevant accommodations and modifications should be identified to ensure the student's involvement and progress in the general education curriculum.

If parent requests discontinuation of Special Education services, it must be in writing. All requests should be forwarded to the Director of Special Education for further follow up.

The IEP Team

Team Membership

The following are required members of the IEP TEAM (individual may serve in more than one role as appropriate):

- Student's parent/guardian
- A District representative who has the authority to commit district resources (TEAM Chairperson)
- At least one general education teacher
- At least one special education teacher or provider

Additional members may include:

- An individual who can interpret evaluation results for each assessment completed
- Other individual who have knowledge or expertise regarding the student
- The student if age 14 or older
- Other adult transition agencies as appropriate

The Team meeting is designed to incorporate school staff, parents and other invited personnel as a unified group to determine eligibility, development of an IEP and/or placement for a particular student.

EPSD is dedicated to ensuring parental involvement in the Team process. Every effort will be made to ensure this participation. If a parent is unable to attend the Team meeting, the district will provide the parent/guardian with the opportunity to participate via conference call, teleconferencing or virtual meetings.

Team Member Excusal

IDEA permits Teammembers to be excused in part or whole if the parents and district agree. **The agreement must be in writing from the parent).** If the excused member(s) has input, it must be provided in writing.

Team Meeting Requirements

At least two (2) days prior to an evaluation TEAM meeting, evaluation reports shall be made available to parent/guardian. Reports should clearly express the data as well as the findings and recommendations from the evaluation sessions.

Team meetings are projected to last approximately forty-five (45) minutes. If the Team feels that they have not covered all necessary facets of eligibility, IEP development and placement, the Team may agree to extend the meeting or reconvene to continue the conversation.

Eligibility

The Team utilizes the Special Education Eligibility Flowchart (ED1) to assist in making eligibility determinations. This becomes part of the student record but does not need to be mailed to the parent/guardian, and if found eligible, it should not be attached to the student's IEP. To be eligible for special education services, a student must first be found to have a disability **and** as a result of the disability, be unable to progress effectively in the general education programs and require specially designed instruction and/or access the general curriculum without one or more related services.

(all conditions must be met to determine eligibility).

Disability Categories

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

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

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

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

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

student is socially maladjusted, unless the TEAM determines that the student has a serious emotional disturbance.

Health Impairment – A chronic or acute health problem such that the physiological capacity to function is significantly limited or impaired and results in one or more of the following: limited strength, vitality or alertness including a heightened alertness to environmental stimuli resulting in limited alertness with respect to the educational environment. The term shall include health impairments due to asthma, attention deficit disorder or attention deficit with hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, if such health impairment adversely affects a student’s educational performance.

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

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

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

Sensory Impairment – The term shall include the following:

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

Specific Learning Disability - The term shall have the meaning given in federal law at 34 C.F.R. §§300.7 and 300.541.

- (i) General. The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.
- (ii) Disorders not included. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.
- (iii) Section 300.307 criteria adopted by the State must permit the use of a process based on the child's response to scientific, research-based intervention which must include the child's general education teacher and at least one person qualified to conduct individual diagnostic examinations of children.

Effective Progress

When determining eligibility for special education services, Teams must judge **whether a student is making effective progress in the general education program**. To do so, the Team must determine if the student has:

- Made documented growth, with or without accommodations, in the acquisition of knowledge and skills, including social/emotional development, the learning standards of the Massachusetts Common Core Standards and the curriculum of Easthampton Public Schools.
- Made growth according to the chronological age, the developmental expectations and the educational potential of the child.

Also, the Team must specifically determine whether the student's identified disability is the reason why the student is not making effective progress. Teams analyze the evaluation findings to see whether the lack of progress is a result of the disability, or a result of other factors. Only if the Team determines that the lack of progress is associated with a disability, may the Team continue to discuss possible finding of special education eligibility. According to State and Federal regulations, **a student may not be found "eligible" solely because the student is unable to follow the school discipline code, has limited English proficiency, is socially maladjusted or has lacked reading or math instruction.** These reasons may be considered by the TEAM, but the essential finding of the TEAM must be that the lack of progress is, at least in part, a result of the identified disability(ies).

After the determination of a disability and lack of progress as a result of that disability the Team must ask the final question in order to determine special education eligibility:

Specially Designed Instruction

Does the student require specially designed instruction in order to make progress?

Specially designed instruction includes modifications that affect content, delivery of instruction, methodology and/or performance and evaluation and they are essential to assist the student in participating and learning.

Specially designed instruction is an absolute requirement for students found eligible for special education. Related services necessary to access the general curriculum are considered special education, and maybe provided alone or in combination with other specially-designed instruction.

If a student only requires accommodations, that student is not eligible for special education services, as best practice indicates that accommodations are provided by general educators within the general education environment. Examples of these accommodations include, but are not limited to: preferential seating, pencil grip use, extended time or cooperative learning strategies. **Accommodations do not involve changing the content material (that is specially designed instruction); rather, accommodations allow students to receive information and support to access the curriculum.** In these cases, the Team may refer the student for a Section 504 evaluation.

A Finding For Eligibility

If the Team determines the student is eligible for special education services using the *Special Education Eligibility Flowchart*, the Team must identify those services and an IEP must be developed to reflect those services. In most cases an IEP is discussed and developed within a single meeting, after the determination of eligibility has been made.

The final step in the IEP process is determining the appropriate placement for the student. The decision of the type of placement should be held by the Team immediately after the IEP is developed. **If this does not happen for a specific reason, then the placement meeting must be held within ten (10) school days of the initial IEP meeting.** The placement must reflect the IEP goals and services that the TEAM has identified as necessary in order for the student to make effective progress.

When making the placement decision, the Team must be mindful of the requirement related to the student's right to Free Appropriate Public Education (FAPE) in their Least Restrictive Environment (LRE).

Thereby, the first type of placement option considered for all eligible students is within the general education classroom with the use of supplemental aids and services. Students may not be denied education in age-appropriate general education classrooms because the student requires accommodations and modifications to the general curriculum. Other options should be considered only when the nature and severity of the disability prevents satisfactory progress/achievement within the general education environment.

Refusal to Act

If a student, during an **initial evaluation**, is found **ineligible** for special education services, note key evaluation findings and next steps including recommendations of possible instruction support services. Complete the process by sending the parent/guardian the school district findings on **Notice of School District Refusal to Act, N2**. The Notice of School District Refusal to Act is used because the school district is refusing to change the identification status of the student (from needing only the general education program). The school district must also include within the written notice an easily understandable statement that the parent has the right to appeal the school district's decision.

Finding of No Eligibility

If following a **re-evaluation**, a student is found **ineligible** for continuing special education services, note evaluation findings, next steps and the specific date, as agreed to by the Team, special education services

will be terminated. Unless the parent is present at the Team meeting and clearly agrees to an immediate cessation of services, the written notice should specify a service-termination date at least thirty (30) days after the date of the notice, consistent with the parent response period of 603 CMR 28.05(7)(a). **This must be noted in N2.** In this way, EPSD provides the parents with time to respond if the parent should determine that he/she wishes to appeal the Finding of No Eligibility.

Parents Due Process Rights

After the reporting of all assessments, the Special Education Coordinator should confirm that the parent/guardian understands the evaluation data and they are in agreement. If the parent **disagrees** with a particular school assessment, parents have a right to request an Independent Education Evaluation (IEE).

Independent Educational Evaluation (IEE)

Upon receipt of evaluation results, if a parent disagrees with an initial evaluation or reevaluation completed by the school district, then the parent may request an Independent Education Evaluation. All requests for an IEE should immediately be sent to the Special Education Directors Office.

- (a) All independent education evaluations shall be conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the student may justify an individual assessment rate that is higher than that normally allowed.
- (b) The parent may obtain an independent education evaluation at private expense at any time.
- (c) Public funding of Independent education evaluations - When the parent requests public funding for an Independent education evaluation, the district shall abide by the following provisions for a sliding fee scale:
 - 1. If the student is eligible for free or reduced cost lunch or is in the custody of a state agency with an Educational Surrogate Parent appointed in accordance with federal law, then the school district shall provide, at full public expense, an Independent education evaluation that is equivalent to the types of assessments done by the school district. No additional documentation of family financial status is required from the parent.
 - 2. If the family financial status is not known, the district shall offer the parent information about the sliding fee scale and the opportunity to provide family income information to determine if the family may be eligible for public funding of all or part of the costs of an Independent education evaluation. Provision of financial information by the family is completely voluntary on the part of the family. The lack of financial information provided by the family will disqualify the family from such additional public funding of all or part of the costs of an Independent education evaluation under 603 CMR 28.04(5)(c) but shall not limit the rights of parents to request public funding under 603 CMR 28.04(5)(d).
 - 3. If the family agrees to provide financial information, such information shall include anticipated annual income of the family, including all sources of income and verifying documents. Financial information shall be reviewed by the district, shall be kept confidential during review by the district, shall not be copied or maintained in any form at the district except to note that information was provided and reviewed and met or did not meet sliding fee scale standards. Financial documents shall be promptly returned to the parent upon the district's determination of financial income status.

4. The district shall consider family size and family income information in relation to Federal Poverty Guidelines and shall contribute public funds to the costs of the independent educational evaluation according to the following standards:
 - (i) If the family income is equal to or less than 400% of the federal poverty guidelines, the district shall pay 100% of the costs of an Independent education evaluation.
 - (ii) If the family income is between 400% and 500% of the federal poverty guidelines, the district shall pay 75% of the costs of an Independent education evaluation.
 - (iii) If the family income is between 500% and 600% of the federal poverty guidelines, the district shall pay 50% of the costs of an Independent education evaluation
 - (iv) If the family income is over 600% of the federal poverty guidelines, the district shall have no obligation to cost-share with the parent.
 5. When the parent seeks and receives public funding for an independent educational evaluation under these provisions, the parent may request independent assessments in one, more than one, or all of the areas assessed by the school district.
 6. The right to this publicly funded independent educational evaluation under 603 CMR 28.04(5)(c) continues for 16 months from the date of the evaluation with which the parent disagrees.
- (d) If the parent is requesting an independent educational evaluation in an area not assessed by the school district, the student does not meet income eligibility standards, or the family chooses not to provide financial documentation to the district establishing family income level, the school district shall respond in accordance with the requirements of federal law. Within five school days, the district shall either agree to pay for the independent educational evaluation or proceed to the Bureau of Special Education Appeals to show that its evaluation was comprehensive and appropriate. If the Bureau of Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, then the school district shall not be obligated to pay for the independent educational evaluation requested by the parent.
- (e) Whenever possible, the independent educational evaluation shall be completed and a written report sent no later than 30 days after the date the parent requests the independent educational evaluation. If publicly funded, the report shall be sent to the parents and to the school district. The independent evaluator shall be requested to provide a report that summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator may recommend appropriate types of placements but shall not recommend specific classrooms or schools.
- (f) Within ten school days from the time the school district receives the report of the independent educational evaluation, the TEAM shall reconvene and consider the independent educational evaluation and whether a new or amended IEP is appropriate.

Extended Evaluation

If the TEAM has found the student eligible for special education services, yet the evaluation is insufficient, with the parent/guardian consent, the TEAM may consider an Extended Evaluation.

Extended Evaluations **cannot** be used to:

- Extend the evaluation timeline for completion of required Assessments
- Deny programs or services to the student
- Constitute a temporary placement

The Team should **write a Partial IEP or a Full IEP** in conjunction with an Extended Evaluation form. This action will ensure, with the parent/guardian acceptance of the IEP, that the student is not denied services.

An Extended Evaluation may extend longer than one (1) week but shall not exceed eight (8) school weeks. The TEAM may decide to meet during the evaluation period, but must reconvene promptly once the additional evaluation data is available to review the assessment results and/or complete the IEP.

The IEP Development

Once a student is found eligible, the IEP needs to be developed using the evaluation data and current classroom performance to guide development of goals and benchmarks for the student.

Immediately following the development of the IEP, the parent must be provided with two (2) copies of the IEP. **This must be done within ten (10) school days.**

No later than 30 days after receipt of the proposed IEP, proposed placement, and N1 notice (reflecting the mailing date of the IEP), the parents shall:

- ☐ Accept or reject the IEP in whole or in part; request a meeting to discuss rejected portions of the IEP or the overall adequacy of the IEP; or if mutually agreed upon, accept an amended proposal ☐
- ☐ Accept or reject proposed placement

Parent and/or student input or concerns: The Team must consider the student's overall involvement within the school including participation in the extracurricular and other nonacademic activities to ascertain other areas of need. The Team may consider how student communicates with others, how the students' behavior affects their learning or the learning of others, how assistive technology could support effective progress, or how the students' disabilities affect transition to postsecondary activities.

Vision Statement: A vision statement is required for all students. The character of the statement will change based on the age of the student.

The intent of the vision statement is to look forward to future goals, usually 1-5 years in the future. The Team steps back from the here and now to take a broader, long-range perspective as it looks to where this student is headed in the future. Knowing where the student is headed makes it easier for the Team to eventually determine what progress needs to be made this year.

As the student becomes older and more involved in transition planning (required at age 14), the vision statement becomes the hopes and dreams of the student and not the parent and Team. Also, the statement for an older student must conform to federal regulation and be based on the student's preference and interests. It will also include desired outcomes in adult living, post-secondary education, and/or work environments.

Student Strength and Key Evaluation Results: The Team must next review the student strengths, interests, personal attributes and personal accomplishments as well as key evaluation results to enable Team members to keep the students perspective when writing the IEP. The Team should avoid a segmented look at the student where individual skills or problems are identified in isolation. The Team will want to keep the big picture in mind and plan to use the student's strengths in planning steps for the next IEP period.

When developing the IEP for a student with an existing IEP, the Team should always review the content of the existing IEP as they begin developing a new IEP. The new IEP should be revised and updated as needed to shift goals and services and to demonstrate a progression of learning. Each year's measurable goals should clearly show a step by step increase in a student's learning outcomes. Also, if necessary, any lack of expected progress needs to be discussed and addressed.

Present Levels of Educational Performance (PLEP)

A. General Curriculum – PLEP A:

Teams must consider how the student’s disability(ies) affects performance in general education curriculum area(s). However, the discussion of the Team need only center on those areas of the curriculum where the student’s performance is adversely affected by the student’s disability(ies). Clear descriptions of how the disability(ies) impact progress will better assist Teams in determining the most appropriate and individualized accommodations and specially designed instruction.

The Team will also use the assessment information and their discussion of the student’s present levels of educational performance (PLEP) to focus the direction of the IEP goals and services. The PLEPs must be based on current, relevant information about the student obtained from a variety of sources.

B. Other Educational Needs – PLEP B:

Teams must ensure that they review the considerations listed on PLEP B. These lists are not exhaustive in nature. Therefore, Teams should describe other identified area(s) of educational needs that affect progress, but may not be listed. The PLEPs must be based on current, relevant information about the student obtained from a variety of sources.

Eligible Students with barriers to the curriculum related to behavioral needs

If an eligible student’s behavior affects performance in the general curriculum, then the interfering behavior should be reflected on PLEP A. If an eligible student’s behavior affects other areas of educational need, then the interfering behavior should be reflected on PLEP B. If an eligible student’s behavior affects performance in the general curriculum and in other areas of educational need, then the interfering behavior should be reflected in both locations on the IEP. Teams are reminded that IDEA2004 requires pro-active steps in behavior interventions and in the provision of positive behavioral supports for eligible students whose behavior impedes their learning or the learning of others.

Current Performance Levels/Measurable Annual Goals:

Most IEPs generally no more than an average of three to four goals. Goals should relate directly to those areas where the student’s disability affects performance and **should reflect a focus on those areas that make the biggest difference in the student’s performance.** Goals should not identify multiple curricular standards in a single curriculum area nor qualify as a detailed weekly or monthly lesson plan.

Current performance levels and goals should relate directly to the previously written Present Levels of Educational Performance.

Teams must connect current performance to measurable annual goals.

The IEP should be written with a direct connection between the current performance levels and the measurable annual goals. The current performance levels state what the student can currently do and identify key stumbling blocks. The goals state what the student will accomplish by the end of the IEP period. The current performance levels become the starting points for determining the goals and the goals become the end points for student accomplishment for the IEP period.

Service Delivery Grid:

Indirect services represent services that are provided to someone other than the student.

Section A: Consultation or training for school staff and/or parents.

Section B: Direct services delivered to students in the general education environment.

Section C: Services provided to the student in any other type of setting.

Start dates should be included for all services; however, end dates should be entered only as appropriate. For instance, if speech therapy is recommended for four months and not for the entire IEP period, then a start and end date should be entered or if a Team recommends extended school year services for a four week period then a start and end date should be entered. In some cases the IEP will span school years and may reflect a change in services from one school year to the next. In these cases, also, the services will reflect a start and end date.

Non-participation, Length of School Day/Year, Transportation:

Teams must justify non-participation in general education program. To reinforce IDEA's strong preference for involvement in the general education environment, the law requires a clear statement justifying why removal is considered critical to the student's program. The basis for the Team's conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.

Given reasons should focus on the benefit the student will receive from being outside of the general education environment. An eligible child should not be removed from the general education classroom solely because of needed modification of the curriculum. The justification should refer to any special education and related services recommended and not to potential placements.

Teams must describe when a student's school day or year is modified. Most students with disabilities will attend school on the same daily and yearly schedule as their non-disabled peers. However, in rare circumstances, a Team will recommend a schedule modification. The Team may decide the student requires a shortened school day, shortened school year, longer school day, or longer school year. In each case, the IEP must describe the modification and the reasons for such modification. **An extended day or year program may be identified if the student has demonstrated or is likely to demonstrate a substantial loss of acquired skill and/or substantial difficulty in relearning skills if an extended program is not provided.**

Transportation is a related service: Transportation is considered a related service under the Federal statute and needs to be provided to ensure that students receive educational benefit from their IEP services. **Please only consider transportation accommodations or modifications under the following circumstances:** Health and safety of the student or other students, Medical diagnosis (seizures, blind, deaf, psychiatric diagnosis), Student is in a wheelchair or needs assistance on/off due to a physical disability, Student requires a seatbelt, car seat, or booster, Student cannot tolerate the duration of the ride and engages in challenging behaviors, Sensory needs, Student ability to handle an emergency situation or anything out of the ordinary that may occur during the ride, Student can't wait for more than 15 minutes or can't get to the bus stop due to behavioral or physical limitations, Student has severe allergies, as documented by a physician, that requires increased monitoring.

The Team must determine if the district's general transportation guidelines are appropriate or if the student requires modifications for riding the regular bus or needs specialized transportation.

State or District-Wide Assessment:

Teams continue to be responsible for deciding how all students will participate in state and district-wide assessments. However, if no assessments are planned during a particular IEP period, the Team should note that no testing will occur and leave the remainder of the page blank. All students participate in

MCAS testing with accommodations outlined in the IEP. **MCAS accommodations must be consistent with accommodations students regularly receive in their curriculum.**

Least Restrictive Environment (LRE)

The school district shall ensure that, to the maximum extent appropriate, children with disabilities are educated with children who do not have disabilities, and that special classes, separate schooling, or other removal of children with special needs from general education program occurs only if the nature of severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Additional Information: Additional information should include comments on the following items as appropriate

- Autism Considerations
- Consideration of the student's social development as it relates to being vulnerable to bullying or engaging in bullying behavior
- Date of graduation
- Attendance Issues (if any)

PLACEMENT DECISION

The final step in the IEP process is determining the appropriate placement. The type of placement should be discussed immediately **after an IEP is developed**. The IEP forms the basis for the placement decision. The placement decision must be based on a careful reflection of the IEP, including the services that the Team has identified as necessary, and the impact of the disability on the student's learning. Finally, the Team must be mindful of the requirement related to FAPE (free appropriate public education) in the LRE (least restrictive environment). Only after the needs of the child and the types of services have been discussed by the Team and agreed to in an IEP can the type of placement be effectively chosen by the Team.

The first type of placement option considered for all eligible students will be the general education classroom with the use of supplemental aids and services.

Students may not be denied education in age-appropriate general education classrooms because the students' education requires modification to the general curriculum. Other options should be considered only when the nature and severity of the disability would prevent satisfactory achievement within the general education environment.

The IEP, under no circumstances, should be written "to fit" a particular placement. Teams must remember this critical fact when moving through the Team process to ensure that the IEP is written to address the unique needs of the student.

Amendments:

The IEP can be **Amended** at any time if the student's profile and/or goals need to be altered to reflect current levels of performance. This remains the case if new assessment information is obtained.

However, this cannot be a substantial change to a student's services and/or placement

Annually, the IEP must be reviewed and updated to reflect the growth the student has made, and new goals need to be developed. Input from general educators, special educators, parents and related service providers needs to be included. Input from the student is required if the student is 14 years old or older.

Rejected IEPs/Partially Rejected IEPs:

In the event a parent rejects all or part of an IEP

- All accepted portions should be implemented immediately
- IEP and accompanying notes should be reviewed with Director of Special Education for action
- Copies sent to the Director of Special Education

Extended School Year Guidance

Most students could benefit from extended year programs. Most students have the potential to regress or lose progress, forget or revert to previous behaviors to some extent between school years. However, only those who meet the following criteria qualify for ESY programs or services:

1. The student has demonstrated or is likely to demonstrate substantial regression in his or her learning skills and/or experiences substantial difficulty in relearning such skills if an extended program is not provided.
2. The student demonstrates significant regression/recoupment status over short-term vacation periods or other breaks in their education during the school year.

Although the specific reason(s) vary from student to student, the need for ESY arises when it is determined the student:

1. Requires a significant amount of time to recoup a previously acquired skill or knowledge following an extended break from instruction and/or services;
2. Is at a critical learning period and interrupting instruction and/or services will severely jeopardize the student's ability to benefit from the program of specialized instruction;
3. The break will prevent a student who is in a functional curriculum from attaining or maintaining self-sufficiency skills that allow for personal independence.

Any decision regarding needed ESY programming must take into account the child's history of **significant regression** and limited recoupment capability. Teams must look backward and forward when considering the need for ESY programming.

ESY DEFINITIONS:

Regression – Most students, disabled and non-disabled, experience regression during breaks in instruction. For the purpose of ESY Services, regression is a decline in the performance of a skill or acquired knowledge, as specified in the annual goal(s) of the student's IEP that occurs during a break in instruction.

Recoupment – A student's ability to regain the skill performance or relearn the acquired knowledge to approximately the same level that existed just prior to the break in instruction.

Significant – Regression/Recoupment is significant when the recoupment period is longer than the length of break in instruction.

NOTES REGARDING SPECIAL POPULATIONS

Anti-Bullying

The Massachusetts Bullying Prevention and Intervention Law:

Chapter 92 of the Acts of 2010 (*An Act Relative to Bullying in Schools*) requires school leaders to create and implement strategies to prevent bullying, and to address bullying and retaliation promptly and effectively if they occur. Sections 7 and 8 of the law have specific implications for the IEP process and for students with disabilities.

Section 7 states: Whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. (G.L. c. 71B, §3, as amended by Chapter 92 of the Acts of 2010.)

Section 8 states: For students identified with a disability on the autism spectrum, the IEP Team must consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. (G.L. c. 71B, §3, as amended by Chapter 92 of the Acts of 2010.)

Sections 7 and 8 of the bullying intervention and prevention law refer to three groups:

Students with disabilities

- on the autism spectrum;
- when the disability affects social skills development; and
- when the disability may result in a vulnerability to bullying, harassment and teasing.

It is recommended that IEP Teams for these students carefully consider the supports needed to build each student's social skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

Implications for the Individualized Education Program (IEP)

Because the IEP serves as a vehicle for improving the educational experience and achievements of a student with disabilities, the IEP Team uses a variety of information sources, including evaluations, assessment information, and its discussions of the student's present level of educational performance and social acumen, to inform the development of the IEP. The IEP Team discussion focuses comprehensively on the student's educational needs and on the student's overall involvement in the school, including participation in the general curriculum and in extracurricular and other nonacademic activities. In this process, the IEP Team considers the student's disability and the impact of the disability on the student's interaction and communication with others.

- For all three groups of students with disabilities named in the bullying prevention and intervention law, **the IEP Team must consider how the student's disability affects their learning the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.** Many students will receive support in developing appropriate skills and proficiencies through general instruction. In such cases, the Team should include in the IEP any supports the student needs to learn the needed skills through the existing curriculum. **As appropriate, the**

Team should include in the IEP needed accommodations to the general education program, or goals and objectives and special education services related to student's learning the necessary skills.

- Because of the nature of Autism Spectrum Disorders (ASD), progress in positive social skill development is already a likely focus within the IEP of every student with ASD. Social skills instruction should be at the student's skill level and appropriate for their age. The focus of the IEP in relation to the bullying intervention and prevention law will be to aid the student in accessing social and emotional learning to handle more effectively challenges in their academic, social, and communication realms.
- IEP Teams should consider ways that age-appropriate instruction on bullying prevention and intervention incorporated into the school's general curriculum already assists a student with a disability in these areas and should reflect this discussion in the IEP. As noted earlier, the IEP should address those skills and proficiencies that the Team has determined the student would be unlikely to learn solely within the general curricular program, or any supports the student needs to make learning possible in the general curricular program.
- IEP Teams should consider whether modifications or services are needed for students with all types and severities of disabilities to be involved and progress in the school's or district's bullying prevention and intervention program that is incorporated into the school's or district's general curriculum. Also, Teams should ensure that students can participate fully in all procedures related to the reporting and investigation of bullying incidents. The district must ensure that the IEP Team includes a member of the school's staff who is knowledgeable about the school's bullying prevention and intervention general education curriculum when those issues are discussed at a Team meeting.
- Incorporated within the Team meeting process and the Team discussion of a student's skills and proficiencies to respond to bullying, harassment, or teasing may also be education for families about the district's bullying prevention and intervention plan, the general education curriculum the school is using to instruct all students about bullying prevention and intervention, and the reporting mechanisms that are in place within the school.
- Each time the IEP Team convenes, the Team should consider whether the student has been involved in any bullying incident, and use that information to inform its discussion of the student's needs. Additionally, the district should convene the IEP Team if the parent or any staff member believes that the student is at risk of being bullied or is exhibiting bullying behavior and such risk or behavior is directly tied to the student's disability. **A statement documenting the Team's determination of whether or not the student's disability makes him or her vulnerable to bullying, harassment, or teasing must be stated within the additional information section of the IEP.**

Transition Age Students

Transition from School to Adult Life

Realizing successful post-secondary outcomes is a goal we have for all students. Depending on the disability and the support services required in adult life, successful transition from high school to adult life may require that planning activities begin in elementary school with students exploring their interests in middle school. Starting the process early prepares students with disabilities to think about what they want to be able to do in adult life. High school transition planning includes exploring post-secondary opportunities and employment options and may include connecting with the adult service agencies that may provide the student with services when he or she graduates or turn 22 years of age.

Transition elements are incorporated throughout the IEP for a more integrated approach to transition planning. Transition planning is required under Federal Law and becomes a major Team focus when a student reaches fourteen years of age.

The vision statement, included as part of the IEP, aids Team Members in determining the student's transition needs that may be reflected in the IEP. Transition goals and transition services should be recorded in the plan. As a student approaches graduation, the Team must also consider the student's graduation status, the need for a Chapter 688 referral and the involvement of adult service agencies. As the student nears or reaches the age of seventeen, the Team must discuss the transfer of rights at age of majority. These last items would be documented under Additional Information on IEP. In the event a student does not attend the Team meeting prior to the student's seventeenth birthday, written notification will be sent to both the parent(s) and student explaining the transfer of rights options at age eighteen.

Transition Plans must be discussed and documented when the child is 14 years old. If the child requires services or courses necessary to reach the goals, IEPs must have measurable postsecondary goals related to training, education, employment, and as necessary, independent living.

Statement of Needed Transition Services - beginning no later than the first IEP developed when the eligible student is 14 or will turn 14 during the IEP period.

Recognizing the need for students with disabilities to engage in effective transition planning, the Individuals with Disabilities Education Act (IDEA) requires that transition planning be part of the Individualized Education Program (IEP). Beginning no later than the first IEP developed when the eligible student is 14; the Team considers the student's need for transition services and documents this discussion. If appropriate, the IEP includes a statement of needed transition services. The school district understands that it must maintain documentation of a full discussion of the student's transition needs, whether or not such discussion identifies needed transition services for the IEP. Such documentation must be reviewed and updated annually thereafter. Students must be invited to all educational meetings and allowed to participate actively when transition planning is discussed.

Linkages to Post School Options - beginning no later than the first IEP developed when the eligible student is 14 and update annually.

Beginning no later than the first IEP developed when the eligible student is 14; the IEP's of students should include a post-school vision statement as well as identify the transition services necessary to

support the vision. IDEA 2004 defines transition services as a coordinated set of activities for a student with a disability that:

- A. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- B. Is based on individual strengths, preferences and interests; and
- C. Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation. (P.L. 108-446, Sec 603 (34))

Transition Planning Form

The Transition Planning Form (TPF) is a mandated form that is maintained with the IEP. As a mandated form, districts must use this format to document that transition planning has occurred. *Only* those aspects of this planning that translate to elements of the IEP are "mandated" to occur. This inclusive planning process does not require that all identified actions will be the responsibility of the school's special education program, but rather that parents, the student, general education services, other agencies, community partners, and special education services should all work together to assist the student in making a smooth transition to adult life. This form will help districts meet the requirements of transition planning in IDEA 2004 and will be the required document for districts to demonstrate compliance with the transition requirements associated with Indicator 13 of the State Performance Plan for Special Education.

The two-page TPF guides and documents the transition planning discussion. Page one features two sections:

- The post-secondary vision, which should correspond with the vision statement on the IEP; and
- Disability related needs. The disability related needs section documents skills that require IEP goals and/or related services.

Page two of the TPF (28M/9) is the action plan for the student:

- It outlines how the student can develop self-determination skills, and
- Be prepared both academically and functionally to transition to post-school activities in order to achieve their post-secondary vision.
- The role and actions of school personnel (in general education and special education), family members, adult service providers and others in the community should be documented in this section.

A guiding question is provided for each transition field as part of the action plan, along with considerations for each transition field that will assist in guiding the transition planning discussion.

There is no required order to complete the various sections of the TPF. After considering the student's post-secondary vision, some TEAMS will find it helpful to complete the action plan section and then the disability related needs section. Others may choose to consider the disability related needs section and then complete the action plan. The goal should be to document a thoughtful and reasonable transition planning discussion.

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

In Massachusetts, regardless of the severity of their disability, students are considered adults and competent to make their own decisions at age 18 (*Age of Majority*). Unless there is a court appointed guardian or the student has chosen to share decision making with his or her parent, the school district must seek the consent of the student to continue the special education program. Students at age 18 have the right to make their own educational and medical decisions and must sign all consent forms. Parents and students must be notified about the transfer of parental rights to the student at least 1 year before the student turns 18 years of age.

An IEP developed for the 17 year old student must include a statement that the student has been informed of the child's rights under Part B of the Act that will transfer to the child on reaching the age of majority."See 34 CFR §300.320(c). School districts are not required to provide detail on the transfer of rights, but must state that the student has been informed that the right to make decisions about his or her special education will transfer to the student when he or she turns 18.

On or immediately following the students 18th birthday Special Education Coordinator will present the student with the Notice of Transfer of Parental Rights document, along with procedural safeguards.

Copies of signed document will be given to **both** student and parent (mail if necessary) for all students, and original copies sent to the Special Education Directors Office.

Interagency Collaboration - develops supports and services necessary for adult life

The adult service system is complex and understanding it is essential for effective transition planning. When students with disabilities graduate from school or turn 22 years of age, they move from an entitlement to a non-entitlement system. While in school students receive services and supports mandated by federal and state law. As adults, while they may be eligible for services from adult service agencies, these services are not an entitlement, which means they are not guaranteed. Consequently, it is essential that educators, parents and students understand the adult service system years before adult services need to be accessed. It is a sound practice to invite adult service agencies to speak to groups of students and individuals who live with and work with students with disabilities in order to understand the eligibility processes specific to each agency as well as the services that are available to adults with disabilities.

EPSD shall obtain written parent (or student) permission to include other agency staff to IEP meetings.

Adult Services - make Chapter 688 Referrals and general referrals

For students with severe disabilities, a Chapter 688 referral should be made to ensure that students who will require ongoing supports and services from one or more public agency are part of the eligibility process for receiving services and supports as adults. For other students who require fewer supports and services and may not meet the eligibility requirements for Chapter 688, a general referral for services can be made to adult service agencies.

Chapter 688 Referral

Filing a Chapter 688 referral creates a documented need for services and supports for adults with severe disabilities. The primary goal of filing a Chapter 688 referral is to plan for needed adult services for students. In those cases where a student is determined to be eligible and services are not provided due to a lack of funding or program availability, agency personnel can advocate to increase funds in the budget planning process for the next fiscal year in order to provide the needed services.

688 Referral Process

In Massachusetts, students with severe disabilities access adult service agencies through the Chapter 688 referral process. Chapter 688 provides a two-year coordinated planning process for students whose entitlements to special education services will end when they graduate from school or turn 22 years of age. Contact each agency to find out the eligibility processes specific to each agency as well as the services that are available to adults with disabilities in order to determine the appropriate agency that should receive the Chapter 688 referral for each student.

Eligibility

Students who receive services in accordance with an IEP and receive SSI/SSDI and/or are on the registry at the Massachusetts Commission for the Blind (MCB) are automatically eligible for Chapter 688. Other students who may be eligible are those students with severe disabilities who are in need of continued services and are unable to work 20 or more hours per week in competitive, non-sheltered, non-supported employment at the time they are ready to leave school. Also, students who receive services from the Department of Youth Services (DYS) or the Department of Social Services (DSS) and are on an IEP or a 504 Plan may be eligible.

Refer 2 Years before Student Graduates or Turns 22

Only school districts can refer students that they believe may be eligible for adult services through Chapter 688. A referral must be made at least 2 years before the student is expected to graduate from school or turns 22 years of age. This 2 year planning period allows enough time to determine eligibility for adult services and for an agency(ies) to include the anticipated cost of services for the student in the budget request, which is submitted to the Massachusetts Legislature each year.

Students Graduating or Turning 22

IDEA 2004 requires that the school district needs to provide a *Summary of Student Performance* their special education eligibility ends, either due to graduation or turning twenty-two (22) and exceeding the age eligibility requirements. This summary needs to state the student's academic achievement and functional performance. It must also include recommendations on how to assist the student in meeting their desired postsecondary goals.

In order to complete this form, the Special Education Coordinator and guidance counselor shall work collaboratively to produce the required information. A copy of the student's transcript shall be attached to the completed *Summary of Student Performance*. The Special Education Coordinator will be responsible for sending the completed *Summary of Student Performance*, along with the student's transcript to the Special Education Directors Office by June 1st.

Assistive Technology

Easthampton Public Schools adheres to all federal and state regulations and requirements to consider assistive technology needs of all students with disabilities.

In developing each student's IEP, the IEP Team must consider whether the student needs assistive technology devices and services. Each public agency must ensure that assistive technology devices and services are made available to a student with a disability if required as a part of the student's special education, related services, and/or supplementary aids and services.

If the Team that the district's embedded accessibility features and options are not sufficient, they may recommend an assistive technology evaluation.

In instances when assistive technology devices and/or services are determined as required, the Team must further determine and document which settings (classroom, home or other) in which the student needs access to those devices and services in order to assure provision of FAPE.

The district shall assist families in purchasing, leasing or acquiring a required assistive technology device (as determined by the Team based on an evaluation) through insurance or other means. Should this not be possible, the district shall purchase, lease, or acquire required assistive technology device (as determined by the Team based on an evaluation) for the student.

The district shall provide for the following services regarding required assistive technology devices: selecting, fitting, customizing, adapting, applying, maintaining, repairing, and replacing.

The district shall support the use of assistive technology across therapies and educational programs.

Included in the implementation of assistive technology devices shall be training and technical assistance for the student and their family. This training and technical assistance is available to any student using a specialized assistive technology device.

Included in the implementation of assistive technology devices shall be training and technical assistance for other professionals and other individuals who provide services to students outside of the school system (employers, day care staff, outside SLP, OT, PT, after school programs, recreational programs).

Observation Guidelines

Easthampton Public Schools has established guidelines regarding parent/guardian observations of their child or child's program conducted by themselves, their educational advocate, or evaluator. The cooperation of school and parent/guardian is essential to ensure the safety of children and the integrity of the program while under observation. The district's guidelines for observations of students and programs are as follows:

Requesting an Observation

Parent/guardians are asked to submit their observation requests in writing to the school Principal or Director of Special Education to include the following information:

- Student's name.
- Parent/guardian name, telephone and/or email contact information.
- Student's classroom teacher and assigned grade.
- Observer's name, and if the observer is someone other than the parent/guardian, any relevant affiliation of the observer, along with telephone number and/or email contact information.
- Purpose of the observation, including any particular part of the school day the observer wishes to see, and the desired outcome of the observation.
- Signed *Release of Information and Understanding of Observation Expectations* documents form giving permission for the district and observer to exchange information, including directly arranging the schedule for the observation.

Expectations During the Observation

- For evaluators, the length of the observation shall be a reasonable time to address the purpose of the observation and desired outcome and shall be limited to an amount of time agreed upon by the evaluator and school principal/designee.
- The number of people scheduled to observe a child or program at one time shall be limited to 2 people and no children may accompany an observer.
- A district administrator or designee will accompany the observer during the observation period. Given the ongoing responsibility of teachers or therapists to serve students, they will generally not be available for conversation during or immediately before/after the observation period.
- Those observer will be seated in an area that will not disrupt instruction.
- The observer is observing a specific child and is not to evaluate the teacher's ability to perform their contractual job duties or the educational programming of other students.
- The accompanying district representative shall summarize the observation in written form. This summary will be kept with the student record.
- Staff members involved in a classroom observation will welcome observers to the class but will not interact with the observers before, during, or immediately after the observation period. Discussion of the observation may take place at a subsequent

conference. Discussions should last no more than 15 minutes unless a Team Meeting is scheduled.

- Observers shall respect student confidentiality and shall not share any impressions of other students with anyone. Observers will be asked to sign a statement that they understand the expectations of the district.
- Observers shall be asked to submit a written report of the observation 10 days in advance of any follow up Team meeting.
- School safety procedures will be adhered to at all times. All visitors must register in the main office upon arriving and sign out when leaving. Any visitor who fails to comply with school regulations will be asked to leave the school grounds immediately.
- Principals retain the authority to exercise their discretion at any time to reschedule or terminate an observation in the event of a building emergency or an interference with the educational environment or when necessary to protect:
 - The safety of the children in the program during the observation;
 - The integrity of the program during the observation; and
 - Children in the program from disclosure by an observer of confidential or personally identifiable information he/she may obtain while observing the program.

Homeschooled Students and Students in private schools

Easthampton Public Schools has one private school within its geographic boundaries. It follows these procedures for those students as well as home schooled children.

For all students with disabilities attending private school(s) located in the district's geographic boundary whose parents reside in Massachusetts or out of state, the school district:

- Conducts child find activities comparable to those for public school students, for all students home-schooled in the geographic boundary of the district.
- Provides or arranges for the provision of an evaluation for any private school student and/or home-school student who is referred for evaluation. The evaluation may take place in the public school, the private school, or an appropriate contracted facility.
- Provides for ongoing timely and meaningful consultation with home school representatives of children with disabilities prior about:
 - the child find process for students suspected of having a disability, and how parents will be informed about the child find process;
 - what the determination of proportionate share funds is and the calculation of which that determination is based, including the underlying data;
 - how the consultation process will occur during the school year between the district and parents;
 - how, where, and by whom special education and related services will be provided to eligible home-school students with disabilities using proportionate share funds, including types of services, how funds will be apportioned if federal funds are insufficient to serve all eligible students, and how and when decisions about proportionate share services will be made; and
 - how the district will notify home-school family, in writing, if the district does not agree with the view of the family about the provision of services or specific types of services.
- Obtains signed, written affirmation from participating home-school officials that consultation has occurred, and if there is no written affirmation, the district sends ESE documentation about the consultation process.
- Calculates the proportionate share of federal special education entitlement funds (Fund Code 240) required to be spent, based on the child count taken between October 1 and December 1 of the *prior* fiscal year that includes the number of all eligible private school students attending school in the district's geographic catchment area including residents, non-residents, and home school students, using the ESE form. (N.B.: A student remains eligible for 3 years following identification. Child count includes all students found eligible attending school in the district, regardless of whether they receive(d) special education services
- Determines equitable services and how they will be provided to one or more students with disabilities educated at home in the district through

- a discussion of student needs and possible types of special education and related services that can be provided either directly or through alternative service delivery mechanisms;
 - consideration that federal grant funds can be used to provide services on the grounds of private schools, although services provided with state and local funds must be provided at a "public school facility or other public or neutral site";
 - if the amount of proportionate share grant funds are insufficient to serve every eligible student, a discussion of how the district will apportion the services among eligible students, or may choose to supplement the proportionate share of the grant funds with additional grant funds or with state or local funds; and
 - if the school district disagrees with the views of the home-school officials on the provision or type of services, the district must provide home school officials with a written explanation of the reasons the district chose not to provide services directly or through a contract. The school district has the final decision-making authority.
- Creates a services plan for each eligible home-school student who will receive special education or related services from the district using proportionate share funds.
 - Initiates and conducts meetings to develop, review, and revise services plans for eligible students.
 - Ensures a representative of each student's home-school attends each meeting or is able to participate through individual or conference calls.
 - If using federal funds only, provides special education services and/or related services to home-school children at their home, and if using state funds, provides services to private school students on the grounds of the public school or another public or neutral site.
 - Collects the following data and information, and reports to ESE as necessary in the Fund Code 240 application:
 - the number of private school and home school children evaluated in a school year;
 - the number of private school and home school children determined to be eligible in a school year (may include evaluations conducted, or, for non-residents, evaluations provided by the district of residence and accepted as evidence of eligibility); and
 - the number of private school and home school children served in a school year regardless of where they attend school.

Progress Reports

Progress reports due dates shall be provided to all special education teachers and providers at the beginning of the school year. The following are required:

- All progress report should be dated
- Progress reports shall coincide with report cards
- Progress Reports shall be completed by individual service providers
- All individual benchmarks must be commented upon
- Progress reports need to include written information and data regarding the student's progress towards each annual goal in their IEP

Continuum of Services

EPSD provides or arranges for the provision of each of the elements of a student's IEP from the ages of three through twenty-one within a continuum of services offered within and outside the district.

Section 504

Procedure for Students with Disabilities

Evaluation

Any student who needs or is believed to need special accommodations, related services or programs under Section 504 of the Rehabilitation Act of 1973 may be referred to the 504 TEAM for evaluation. Each building has a 504 Coordinator who will assist in this process.

Discipline of Special Education Students

All students are expected to meet the requirements for behavior set forth in the student handbook. However, students eligible for special education are entitled to certain additional protections under state and federal law. Specifically, these laws include M.G.L. c. 71B and its implementing regulations (603 CMR 28.00) and 20 USC 1401 et.seq. ("the IDEA") and its implementing regulations (34 CFR 300 et. seq.).

Students eligible for special education who violate school rules are subject to removal from their current educational placement for up to ten school days per school year, to the extent that such removal would be applied to students without disabilities, without prior determination as to whether the misconduct is related to the student's disability.

Anytime school personnel seek to remove a student from his or her current educational placement for more than ten school days in a school year, **this constitutes a "change of placement"** and invokes certain procedural rights including but not limited to a review by the IEP TEAM of the relationship between the student's disability and the behavior subject to the disciplinary action, which is referred to as a **Manifestation Determination**.

If the behavior is a manifestation of the student's disability the student's Team will conduct a Functional Behavior Assessment and develop a Behavior Support Plan, provided that such an assessment was not already conducted before the behavior occurred. In the situation where an assessment was already conducted and a Behavior Support Plan is already in place, the Team will review the plan and revise it accordingly. **The student will also be returned to his educational placement unless the parent and the school agree otherwise.**

If the behavior is not a manifestation of the student's disability, then the student may be removed from his educational placement to the same extent that a regular education student would be removed. The special education student must continue to receive his special education services in order to participate in the general education curriculum although in another setting, and to continue to progress toward meeting the goals set out in the student's IEP. Additionally, the student should receive, as appropriate, a Functional Behavioral Assessment and Behavior Support Plan to prevent the behavior from happening again.

There are certain situations in which school personnel may order a change in placement of a special education student without regard to whether the student's behavior is determined to be a manifestation of the student's disability. These situations include when a special education student:

- Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or local educational agency
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency; or
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency.

In these situations, the district may place the student in an Interim Alternative Education Setting (IAES) for up to 45 school days, (a) on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; OR (b) on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is “substantially likely” to injure him/herself or others, regardless of the manifestation determination.

If a special education student commits an offense which causes the student to be expelled from school, the school district continues to be responsible for providing the student with a free appropriate public education in another educational setting.

For more information regarding the rights of special education students see the Massachusetts Department of Education's Procedural Safeguards Notice, which is available in many languages, at <http://www.doe.mass.edu/sped/prb/>. Additionally, copies of the state and federal special education laws are available online at the Massachusetts Bureau of Special Education Appeals website, at <http://www.doe.mass.edu/bsea/> or can be requested from the Director of Special Education at (508) 261-7507.

Discipline of Students Not Yet Eligible for Special Education

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violates a code of student conduct, may assert any of the protections provided for special education students if the school had knowledge (as determined by the IDEA) that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

The school district may be considered to have prior knowledge if, before the behavior that resulted in the disciplinary action occurred:

- The parent of the student expressed concern in writing to supervisory or administrative personnel of the student's school or to a teacher of the student that the student is in need of special education and related services; or
- The parent requested an evaluation of the student; or
- District staff expressed, directly to the special education director or other supervisory personnel, specific concerns about a pattern of behavior demonstrated by the student.

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

If the district had no knowledge that the student is a student with a disability prior to taking disciplinary action, the student may be subjected to disciplinary measures applied to students without disabilities. However, if an evaluation is requested during the time period in which the student is subjected to these disciplinary measures, the district must conduct the evaluation in an expedited manner. Until the evaluation is completed, the student remains in the educational placement determined by the district, which can include suspension or expulsion without educational services. If, after the evaluation, the

student is determined to be eligible the district must provide special education and related services in accordance with the IDEA.

Physical Restraint

The Easthampton Public Schools complies with the Massachusetts Department of Elementary and Secondary Education's (DESE) regulations 603 CMR 46.00 to the extent required by law, in order to protect students of the district from the use of unreasonable physical restraint at school and at school sponsored events and activities, whether or not on school property. **See School Committee Policy JKAA.**

Restraint Procedures

Physical restraint shall not be used as a means of discipline or punishment; if the student cannot be safely restrained due to medical contraindications which have been documented by a licensed physician and provided to the District; as a response to property destruction, disruption, refusal to comply with rules or staff directives, or verbal threats when those actions do not constitute a threat of assault or imminent, serious, physical harm. Physical restraint shall not be used as a standard response for any individual student. Physical restraint is an emergency procedure of last resort.

The following forms of physical restraint shall only be administered by trained personnel, using only the amount of force necessary to protect the student or other member(s) of the school community from assault or imminent, serious, physical harm. The staff member(s) administering physical restraint shall use the safest method available and appropriate to the situation. Staff shall continuously monitor the physical status of the student during restraint, and the student shall be immediately released from the physical restraint if the student expresses or demonstrates significant physical distress.

All physical restraints must terminate as soon as the student is no longer an immediate danger, or if the student indicates that he/she cannot breathe, or if the student is observed to be in severe distress. If any physical restraint approaches twenty (20) minutes, staff will obtain the approval of the building Principal to continue the restraint based upon the student's continued agitation. All physical restraints shall be administered in compliance with 603 CMR 46.00.

- *One person standing hold*: designed to be implemented with children and only those children who are smaller than the staff person when all other de-escalation strategies have proven ineffective in calming the student and to protect a student and/or a member of the Easthampton school community from assault or imminent, serious, physical harm
- *Two person standing hold*: designed to be implemented when all other de-escalation strategies have proven ineffective in calming the student and to protect a student and/or a member of the Easthampton school community from assault or imminent, serious, physical harm
- *Two person transport hold*: designed to be implemented to safely move a student
- *One person arm hold*: designed to be implemented to temporarily control both of a student's arms for a short period of time

Deescalation and Restraint Training

- Staff Training:

- o All staff/faculty will receive training regarding the District's physical restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.
- o In-Depth Training
 - At the beginning of the school year, the building Principal will identify those designated staff who will participate in in-depth training and who will then be authorized to serve school-wide resources to assist in ensuring proper administration of physical restraint.
 - Designated staff members shall participate in at least eight (8) hours of in-depth training in the use of physical restraint, with at least one refresher training annually.

Reporting

Reports of physical restraints shall be provided to parents, per the district's procedures. Additionally, all other reporting requirements shall be followed.

Please see the district's comprehensive Physical Restraint and Behavioral Support Procedures, as required by *603 CMR 46.01*.

Notice

The Superintendent will disseminate this policy and its accompanying procedures to staff annually and will make a copy of this policy and procedures available to parents upon request.

Home and Hospital

The Massachusetts regulation requiring educational services in the home or hospital is 603 CMR 28.03(3)(c). It reads as follows:

Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal shall coordinate such services with the Administrator for Special Education for eligible students. Such educational services shall not be considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.

The intent of this regulation on home or hospital instruction is to provide a student receiving a publicly funded education with the opportunity to make educational progress even when a physician determines that the student is physically unable to attend school. While it is impossible to replicate the total school experience through the provision of home/hospital instruction, a school district must provide, at a minimum, the instruction necessary to enable the student to keep up in their courses of study and minimize the educational loss that might occur during the period the student is confined at home or in a hospital.

Although the regulation on home/hospital instruction is included in the Special Education Regulations (603 CMR 28.00), home/hospital instruction is not considered "special education" unless the student has been found eligible for special education. In other words, home/hospital instruction typically is considered a regular education service, since it is in the interest of both the individual student and the school to make it possible for the student to keep up with schoolwork while s/he is unable to attend school for medical reasons.

Who is Entitled to Educational Services in the Home or Hospital

Public school students. A public school student who, due to documented medical reasons, is confined to home or a hospital for not less than fourteen (14) school days during the school year, is entitled to receive home/hospital educational services as described under 603 CMR 28.03(3)(c). In this context "public school student" means a student who is enrolled in a public school district or a charter school, or a student who is being educated with public funds in an educational collaborative or an approved private day or residential special education school. The requirement for a school district to provide home/hospital instruction to a public school student who is being educated at public expense is not dependent upon the student's eligibility for special education.

Private school students. A student who is enrolled in a private school at private expense ("private school student") is entitled to receive publicly-funded home/hospital instruction as a special education service if s/he has been found to be a student with a disability who requires special education. Mass. General Laws Chapter 71B, § defines "school age child with a disability" as follows:

a school age child in a public or *non-public school setting* who, because of a disability consisting of a developmental delay or any intellectual, sensory, neurological, emotional, communication,

physical, specific learning or health impairment or combination thereof, is unable to progress effectively in regular education and requires special education services, including a school age child who requires only a related service or related services if said service or services are required to ensure access of the child with a disability to the general education curriculum. G.L. Chapter 71B, § 1 (emphasis added).

Students with chronic illnesses who have *recurring home/hospital stays of less than 14 consecutive school days*, when such recurrences have added up to or are expected to add up to more than 14 school days in a school year, are also eligible for home or hospital educational services if they are requested and the medical need is documented by the physician (*Physician's Affirmation of Need for Temporary Home or Hospital Education for Medically Necessary Reasons*).

Home and hospital educational services under 603 CMR 28.03(3)(c) must begin without undue delay after the school district receives written notice from the student's physician that such services are necessary. Please note that there is *no required 14-day waiting period before home or hospital instruction can commence* if it is likely that the student will be absent from the school-based program for 14 school days or more in the school year.

Procedures: Upon receipt of the *Physician's Affirmation of Need for Temporary Home or Hospital Education for Medically Necessary Reasons*, the Director of Special Education will review it and determine if the contents meet the regulatory standard. If the documentation provided meets regulatory criteria, the Director shall, without delay, contact the parent to schedule a meeting to identify appropriate services. If the student receives special education services, the Team may convene to identify appropriate services. The district will work with the parent/guardian and student to ensure that any service offered through the student's IEP shall be provided while the student is confined to the home.

If the documentation provided does not meet regulatory criteria, the Director shall, without delay, notify the parent/guardian of the reasons the criteria are not met and request to speak with the physician about the medical condition that has confined the student to their home. The district may provide short-term home services in order to assist the child in returning to school when the reasons for non-attendance are related to documented anxiety, depression, or other mental health challenge.

Individual Home/Hospital status is reviewed every 30-60 days by the Director of Special Education or designee.

Student and Child Find Obligation

Student Find

Easthampton Public Schools conducts annual outreach with those groups below from which promotion or transfer of students in need of special education may be expected, or which would include students in need of special education.

Sample language for outreach: You are receiving this letter as part of Easthampton Public Schools' outreach to the greater community. EPS provides a continuum of services for students, ages 3-21, that are eligible for special education. Including in the special education program is a process by which the district can evaluate students who reside in Easthampton, should it be suspected they have a disability that may require special education services.

If you have concerns about a child, please first discuss those concerns with the child's caregiver(s). Inquiries about Easthampton Public Schools' special education program, including the evaluation of students, ages 3-21, who reside in Easthampton can be made to: *CONTACT INFORMATION HERE*

1. professionals in community

- Easthampton Community Center 12 Clark Street Easthampton MA 01027
- River Valley Counseling 2 Mechanic Street Easthampton MA 01027
- CHD Outpatient Clinic 179 Northampton Street Easthampton MA 01027
- ServiceNet 12 Olander Drive Northampton MA 01060

2. private nursery schools: search done annually

3. day care facilities: search done annually

4. group homes: search done annually

5. parent organizations

- Easthampton Family Center 128 Main Street Easthampton MA 01027

6. clinical/health care agencies

- Valley Medica Group 238 Northampton Street Easthampton MA 01027
- Northampton Area Pediatrics 193 Locust Street Northampton MA 01027
- Holyoke Pediatrics 150 Lower Westfield Road Holyoke MA 01040

7. early intervention programs

- REACH 131 King Street Northampton MA 01060
- Criterion 228 King Street Northampton MA 01060

8. private/parochial schools

- Mater Dolorosa Catholic School 25 Maple Street Holyoke MA 01040
- Blessed Sacrament School 21 Westfield Road Holyoke MA 01040
- Lander Grinspoon Academy 257 Prospect Street Northampton MA 01060
- Campus School of Smith College 33 Prospect Street Northampton MA 01060

9. the district or school itself

10. agencies serving migrant and/or homeless persons pursuant to the McKinney-Vento Education Act for Homeless Children

- ServiceNet Hampshire County Resource Center 43 Center Street Northampton MA 01060
- DIAL/SELF 196 Federal Street Greenfield MA 01301
- WayFinders 1780 Main Street Springfield MA 01103

Child Find

Easthampton Public Schools shall **locate, identify, and evaluate all children with disabilities who are enrolled by their parents in private**, including religious, elementary and secondary **schools located in the LEA.**

The child find process is designed to ensure the equitable participation of parentally placed private school children with disabilities as well as to generate an accurate count of these children. After timely and meaningful consultation with representatives of private schools and representatives of parents of private school children with disabilities, **Easthampton Public Schools will conduct a thorough and complete child find process** to accurately determine the number of parentally placed children with disabilities attending private schools located in Easthampton.

Child find activities are similar to those Easthampton Public Schools undertakes for public school children. For instance, during a consultation meeting, private school officials may suggest distributing child find flyers in their weekly school bulletin so that more parents will be aware of this benefit.

Easthampton Public Schools is committed to identifying children before their third birthday in order to provide services for three and four year olds. Annually, the district mails notices regarding preschool screenings to all residents ages 3 and 4 who are identified through the census. Annually, the district mails a letter outlining child find obligations and our preschool program to area private schools, child care centers, parent and family agencies, and physician's offices. The district provides a formal notice that these schools and offices may hang on a bulletin board.

The district posts the Child Find Obligation Notice on the district website.

The district shall make it known to private schools located in Easthampton that consultation regarding child-find process, proportionate share funds, and the special education process and provision of services. The district shall obtain written affirmation from private school officials related to any consultations that occur. Should there be no written affirmation, the district will send DESE documentation of the consultation.

The district shall follow all regulations pertaining to the evaluation, identification, and provision of services to students not attending Easthampton Public Schools in an equivalent manner as it does for students enrolled in the district. District evaluators shall contact parents of privately-placed students within 5 school working days to schedule evaluations. Evaluations shall take place within Easthampton Public Schools.

Helpful Resources from the Department of Elementary and Secondary Education (DESE)

Parent’s Notice of Procedural Safeguards

<https://www.doe.mass.edu/sped/prb/>

Laws and Related Documents

<https://www.doe.mass.edu/sped/laws.html>

Secondary Transition

<https://www.doe.mass.edu/sped/secondary-transition/>

Problem Resolution Office

<https://www.doe.mass.edu/prs/>

Technical Assistance and Documents

<https://www.doe.mass.edu/sped/docs.html>

All federal or state statutes and regulations, even if not specifically detailed in this manual, shall be adhered to.

This manual is subject to change and systems practices may shift as efficiencies are identified and implemented.