



# **NORTH READING PUBLIC SCHOOLS**

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## **Special Education Practices & Procedures Manual**

*"Pursuit of Excellence"*

2017-18 School Year

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## **1.0 INTRODUCTION & PURPOSE**

The North Reading Public Schools Special Education Policies and Procedures Manual has been developed to ensure consistency and accuracy of special education practices across the district. The practices and procedures included in this manual align with 603 CMR 28.00 Special Education Regulations. Required forms and documents referred to in Sections 2 - 9 can be found in the Appendix section of this manual and/or in SEMS tracker under IEP and Notices. The practices and procedures manual and forms/docs can also be found on google docs.

All special education personnel responsible for the implementation or coordination of special education evaluation and services should become familiar with the practices and procedures as well as use only the forms referenced within this manual.

This manual will be reviewed at least annually, which may result in revisions to content and/or forms. Staff will be notified of any changes and should review this manual in full at least once every school year.

## 2.0 REFERRAL PROCESS

### 2.1 Referral for Initial Evaluation

A student may be referred for an evaluation by a parent or any person in a care giving or professional position concerned with the student's development. Under the regulations, school districts must ensure a responsive school environment that meets the needs of all students and should implement and document the use of attempted instructional strategies on a case-by-case basis. A parent's right to refer their child for a special education evaluation however, is not limited and should never be delayed because the school district has not fully explored and/or attempted some or all of the available instructional support programs or any other type of interventions (i.e.: DCAP/RtI/IST/CST). In any case where the parent or person making a referral has concerns about the student's development or a suspicion that the student may have an educational disability, the school district must promptly send notice and seek permission to conduct an initial evaluation to determine if the student is eligible for special education. The school district has **5 school days** to respond in writing to a parent's request for evaluation. Therefore, communication of the parent request and collection of necessary information must occur promptly. In the case of a request for an evaluation for the purpose of College Board testing, the district is not obligated to complete these evaluations.

### 2.2 School Referral

When the School Principal or 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 should be referred by school personnel for an evaluation to determine eligibility for special education. The Principal shall ensure that documentation of the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility. The Principal, or other designee, will notify the parents of the school district's proposal for an initial evaluation. The Special Education Tea shall send notice and consent within a "consent packet" and shall coordinate the evaluation process. See Section 2.5, Sending out Consent to Evaluate, below.

### 2.3 Parent Referral

If a parent or caregiver verbally requests an evaluation, the school principal (or designee) should be notified **immediately who then in turn will notify the Special Education Team Chair**. The Special Education Team Chair should contact the parent to gather information regarding the concern(s) and suspected area of disability. District staff should inform parents about the instructional support process (i.e.: DCAP/RtI/IST/CST) available in their child's school and provide parents with an opportunity for this support process to take place as a first step. Parents should be encouraged, but are not obligated to access the instructional support process for their child. Parents should be told of their right to request a special education evaluation at any point – unless given parent permission;

the instructional support process cannot delay a parent's request for a special education evaluation. Parents are strongly encouraged to submit a written request for an evaluation before the referral process can begin, however, verbal confirmation of the parent decision to pursue special education evaluation also necessitates that the referral process begin. The school district has **5 school days** to respond in writing to a parent request for evaluation. When the principal receives a verbal or written request for evaluation by a parent or caregiver/professional, he/she should immediately notify the Special Education Team Chair. The Special Education Team Chair shall be responsible for sending out notice and consent to parents within the **5 day time line**. Note: Parents sometimes submit a written request for special education evaluation in lieu of a verbal request, which is strongly encouraged by the district. The same procedure as the response to a verbal request can be used, keeping in mind the **5-day time line**. In this situation, if a parent agrees to access the instructional support process as a first step, instead of pursuing an evaluation, the Special Education Team Chair or building Principal, shall confirm and document this via written agreement.

#### 2.4 Private School Referral

When private school personnel submit a referral for special education evaluation, the Principal or designee must notify the parents immediately. The school district is obligated to conduct special education evaluations for students who attend private school at no cost to the private school or parents. An evaluation cannot be conducted without receipt of signed parent consent.

When a parent of a private school student contacts the school district to request a special education evaluation, the same process as described above in Section 2.3, Parent Referral, should be followed. The Principal or his/her designee of the school the student would attend if in-district is responsible for responding to this type of parent referral.

#### 2.5 Sending out Consent to Evaluate

When a written request for evaluation has been received, the school district has **5 school days** to respond in writing. The school principal (or his/her designee) shall notify the Special Education Team Chair upon receipt of request for evaluation. Once the school has contacted the parent to gather information about the request for an evaluation, the Special Education Team Chair shall mail to parents a consent packet, which includes:

- Proposal to conduct an initial team evaluation (N1)
- Evaluation consent form (N1a, i.e., "Blue")
- Developmental/Family History (Pre-Kindergarten Only)
- Notice of Procedural Safeguards

An evaluation process cannot begin until the school district receives signed consent to evaluate from parents.

#### 2.6 What to do if a Parent **does not** Submit Signed Parental Consent:

- If a parent does not return the initial evaluation consent form for a child turning 3 years in age, within 30 days of being mailed out, the Special Education Clerk will notify the designated Special Education Team Chair and a consent packet will be mailed a second time.
- If parental consent is not received within 30 days for a re-evaluation, the Special Education Clerk will notify the Special Education Team Chair and a second attempt, and if necessary, a third attempt will be made. If after three attempts there is no parental consent, the PPS Director will be notified.

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

#### 2.7 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 provision 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.



### 3.0 EVALUATION PROCESS

#### 3.1 Initial Evaluation

Upon receipt of signed consent by the parent, the school district shall provide or arrange for the evaluation of the student by a multidisciplinary team within **30 school days**. A Team meeting must be scheduled within **45 school days** from receipt of consent.

#### 3.2 Assessment(s)

The assessment(s) used shall be adapted to the age of the student. The school district shall ensure that appropriately credentialed and trained specialists administer all assessments. The evaluation must include assessments in all areas related to the suspected disability, plus educational assessments (Educational Assessment Forms Part A & Part B) by a representative of the school district to include:

- History of the student's educational progress in the general curriculum. Such assessment shall include information provided by a teacher(s) with current knowledge regarding the student's specific abilities in relation to learning standards of the Common Core incorporating the Massachusetts Curriculum Frameworks and the district curriculum (Ed. Form A); and
- An assessment of the student's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults (Ed. Form B);
- The school district shall also thoroughly evaluate and provide a narrative description of the student's educational and developmental potential;
- When a child is being assessed to determine eligibility for services at age three, an observation of the child's interactions in the child's natural environment or early intervention program may be considered;
- For children who are receiving early intervention services, current and appropriate early intervention assessments may be used to inform team decisions.

#### 3.3 Optional Assessments

The following assessment may be deemed appropriate based on students' suspected area of disability:

- A psychological assessment by a licensed school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination;
- An academic assessment by a licensed special education teacher;

- A home assessment (Developmental History – as described on the Evaluation Consent Form) that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher and includes information on pertinent family history and home situation and may include a home visit, with the agreement of a parent;
- Speech & Language;
- Occupational Therapy;
- Physical Therapy;
- Functional Behavioral Assessment;
- Assistive Technology Evaluation;
- Transition Assessment;
- Observation of student (required for SLD determination and early childhood);
- A comprehensive health assessment by a physician that identifies medical problems or constraints that may affect the student’s education. The school nurse may add additional relevant health information from the student’s school health records.

#### 3.4 Documentation Required for Specific Learning Disabilities (SLD) Determination

When a specific learning disability is found to be the primary disability impacting a student’s ability to access the general curriculum, a specific set of forms (see SEMS tracker documents) must be used to aid in this determination. These forms consist of a historical review and educational assessment, an identification of the specific area(s) of concern and focus on the evaluation methods, an analysis of certain exclusionary factors, a mandatory observation form, and, finally, a Team determination of eligibility that all Team members must sign in agreement with this finding.

The Special Education Clerk is responsible for notifying the evaluation team members that consent has been submitted and assessments can be scheduled. Simultaneously, the Special Education Team Chair will schedule the Initial Team meeting to occur within **45 school days** from receipt of consent and send to parent(s) the following:

- A Notice of Team meeting
- Attendance Sheet (N3a)

### 3.5 Assessment Reports

Each person conducting an assessment shall summarize in writing the procedures employed, the results, and the diagnostic impressions, and shall define in detail, and in educationally relevant and common terms, the student's needs, offering explicit means of meeting them. Assessments shall be completed prior to discussion by the Team and shall be made available to the parents **at least two days** in advance of the Team Meeting.

Each person conducting an assessment must give the Special Education Team Chair two (2) single-sided, signed copies with original signature (preferably in blue ink) of their final, "word processed" evaluation report at least **five (5) days prior to the Team meeting**. The report must be printed on school or district letterhead. This allows the Special Education Team Chair to be well prepared for the Team Meeting.

### 3.6 Reevaluation Process

A reevaluation will be conducted for each student with a current IEP every three years or more frequently if requested or recommended. Reevaluations occur not more frequently than once a year unless both parents and LEA agree that evaluation is needed.

When a student is referred for a reevaluation, existing evaluation data should be reviewed first. If no additional information is needed to determine whether the student continues to be eligible, the district may request that a parent waive particular types of assessment(s).

The parent may either consent to waiver the assessment(s) or may choose to have the assessments completed regardless of the recommendation for waiver.

When there are school-based recommendations for the assessment battery, the Special Education Team Chair should contact a parent/guardian directly to discuss the upcoming re-evaluation and the waiver process. The Special Education Team Chair will provide objective information about the student's possible eligibility/non-eligibility.

Evaluation is required **PRIOR** to ending an IEP service, whether related service or special education. The assessment that is used can be a combination of standardized assessment and curriculum, or classroom based assessment data.

### 3.7 Psychological Evaluations as part of the Re-evaluation Process:

After the Special Education Team Chair reviews the existing evaluation data (from the last evaluation and any assessments that have been completed within the last three years), she/he may do the following:

1. Generate a list of referral questions for this student, gathering information from general and special ed. teachers, related service providers and parents;
2. Determine which of these questions, if any, can be answered through curriculum-based assessment information;
3. Determine with the psychologist, what testing is needed in order to answer other questions. If there has been no change in cognitive function, no neurological or brain-based injury since the last evaluation, cognitive and psychological testing may not be needed. If there are emergent emotional issues, the psychologist can administer just a projective or emotional battery.
4. Determine what curriculum-based assessments, work samples and data will provide answers to the questions.

At least, **45 days prior** to the 3-year reevaluation date indicated on a student's IEP, the Special Education Team Chair will send out an Evaluation Consent Packet consisting of:

- Proposal to conduct a reevaluation (see SEMS tracker: N1)
- Evaluation consent form (see Blue Form/SEMS tracker: N1a)

Please refer to the Initial Evaluation Section for information pertaining to process and procedure for an evaluation once consent is received.

### 3.8 "Outside Evaluation" - Independent Evaluation at Parent Expense

When a parent submits to the school/school district an evaluation report for a student who is NOT currently receiving special education services, the student's Guidance Counselor/School Psychologist shall contact the parents to either discuss concerns or to schedule a meeting with the classroom teacher, and in some cases, the school principal and other pertinent school personnel. The purpose of the discussion should be to gather information about the parent's concern, discuss available supports in place or available through general education, and to determine if a referral for special education evaluation or 504 Accommodation Plan is being requested or would be appropriate. The Special Education Team Chair should be notified of the receipt of the evaluation and kept apprised of the results of the discussion or referral process.

For all students found eligible and receiving an IEP whose parent(s) submit outside evaluations (independent evaluations at parent expense), the school district has **10 school days** in which to schedule a Team meeting to review and consider information and recommendations included in the report. The Special Education Team Chair should be notified immediately of the receipt of the outside evaluation so that he/she can schedule the Team meeting. Best practice dictates that school

districts propose to conduct its own evaluation to gain the best understanding of the student's needs.

### 3.9 Independent Educational Evaluation

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 (IEE). Parents may obtain an independent education evaluation at private expense at any time. If the parent requests an IEE at public expense, the district must either pay for the IEE or, within **five school days**, request a determination from the BSEA that the district's evaluation was comprehensive and appropriate. The Special Education Team Chair should immediately notify the PPS Director of any request for an IEE so that the appropriate response can be made and timelines followed. The parent's right to request an IEE is extended up to 16 months after an evaluation or reevaluation process has been completed.

### 3.10 Extended Evaluation

If the Team finds the evaluation information insufficient to develop an IEP, the Team, with parent consent, may agree to an extended evaluation period.

The extended evaluation period shall not be used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines that sufficient information is available to identify some necessary objectives and services, the Team shall write a partial IEP that, if accepted by the parent, shall be immediately implemented by the district while the extended evaluation is occurring.

The extended evaluation period shall not be used to allow additional time to complete the required assessments and **should not exceed 40 days**.

If the parent consents to an extended evaluation, the Team shall document its findings and determine what evaluation time period is necessary and the types of information needed to develop an IEP, if appropriate. The Team may decide to meet at intervals during the extended evaluation, but in all cases shall reconvene promptly to develop or complete an IEP when the evaluation is complete.

The extended evaluation may extend longer than one week, but shall not exceed **eight** school weeks.

**The extended evaluation shall not be considered a placement.**

See SEMS tracker for Extended Evaluation Form. Complete along with an N1.

## 4.0 THE TEAM PROCESS

### 4.1 The Team

The Team consists of the following members:

- The student's parent(s);
- At least one general education teacher familiar with the student\*;
- At least one special education teacher familiar with the student;
- A representative of the district who has the authority to commit resources;
- An individual who can interpret evaluation results;
- Other individual(s) who have knowledge or expertise regarding the student;
- If appropriate, the student (beginning age 14).

\*For any student placed in a substantially separate placement who does not attend general education classes or specials/enrichment/essentials, a general education teacher is not required.

\*For any student placed in a substantially separate placement who does participate in general education classes or specials/enrichment/essentials even if only for short opportunities, the general education teacher familiar with the student must attend the team meeting.

\*A designated Team member with authority to make decisions about school district resources must be present at every Team Meeting. The Special Education Team Chair is typically responsible for facilitating initial and reevaluation Team meetings. The designated special education liaison for a student is typically responsible for facilitating all annual review and amendment Team meetings. As soon as possible (preferably before the Team meeting), the PPS Director should be notified of potential Team decisions that require school district resources.

\*In instances of DCF involvement the following chart applies:

<b>Manner of DCF placement</b>	<b>Usual Special Education Decision-Maker</b>
<b>Voluntary Placement Agreement</b> - Care and Responsibility (where parent and DCF mutually agree to voluntary placement of the child with a foster parent or in a congregate care setting)	<b>Parent</b>
<b>DCF Custody - "Child Requiring Assistance (CRA)"</b> (formerly "CHINS" custody)	<b>Parent</b>

<b>DCF Custody - Placement with a Foster Family</b> (including a contracted "intensive foster care" family)	<b>Foster Parent</b> (if parent does not maintain role, foster parent agrees to it and has no conflict of interest - see II-D below)
<b>DCF Custody - Placement in Congregate Care</b> (such as a group home or residential school)	<b>SESP</b> (if parent does not maintain role)

#### 4.2 Scheduling the Team Meeting

The Special Education Team Chair (Initials , Reevaluations, and Dispute Resolution) or Special Education Liaison (Annual , Progress Meetings, Reviews and Amendments) will schedule the Team Meetings within time lines or as needed/requested. Forms required for scheduling Team meetings must be mailed at least ten calendar days prior to the meeting and include:

- A Meeting Invitation (see SEMS tracker Documents)
- Meeting Attendance Sheet (N3a, see SEMS tracker Documents)

#### 4.3 Team Member Attendance Excusal

If a required Team member is unable to attend the Team meeting, the Team meeting can still be held as long as parents have provided signed permission to excuse the Team member and the absent Team member has provided written information input (i.e.: accommodations, goals/objectives). Parents should be contacted as soon as the district is aware that a Team member is unable to attend. A Team Member Attendance Excusal Form is available in SEMS tracker. It must be signed by the parent prior to or at the start of the Team meeting in order for the meeting to be held.

#### 4.4 Students 14 Years and Older

The liaison and in instances of a re-evaluation the Special Education Team Chair shall invite the student to the Team meeting and include his/her name on the attendance sheet.

#### 4.5 Private School

In the case of a student attending a private school, the Special Education Team Chair shall invite a representative from the student's school to attend the Team Meeting with agreement by parent.

#### 4.6 Meeting Date/Time Change at Parent Request

In the event that the parent contacts the school district in need of rescheduling the Team Meeting time/date, the Special Education Team Chair or liaison must send out a **NEW** Notice of Team Meeting Date and should use the Text Box for "contact information" to make note of the parent

requested change. "Meeting date changed per parent request." A ten day written notice of new meeting date should be provided to parents; unless the district and the parent agree to a sooner day/time. *Team Meeting Agenda:* For efficiency and effectiveness, an agenda should be used at each Team meeting (see FORMS & DOCUMENTS Special Education binder).

#### 4.7 Team Responsibilities

The Team is responsible for managing three important activities:

- Eligibility Determination/Initial and Reevaluations
- Development of the IEP
- Placement decision

#### 4.8 Eligibility Determination

If the student has one or more of the disabilities defined at 603 CMR 28.02(7) (see list below) and if, as a result of the disability(ies) the student is unable to progress effectively in the general education program without the provision of specially designed instruction, or is unable to access the general curriculum without the provision of one or more related services, the Team shall determine that the student is eligible. The Team must ensure that the student's inability to progress is a result of the disability(ies) and **NOT** a result of an inability to meet the school discipline code, limited English proficiency, social maladjustment, or lack of instruction in reading and math.



## Disabilities Categories:

- Intellectual
- Sensory/Hard of Hearing or Deaf
- Communication
- Sensory/Vision Impairment or Blind
- Emotional
- Physical
- Specific Learning Disabilities
- Sensory/Deaf and Bland
- Multiple Disabilities
- Autism
- Neurological
- Development Delay (ages 3-9 ONLY)

### 4.9 What if a Student has a Disability but is Making Effective Progress in School

If a student is found to have a disability however does not require specially designed instruction in order to make progress the student is not eligible for special education. Specially designed instruction includes modifications that effect content, delivery of instruction, methodology and/or performance criteria and are necessary to assist the student in participating and learning. If the student only requires accommodations, then that student is not eligible for special education. General educators within the general education environment typically provide accommodations. Preferential seating, pencil grip use, or cooperative learning strategies are some examples of these kinds of typical accommodations. Accommodations do not involve modifying the material content, but do allow students to receive information in a more effective manner based on their individual needs. The District Curriculum Accommodation Plan (DCAP) is an important document to reference for additional information about general education supports and interventions, including best practice accommodations. The DCAP can be found on the North Reading Public Schools Website:

[http://www.north-reading.k12.ma.us/sites/northreadingps/files/uploads/district\\_curriculum\\_accommodation\\_plan\\_dcap.pdf](http://www.north-reading.k12.ma.us/sites/northreadingps/files/uploads/district_curriculum_accommodation_plan_dcap.pdf)

### 4.10 The Special Education Eligibility Flow Chart

The Eligibility Flow Chart has been designed to assist Teams in making eligibility determinations. The flowchart is a worksheet and not a notice/form. This worksheet should be completed at the

meeting and placed in the student's file. The worksheet becomes part of the student record but does not need to be mailed to parents with the Proposed IEP.

#### 4.11 Finding the Student Eligible

If a student is found eligible for special education, an IEP must be developed. In most cases, development of the IEP will occur within a single meeting after the determination of eligibility has been made (see section titled "Development of the IEP").

#### 4.12 Finding the Student Not Eligible

If the Team determines that the student is not eligible, the Special Education Team Chair shall record the reason for such finding on the Team Meeting Summary Notes. This should also be documented on the flow chart. At the conclusion of the meeting, parents should be given a copy of the Summary Notes. Within **10 days** of the Team meeting, the parents must receive a completed Notice of Refusal to Act (N2) inclusive of the attendance sheet (N3).

For students determined not eligible following a re-evaluation, the Team Chair will notify the family that IEP services will terminate in 30 calendar days.

#### 4.13 What if a Parent Disagrees with the Eligibility Finding?

Parents have the right to appeal any eligibility determination to the Bureau of Special Education Appeals (BSEA), including a finding of no eligibility. Parents may contact the BSEA directly. Information regarding how to contact BSEA is included in the Notice of Procedural Safeguards sent to parents with the consent packet. Parents should be asked if they are satisfied with the evaluations completed by the school district. If parents disagree with the district's evaluation, they may have a right to an Independent Educational Evaluation (IEE). If the parent requests an IEE at public expense, the district must either pay for the IEE or, **within five school days**, request a determination from the BSEA that the district's evaluation was comprehensive and appropriate. (See Section 3.9, Independent Educational Evaluation, for more information about the Independent Educational Evaluation process).

#### *A 504 Accommodation Plan may be Appropriate*

Section 504 of the Rehabilitation Act of 1973 is a civil rights law that prohibits discrimination on the basis of disability in programs and activities that receive federal financial assistance. This law protects a person who has a physical or mental impairment that substantially limits one or more major life activities. Major life activities include learning. Determination of eligibility for a 504 Accommodation Plan is a separate process from the special education eligibility process and is coordinated through the guidance department.

If a parent or school member wishes to pursue a 504 eligibility process, they should be directed to contact the Guidance Department (secondary) or school principal or designee (elementary).

## 5.0 DEVELOPMENT OF THE IEP

Upon determining that the student is eligible for special education, the Team shall develop an IEP. The first question to ask parents is “What concerns do you have for your child that you want to see addressed in this IEP?” The IEP should be developed using the evaluation data to guide development of goals and objectives for the student as well as the parent concerns.

If an extended evaluation is needed due to insufficient information needed to develop an IEP, or if a parent is not satisfied with the evaluations and requests an Independent Evaluation, the Team may choose to write a partial IEP. If the Team writes a partial IEP, a parent may consent to the proposed partial program prior to completion of the full IEP. In such case, the partial program shall be implemented immediately upon receipt of the signed partial IEP.

The Team should work together to develop the IEP (See IEP Development: Best Practice Guide Document in FORMS & DOCUMENTS section). The Special Education Team Chair or liaison will facilitate the process. The IEP shall be completed using the standard IEP format provided by the DESE (forms found on SEMS tracker). Key components of the IEP include: Parent Concerns, Student Strengths and Key Evaluation Findings, a Vision Statement, Present Level of Performance for General Ed. Curriculum and other areas of education, Accommodations, Specially Designed Instruction, Goals/Objectives, Service Delivery, Schedule Modification including Extended School Year (ESY), Transportation, MCAS and DDM Accommodations, and Placement. A Team Meeting Summary Form (see FORMS & DOCUMENTS section) should be used to document the decisions made at the Team meeting. School districts cannot come to a Team meeting with a completed IEP. The Team, including parents, must work together to develop the IEP for the student. Parents must leave the meeting with the Team Meeting Summary (see FORMS & DOCUMENTS section). Summary notes **MUST** include: Goal Focus Areas, Service Delivery, and Placement Determination.

When developing an IEP, the Team must develop appropriate services that meet the needs of the student based upon the area(s) of identified disability. All service determinations are to stem from the current performance levels of the student as originated in said disability area(s). The addition of a service that a student is not currently receiving should not be made in the absence of an evaluation that presents disability-linked data to support the implementation.

Please note, for initial and re-evaluation meetings, each evaluator will be responsible for providing a summary of their evaluation and entering it into the key evaluation results section of the IEP. In addition, the liaison is responsible for entering the MCAS results (or note not applicable) as well as the disability category.

### 5.1 Duration of Team Meetings

Team meetings should be run efficiently so that the Team is able to address the agenda and accomplish the goal of the meeting. To ensure Teams work together effectively and efficiently, the following recommendations are provided:

- Making reports available to parents ahead of time for review (two days prior to the Team meeting);
- Distributing all reports to Team members ahead of time for review;
- Evaluators provide a summary of their evaluation rather than a detailed review;
- Draft goals & objectives ahead of time for consideration in Word Document at the Team meeting;
- Discuss ONLY the goal focus rather than a detailed review of goals and objectives;
- Designate a time keeper;
- Be sure that parents and teachers understand that the IEP is not meant to be a lesson plan;
- Refrain from using the Team meeting as a consult meeting – table discussions that can be held in follow-up conferences or consult meetings in order to remain on task.

### 5.2 Special Transportation

If the Team determines that the student's disability requires transportation or specialized transportation arrangements in order to access special education services, the Team shall note on the student's IEP that the student requires special transportation. In such circumstances, transportation is a related service and the determination for need should be made as a data-driven decision linked to the student's identified area of disability with respect and consideration of the least restrictive environment for the student. This must occur at each type of Team Meeting, which includes a Team Determination of special transportation or renewal of special transportation.

### 5.3 Extended School Year (ESY)

ESY refers to special education and related services beyond the normal calendar year for students with disabilities. Eligibility for ESY is determined by examining two global criteria: regression/recoupment and non-regression. These criteria should be considered for every student using the following factors:

- The student is likely to lose critical skills or fail to recover these skills within a reasonable time as compared to typical students. (regression/recoupment);
- The nature of severity of the student's disability. (non-regression);
- The student's progress in the areas of learning crucial to attaining self-sufficiency and independence from caretakers. (non-regression);

- The student's stereotypic, ritualistic, aggressive or self-injurious interfering behaviors, prevent the student from receiving some educational benefits from his/her program during the school year. (non-regression);
- Other special circumstances identified by the IEP Team such as: the ability of the student to interact with non-disabled students; the areas of the student's curriculum that need continuous attention; the student's vocational needs; and/or the availability of alternative resources. (non-regression).

ESY is officially discussed and determined at each child's annual IEP meeting. Liaisons will complete screenings and/or collect data to help make individual recommendations. Throughout the school year school staff are asked for ESY projections. Projections are used only for planning, are not definitive and do not replace the need for individual student IEP Team decisions.

Early in the school year, a Team may not be able to make a determination for ESY services if the student is new to the staff. In that event, the Team may wish to delay this decision until later in the year. In most cases ESY determination should be made no later than March (post Thanksgiving, December, and February school breaks); however, in cases where there is a question regarding regression, the Team may use April vacation to document regression. In the circumstances of the "non-regression" criteria, ESY decisions should be made no matter how early in the school year an annual review meeting is held.

#### 5.4 MCAS/DDM Accommodations

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 would occur and leave the remainder of the page blank. All students participate in MCAS/DDM testing with accommodations outlined in the IEP. MCAS/DDM accommodations must be consistent with accommodations students generally receive in their curriculum. Students who require alternative assessments will continue to be evaluated through the MCAS-Alt until otherwise advised by the Massachusetts Department of Elementary and Secondary Education.

#### 5.5 Students with Disabilities and Bullying

According to the bullying legislation, Chapter 92, school districts have several responsibilities regarding students with social skills disabilities. It is important to remember that these responsibilities fit within the broader legislation. We have an obligation to teach all of our students the skills that are needed to avoid and respond to bullying, harassment and teasing. Additionally, those students who have disabilities that result in poorly developed social skills require special attention.

For students with autism and any other disabilities affecting social skills development, this obligation requires a thoughtful, considered approach at Team Meetings because these students are more vulnerable to teasing and not skilled in responding.

The state law requires us to do certain things in order to ensure that those students with autism and social skills disabilities are taught the skills they need, at their level, to learn to respond to bullying effectively. How the IEP Team addresses this requirement is based on understanding the social and communication skill levels of the student and ensuring that the student will:

- benefit from the general education bullying prevention curriculum as is,
- benefit from accommodations or a modified curriculum to insure he/she can access the curriculum, or
- benefit from separate goals and objectives within the IEP to address the skill deficits.

#### 5.6 What the legislation says

Chapter 92, 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.)

#### 5.7 Required Documentation:

When a student is identified with a disability that affects social skills development or Autism, the development of (an initial) or revision of an IEP should include focus on accommodations and skill instruction to develop social and/or language skills.

Every student in the district receives curriculum regarding bullying. If a student is not able to benefit from the general education Bullying Prevention curriculum the IEP should indicate modifications to curriculum, such as “pre-teaching”, “assessment based on key concepts” or “re-teaching” if that will allow the student to access the curriculum. If the student requires a separately delivered curriculum in social skills associated with recognizing, avoiding and responding to bullying, that should be addressed in the social pragmatics, communication or self-advocacy goal areas.

The discussion about social skills, recognizing, avoiding and responding to teasing and bullying should be an integrated part of a team meeting, if the student has social skills deficits. It should not

be an add-on. Most meetings will not require the explicit use of the term “bullying”, but rather will naturally focus on social skills, peer relationships, social pragmatics, communication or self-advocacy.

It is important that a Team document discussion of how the IEP will address a student’s social skills development, in order to avoid or respond to bullying, if a student lacks effective strategies.

Please note, no N1 documentation is needed for students for whom the Chapter 92, sections 7 and 8, does not apply.

A Bullying Team Consideration Checklist is provided in the appendix of this document.

*Chapter 57: An Act To Address The Special Education Needs Of Children With Autism Spectrum Disorders*

Whenever an evaluation indicates that a child has a disability on the autism spectrum, the IEP Team shall consider and shall specifically address the following: the verbal and nonverbal communication needs of the child; the need to develop social interaction skills and proficiencies; the needs resulting from the child's unusual responses to sensory experiences; the needs resulting from resistance to environmental change or change in daily routines; the needs resulting from engagement in repetitive activities and stereotyped movements; the need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder; and other needs resulting from the child's disability that impact progress in the general curriculum, including social and emotional development. For students with a disability on the autism spectrum, the Autism Checklist MUST be completed in conjunction with the IEP development. The checklist is provided in the appendix of this document.



## 6.0 PLACEMENT DETERMINATION

At the Team meeting, after the IEP has been fully developed, the Team shall consider the identified needs of the student, the types of services required, and whether such services may be provided in a general education classroom with supplementary aids and/or services or in a separate classroom or school. The Team shall consider all aspects of the student's proposed special education program as specified in the student's IEP and determine the appropriate placement to provide the services. The Team shall determine if the student shall be served in an in-district placement or an out-of-district placement and shall determine the specific placement according to the following requirements:

The decision regarding placement shall be based on the IEP, including the types of related services that are to be provided to the student, the type of settings in which those services are to be provided, the types of service providers, and the location at which the services are to be provided

The placement selected by the Team shall be the least restrictive environment consistent with the needs of the student. In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the student or on the quality of services that the student needs

The decision to enact a change in placement that constitutes placing the student in a more restrictive setting must come following an evaluation so that updated data may be used as a basis for the Team determination.

### 6.1 Least Restrictive Environment (LRE)

The school district shall ensure that, to the maximum extent appropriate, students with disabilities are educated with students who do not have disabilities, and that special classes, separate schooling, or other removal of students with special needs from the general education program occurs only if the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily. The removal of a student from the general education setting is validated in the Nonparticipation Justification section of the IEP, which quotes the regulation describing the district responsibility outlined above.

### 6.2 Placement Meeting

Upon developing the IEP, if the needs of the student and the services identified by the Team are complex, and the Team is considering an initial placement out-of-district or a different setting for a student who has been served in an out-of-district program, the school district may schedule a separate Team meeting to determine placement.

### 6.3 Transition Planning

If a student is fourteen years of age at the time of an IEP meeting, the transition planning form (SEMS tracker Documents) should be completed. This is a document that will be reviewed and

revised at every annual IEP meeting for the student. It should be based on the Team's vision for the student and necessary skills and used as a guide to assist the Team in transitioning the student from school to post-secondary outcomes. Best practice in transition planning is that the team will consider instruction, employment, and community experiences/post school adult living.

#### 6.4 Programs for Older Students

The school district shall ensure that options are available for older students, particularly those eligible students of ages 18 through 21 years. Such options shall include continuing education; developing skills to access community services; developing independent living skills; developing skills for self-management of medical needs; and developing skills necessary for seeking, obtaining, and maintaining jobs. Such programs may have an educational and/or vocational focus and shall be considered in-district programs if the program is operated by the public school and offers the student ongoing opportunities to interact with students or young adults without disabilities. Participation in such programs for students younger than age 18 shall not relieve the school district of its obligation to ensure that students have access to instruction in the general curriculum.

#### 6.5 Age of Majority:

For students that are 17 years in age, Age of Majority MUST be discussed at the annual IEP meeting. The liaison (or Special Education Team Chair in instances of a re-evaluation year) must provide the student with a copy of the Parent's Notice of Procedural Safeguards. A discussion must take place regarding the Age of Majority and the student rights. It may be helpful to refer to the Age of Majority letter for purposes of this discussion.

The liaison (or Special Education Team Chair in instances of a re-evaluation year) will also make students' and parents' aware at this meeting the Age of Majority Rights will occur **ON** the students' 18<sup>th</sup> birthday, and that the student will be asked to sign the Age of Majority letter indicating their decision.

The liaison (or Special Education Team Chair in instances of a re-evaluation year) will check the box under additional information that this matter was discussed at the IEP meeting. The Notice of Proposed Action (N1) must clearly state that the PNPS have been provided to the student and that the Age of Majority and student rights have been discussed one year prior to the students' eighteenth birthday.

The liaison will ensure that on the student's 18<sup>th</sup> birthday the student will be provided with and sign the age of majority letter. Additionally, when the student elects sole or shared decision making responsibilities, the liaison will seek consent from the student, to continue his/her special education program, by having them sign the IEP. In instances of a non-school day this will occur upon to return to school. The Team Chair should update the Age of Majority field (if 18 or older) in SEMS.

If the student wishes to take the document home to review with the parent, it is the responsibility of the liaison to follow-up with the student and schedule a meeting to discuss any concerns upon student's request.

The original, signed Age of Majority letter, along with the signed IEP as appropriate, will be promptly sent by the liaison to the PPS office for placement in the student's special education file.

All meeting notices and special education documentation must be sent to the student if the Age of Majority rights are solely with the student. If the rights are being shared with the parent/guardian then the parent and student will both receive the required documents and must co-sign all documents.

## **7.0 PROCESSING THE PROPOSED IEP FOR DISTRIBUTION TO PARENTS**

When parent(s) receive a Team Meeting Summary at the conclusion of a Team meeting, the school district has **ten (10) school days** for parents to receive the Proposed IEP and Placement.

When parent(s) do not receive a Team Meeting Summary at the conclusion of the Team meeting, the school district must provide the parents a proposed IEP and Placement as soon as possible and not more than **three (3) school days** after the Team meeting has been held.

IEP Process Tracking Sheet has been created to guide Special Education Team Chairs and special education liaisons on the compilation of the IEP packets to be submitted to the PPS Office for processing. The tracking sheet **MUST** be completed in full. IEP packets must include all necessary components outlined on the tracking sheet before being submitted for processing.

Once IEP packets are completed, the Principal will review and sign the IEP. It is the Teams' responsibility to submit the IEP packet in a timely manner in order for the school district to meet the required IEP timelines.

## **8.0 PARENT RESPONSE TO IEP**

No later than **30 days after receipt** of the proposed IEP and proposed placement, the parents shall:

- Accept or reject the IEP in whole or in part;
- Request a meeting to discuss the rejected portions of the IEP or the overall adequacy of the IEP; or,
- If mutually agreed upon, accept a revised proposal; and,
- Accept or reject the proposed placement

## 9.0 IMPLEMENTATION OF THE IEP

### 9.1 Receipt of Signed IEPs

Parents are provided a self-addressed envelope along with 2 copies of the proposed IEP to sign and return to the PPS Office. If a parent submits a signed IEP at the building level, via student backpack, hand-delivery, or mail, the IEP MUST be date-stamped and sent immediately to the PPS Office. All signed IEPs, whether accepted in whole or in part, or Rejected, MUST be submitted directly to the PPS Office for processing, documentation, and distribution.

The special education clerk will update SEMS tracker and change the IEP status from pending to Active.

### 9.2 Receipt of Partially Rejected & Rejected IEPs

When an IEP has been rejected in part or in full, it will appear on SEMS tracker as Rejected or Rejected in Part. The special education clerk will immediately provide the liaison with a copy of the parent's response. The liaison will in turn, disseminate parent response to school based Team. This enables Team members to know which parts of the IEP, if any, have been accepted and can be implemented. Should Team members have questions regarding implementation, they should IMMEDIATELY contact the Special Education Team Chair for clarification.

#### IEP Must be Implemented Immediately Upon Signed Response From Parents

Upon parental response to the proposed IEP and proposed placement, the school district shall implement all accepted elements of the IEP without delay. The school district cannot delay implementation of the IEP due to lack of classroom space or personnel. Teams must provide as many of the services on the accepted IEP as possible and shall immediately inform the parent in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and offer alternative methods to meet the goals on the accepted IEP. Upon agreement of a parent the school district shall implement alternative methods immediately until the lack of space or personnel issues are resolved.

### 9.3 Amendments

At times it is necessary to amend an IEP. An amendment can be conducted via phone contact or email with the parent(s). An amendment cannot extend the length of the IEP. An unsigned, rejected, and partially rejected IEP cannot be amended – any changes made to an unsigned IEP are considered “Revisions” to a proposed IEP and should be marked accordingly.

#### 9.4 IEP Revisions

Once a team meeting has been held and a proposed IEP has been sent to parents for response, with parent input and agreement, a Team may revise or further develop the proposed IEP. The Type of Meeting and Dates on the administrative page would not change. The N1 should **clearly state** that the IEP has been revised with the date of the Team Meeting or Parent Contact that precipitated the revision. Details of why and how the IEP was revised should be noted in the N1 and sent to the PPS Office for processing. **NO IEPs SHOULD BE SENT OUT AT THE BUILDING LEVEL.**

#### 9.5 Progress Monitoring/Progress Reports

Developing well-written and meaningful progress reports starts with well-written goals including current performance, goal statement, and objectives or benchmarks. Teams should use the Current Performance as the starting point or what the student is currently able to do and what the stumbling blocks are; the Goals as the end points; and the objectives or benchmarks as the steps between the starting and end points.

Progress reports should reflect, in measurable terms, the student's progress toward the annual goal and whether the progress is sufficient for the student to achieve the annual goal by the end of the IEP period.

Progress reports must be sent to the parents at least as often as parents are informed of their nondisabled children's progress (i.e., in conjunction with report cards). In North Reading the frequency of reporting is as follows:

<b>Grade Level</b>	<b>Frequency</b>
Preschool	Three per year
Elementary (K-Gr5)	Three per year
Middle School	Four per year
High School	Four per year

By federal regulation, progress reports must answer the following two questions for each goal:

- What is the student's progress toward the annual goal?
- Is the progress sufficient to enable the student to achieve the annual goal by the end of the IEP period?

Team members should respond to the mandated questions by following these steps when writing their progress reports:

- Number each benchmark or objective for which progress is being written;
- Specify what the student has been working on;
- List what the student has achieved;
- Use measurable language where appropriate (ie: John is greeting his peers upon arrival to school in 90% of measured opportunities);
- Indicate any stumbling blocks to progress and how the Team is responding (ie: what refinements are or will be used to support the student's progress);
- Project whether the student will reach the annual goal if progress continues at its current pace.

Progress reports may prompt the Team to amend an IEP. If a lack of expected progress continues past the first progress report and subsequent in-class refinements, the Team should make IEP adjustments and may want to consider rewriting a goal to set a different and more attainable standard.

If a student is making more progress than projected, progress reports may make recommendations on next steps. Sometimes it may be appropriate to amend the IEP to add additional annual goals.

For students whose eligibility terminates because of graduation or because the students ages out, the liaison will provide a summary of the student's academic achievement and functional performance, including recommendations on assisting the student in meeting postsecondary goals.

## 10.0 DISCIPLINING STUDENTS WITH SPECIAL NEEDS

In *Honig v. Doe*, 559 IDELR 231 (EHLR 559:231) (U.S. 1988), the U. S. Supreme Court prohibited certain disciplinary actions that result in a change of placement for a student with a disability (one

receiving special education and related services under the IDEA). Generally, a student with a disability cannot be subjected to a disciplinary change of placement if his/her misconduct was caused by, or was related to, his/her disability. A disciplinary change in placement occurs when a student is suspended in excess of ten (10) consecutive school days or subjected to a pattern of short term suspensions in excess of ten school days which constitute a pattern of removal. If the misconduct includes bringing a weapon or drugs to school, if the student has inflicted serious bodily injury on another person, or if he/she otherwise poses a danger to him/herself or others, then different rules governing removal from school will apply. In all events, suspension of more than 10 school days is subject to special rules and limitations when the student is disabled under either the IDEA or Section 504. Further, districts must continue to provide a free appropriate public education to IDEA-eligible students with disabilities who have been suspended for more than 10 school days or expelled.

Outlined below are the procedural protections and disciplinary proceedings that pertain to these situations. Beyond the basic due process rights afforded to all students:

- The Individuals with Disabilities Education Improvement Act (IDEIA) and Section 504 of the Rehabilitation Act impose additional procedural requirements when excluding students with disabilities for disciplinary reasons.
- Students with IEPs **or** 504 Plans **or** any student whom the District had reasons to know, prior to the incident giving rise to the disciplinary action, might be eligible for special education are entitled to the additional procedural protections.
- A Manifestation Determination **must** be conducted prior to any removal constituting a disciplinary change of placement.
- Where appropriate, a FBA (Functional Behavioral Assessment Plan) **must** be developed or a review of an existing Behavioral Intervention Plan **must** be conducted.
- A Manifestation Determination **must** be held within 10 school days of any decision to impose discipline that would result in a **change of placement** to determine whether the conduct giving rise to discipline was a manifestation of the student's disability. 6. Provision of services FAPE (Free Appropriate Public Education) **must** be provided to IDEA - eligible students as of the **11<sup>th</sup> cumulative day of removal**.
- A Functional Behavioral Assessment is required **only** after determining that the conduct was a manifestation of the student's disability or where found to be appropriate by the Team.

If the behavior is **not** a manifestation of the student's disability:

- The principal **may** impose sanctions applicable to all students.
- The principal **must** provide FAPE, as determined by IEP Team, for students on IEPs as of the 11<sup>th</sup> day of removal.
- There is **no** obligation to provide FAPE for 504 students although they have the right to an opportunity to make academic progress during the period of exclusion in accordance with M.G.L. c.76, §21.
- Stay Put Rights: A student remains in disciplinary placement pending expiration of the disciplinary sanction **or** until decision from a Hearing Officer.

If the behavior **is** a manifestation of the student's disability:

- The student returns to school prior to the 11<sup>th</sup> day, **unless** the conduct meets the criteria for a unilateral removal **or** the school district obtains parental consent **or** a Hearing Officer's order, **or** a temporary restraining order (TRO).
- Interim Alternative Educational Settings (IAES): Generally a student with a disability **may** be placed in an IAES **only** upon the recommendation of the Team **and** the consent of the parent/guardian, **or** the student if he/she is 18+. Under certain specific circumstances, a student **may** be unilaterally placed in an IAES by his/her Team.

A student **can** be unilaterally removed, regardless of manifestation determination, to an IAES for **up to 45 school days** for:

- Possession of a dangerous weapon on school premises or at a school- sponsored or school-related event.
- Possession or use of illegal drugs on school premises or at a school-sponsored or school-related event.
- Solicitation of a controlled substance on school premises or at a school- sponsored or school-related event.
- Causing serious bodily injury.

The 45 day IAES **must**:

- Enable the student to participate in the general curriculum, progress toward the goals in the IEP, and receive the special education and related services contained in the IEP.
- Provide services and modifications designed to address the behavior that gave rise to the removal and to prevent the behavior from recurring.
- **End** at the conclusion of the 45 school day period **and** the student shall be returned to his/her previous placement **unless** the parent/guardian/student consents to an extension of the IAES **or** an Order is obtained authorizing the student's continued removal.



The district will comply with all state and federal statutes regarding the discipline of students with special needs. For more detailed information regarding these laws and regulations see the Parents' Notice of Procedural Safeguards, the Individuals with Disabilities Education Improvement Act of 2004. (IDEIA) (PL: 108-446), Section 615, and Section 504 of the Rehabilitation Act of 1973.

## 11.0 REQUESTS FOR SERVICES

### 11.1 Request for Services:

Whenever a request for additional services is made, the liaison should contact the appropriate Special Education Team Chair who, in turn, will determine the appropriate course of action.

#### Request for Translation/Interpreter Services:

Whenever a family requires translation and/or interpreter services, the liaison should contact the appropriate Special Education Team Chair **immediately** who, in turn, will determine the appropriate course of action.

### 11.2 Parent Request for Observations

The North Reading staff collaborates with parents to provide timely response to requests received for observation of their children's current or proposed special education programs. The parent or his/her designated private evaluator or educational consultant may conduct observations. North Reading will provide an opportunity for observation of sufficient duration and extent to enable evaluation of the child's performance in his/her current program or to evaluate a proposed program's ability to enable the child to make effective progress. The following guidelines apply to arranging for such observations:

### 11.3 Parent Request

Parents are asked to submit their observation requests in writing to their child's special education liaison (whether through use of the attached form or other written means) to include the following information:

- Student's name
- Parent's 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, 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

### 11.4 Scheduling

The liaison will provide a copy of the request to the building principal and Special Education Team Chair. In order to assist in timely scheduling, North Reading staff will contact the identified observer directly. **Within a week of parental request for observation**, district staff will contact and provide parents with potential dates and times for observation.

### 11.5 Staff availability

A school staff member will accompany the observer during the observation period. Given the ongoing responsibility of teachers or therapists to serve students, they will not be available for conversation during or immediately before/after the observation period. All efforts should be made to limit the impact on instruction and operation of the classroom.

### 11.6 Restrictions on Scheduling

The district does not generally schedule observations for certain portions of the year such as during MCAS testing or during the first few weeks of school. In addition, because it may not be possible to accommodate all requests during the last few weeks of school, parents are urged to submit any observation request they may have as early as practicable in the school year. In addition, school staff retains its right and obligation to restrict program observation where necessary to protect the safety of a child or the integrity of program. The District also expects all observers to avoid disclosing any personally identifiable or confidential information they might obtain during the course of an observation (except that about student being observed, in which case it will be used consistent with the parent's authority and direction.) School staff retains the right to restrict program observations if necessary to protect students from such disclosure.

### 11.7 Home-Hospital Educational Services

A student with a documented medical condition who has been or is expected to be confined to a home or hospital for a minimum of fourteen days during any school year is eligible to receive home or hospital educational services. (When a student is hospitalized, the hospital usually contacts the school directly to arrange for tutoring. There is no action required by building personnel to arrange for this contracted service.)

The Home Educational Services can begin as soon as the student's physician completes a SPED 28R/3 form. On this form the physician must indicate:

- the medical reason preventing school attendance
- the expected duration of the absence including an end date
- whether the student's educational program should be reduced

The educational services that are provided will be coordinated by the Guidance Counselor in conjunction with the PPS Office. The tutoring services will be provided with sufficient frequency to allow the student to continue his or her educational program, as long as the services do not interfere with the medical needs of the student.

For students who attend private special education schools or Collaboratives at North Reading's expense, that specialized school is responsible for providing tutoring during home-hospital periods, at their expense, as long as the student remains enrolled in that school.

If, in the opinion of the Physician, a special education student is expected to remain at home, in the hospital or in a pediatric nursing home for medical reasons for more than 60 days, the Administrator of Special Education will convene a Team Meeting to amend the existing IEP or develop a new IEP suited to the student's unique circumstances.

A parent/guardian of a general education student may request a special education evaluation to determine if the student's medical condition meets special education eligibility requirements.

The school district needs to provide sufficient frequency of tutoring to enable the student to keep up in her/his courses of study and minimize educational loss. This is determined on an individual basis. One hour per day is often adequate in the 1:1 tutoring situation, but the amount must be determined based on individual needs and medical condition.

Educational Services should not interfere with medical needs.

The Principal or her/his designee coordinates these services with the Pupil Personnel Office if the student is eligible for special education.

Students enrolled in private school at parent expense are also eligible for home-hospital tutoring through the public school. The same paperwork must be completed.

*Procedure:*

If a student is absent 7-10 days, counselor should call parent/guardian to determine if the absence is anticipated to go beyond the cumulative 14 days. If continued absence is anticipated, counselor should send the 28R/3 Physician's Form to parent/guardian for completion.

For a student who is approaching the "cumulative" 14 days, Principal or Guidance should contact parent to determine when student will be returning to school. In the case of a chronic illness that may result in the 14 cumulative days of absence, tutoring would be offered if the guidance counselor and general education teachers believe the student needs tutoring to keep up with the course of study.

In either situation, ask parent/guardian to have treating physician complete the Home-Hospital Educational Services request form (28R/3 - see attached).

Based on Physician request and medical limitations, determine with teacher/s and parents the amount of weekly tutoring to be provided. The purpose of the tutoring is to allow the student to keep up with his/her schoolwork. Tutoring should not interfere with medical needs.

Guidance then finds a tutor for the student. If it is a current employee, counselor sends an email to PPS and employee, outlining the amount of tutoring to be provided.

All tutor contracts are completed in the PPS Office. A contract will be promptly sent to the tutor for signature. Tutor submits requests for payment to the PPS Office. Parent should be home when tutor delivers service. If parent cannot arrange to be home, district may have to provide a 2<sup>nd</sup> adult to accompany the tutor to the home, or if feasible, provide the tutoring in a public building. Principal/his or her designee should determine this need.

Tutors coordinate the instructional content and approach with school-based teachers.

Tutors must be licensed educators, but do not need to be licensed in all content areas they are tutoring. If a tutor is delivering services to a special education student, their work must be supervised by an appropriately licensed special educator.



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## APPENDIX A - FORMS/DOCUMENTS



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## Autism Spectrum Disorder Checklist

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

Person Completing Form: \_\_\_\_\_ Date: \_\_\_\_\_

- \_\_\_\_\_ Verbal and nonverbal communication needs discussed
- \_\_\_\_\_ The need to develop social interaction skills and proficiencies discussed
- \_\_\_\_\_ The needs resulting from the child's unusual responses to sensory experiences
- \_\_\_\_\_ The needs resulting from resistance to environmental change or change in daily routines discussed
- \_\_\_\_\_ The needs resulting from engagement in repetitive activities and stereotyped movements discussed
- \_\_\_\_\_ The need for any positive behavioral interventions, strategies, and support to address any behavioral difficulties resulting from ASD
- \_\_\_\_\_ Other needs resulting from the student's disability that impact progress in the general curriculum including social and emotional development discussed

\* Below is the statement that I have entered in the Additional Information page:

Because *(student's name)* is a child with a disability on the autism spectrum, the IEP Team discussed and considered the student's needs in: verbal/nonverbal communication, social interaction, sensory experiences, change in routines, repetitive activities/stereotyped movements, behavioral difficulties/interventions and social/emotional needs.



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## Bullying TEAM Consideration

### Does the Disability Cause Vulnerability to Bullying, Harassment, or Teasing?

Massachusetts General 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 an 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 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 need to avoid and respond to bullying, harassment, or teasing. (G.L. c. 71B, §3, as amended by Chapter 92 of the Acts of 2010).

**Student Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### Student Disability Category:

- Autism
- Sensory Impairment
- Physical
- Specific Learning Disability: \_\_\_\_\_
- Developmental Delay
- Neurological
- Communication
- Intellectual
- Emotional
- Health

*Teams should be aware that students with emotional impairments, developmental delays, health impairments, communication disorders, and neurological impairments are likely to have a disability that affects their social skills development. For students on the autism spectrum, protection under the law will be automatic.*

### Check the one that applies to this student:

- The student’s disability is on the Autism Spectrum
- The student’s disability affects social skills development
- The student’s disability may result in a vulnerability to bullying, harassment, or teasing.
- None of the above (if this is checked, please check option 2 below)

### Statements to be added to the IEP:

**□1:** The team considered the student’s level of social skills development and disability. At this time, the team concluded that social development and/or the disability is likely to make the student more vulnerable to teasing, harassment and/or bullying. The proposed IEP will identify developmentally appropriate accommodations and/or goals/benchmarks to address this.

**□2:** The team considered the student’s level of social skills development and disability. At this time, the team concluded that the student navigates peer relationships in ways that are positive and developmentally appropriate. At this time, the team concluded that the student is not lacking or deficit in the area of social development and the disability is not likely to make the student more vulnerable to teasing, harassment, and/or bullying.





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## Request to Excuse an IEP Team Member

**PURPOSE:** A school district member of the IEP team may be excused from attending the IEP meeting if the parent(s) and the district agree in writing that the member's attendance is not necessary because his/her area of curriculum/services is not being modified or discussed in the meeting. A member whose area of the curriculum/services will be modified or discussed may be excused from the IEP meeting if the district and parent(s) consent, and the member provides written input into the development of the IEP prior to the meeting.

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

To: \_\_\_\_\_  
*Parent/guardian/adult student*

Re: \_\_\_\_\_  
*Student name*

\_\_\_\_\_, a required member of your child's IEP team has asked to be excused, in whole or in part, from the IEP meeting scheduled for: \_\_\_\_\_  
\_\_\_\_\_

*Date*

A required team member may be excused from attending an IEP meeting with the agreement/consent of the parent(s) and the district. Excusing the attendance of a teacher or related service provider at an IEP meeting is optional.

We agree to excuse the attendance of this team member at the IEP meeting specified above because this member's area of the curriculum or related services is not being modified or discussed at this IEP meeting.

We consent to excuse the attendance of this team member at the IEP meeting specified above because, although the IEP meeting involves a modification to or discussion of this staff member's area of the curriculum or related services, he/she will submit in writing, to the parent and IEP team, input into the development of the IEP prior to the meeting.

Your agreement or consent to excuse the above identified IEP team participant from attending the meeting must be in writing. Please sign, date, and return one copy of this form to the school district.

\_\_\_\_\_  
*Parent/guardian/adult student signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*School district representative signature*

\_\_\_\_\_  
*Date*

I do not agree to the excusal. Please contact me to reschedule the meeting when required members are able to attend.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*



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## Summary of Team Meeting

Student's Name: \_\_\_\_\_ School: \_\_\_\_\_ Grade: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_ LEA Rep/Meeting Led By: \_\_\_\_\_

Type of Meeting: (Check One)  Initial  Annual Review  3 Year Re-eval.  Other

IEP Liaison: \_\_\_\_\_ Contact Information: \_\_\_\_\_

Result of Meeting: (Check if Applicable):  New IEP  Updated IEP  Amendment   
Other \_\_\_\_\_

### Eligibility Determination (If Initial or Three Year Reevaluation):

Disability: \_\_\_\_\_

Effective Progress:  YES  NO

Special Instruction:  YES  NO

Was the student found eligible  
for special education?:  YES  NO

Parent expressed satisfaction with evaluation  
when asked?:

YES  NO

### Parent Concerns:

### Team Vision Statement:

### Student Strengths/Interests:

### Major Goal Areas:

### Other Information (Accommodations, Medical Information, etc.):



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## Summary of Team Meeting (Grid)

### A. Consultation (Indirect Services to School Personnel and Parents)

Focus on Goal #	Type of Service	Type of Personnel	Frequency and Duration	Start Date	End Date

### B. Special Education and related Services in General Education Classroom (Direct Services)

Focus on Goal #	Type of Service	Type of Personnel	Frequency and Duration	Start Date	End Date

### C. Special Education and Related Services in Other Settings (Direct Services)

Focus on Goal #	Type of Service	Type of Personnel	Frequency and Duration	Start Date	End Date

**Placement:** \_\_\_\_\_



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Age of Majority  
(18 years old)

As you know from prior correspondence, when a student reaches 18 years of age, he or she has the right to make all decisions in relation to Special Education programs and services. The school district has the obligation to obtain consent from the student to continue the student's Special Education program. Parents will continue to receive written notices and information but will no longer have decision making authority except as provided in the following: (please check one)

- (a) The student, upon reaching 18 years of age and in the absence of any court actions to the contrary, chooses to retain full decision making authority.
- (b) If a parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision making authority. The parent shall not have authority to override any decision or lack of decision made by the student who has reached the age of majority unless the parent has sought or received guardianship or other legal authority from a court of competent jurisdiction.
- (c) The student, upon reaching 18 years of age and in the absence of any court actions to the contrary, may choose to share decision making with his or her parent (or other willing adult), including allowing the parent to co-sign the IEP. Such choice shall be made in the presence of the TEAM and shall be documented in written form. The student's choice shall prevail at any time that a disagreement occurs between the adult student and parent or other adult with whom the student has shared decision making.
- (d) The student, upon reaching 18 years of age and in the absence of any court actions to the contrary, may choose to delegate continued decision making to his or her parent, or other willing adult. Such choice shall be made in the presence of at least one representative of the school district and one other witness and shall be documented in written form and maintained in the student record.

Please sign and date below to authorize the school to carry out your choice. If you have any questions, the PPS office can be reached at 978-664-7823.

Sincerely,  
Pupil Personnel Services

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Name (Please Print)

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date



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## Extended School Year Documentation Form

**Student:** \_\_\_\_\_ **IEP Dates:** \_\_\_\_\_

**School:** \_\_\_\_\_ **Liaison:** \_\_\_\_\_

**Instructions:** Check the line in front of each criterion considered for EYS. For each of the considered criterion, check those lines to reflect evidence in the student's file to support eligibility for EYS. Write a short statement summarizing the reason the team believes ESY is required, have the Principal and liaison sign and attach to the IEP.

\_\_\_ **Disability** - The student is identified to have a severe disability impacting one or more areas.

\_\_\_ **Regression-Recoupment** - There is a pattern of regression-recoupment problems for targeted objectives on the student's IEP, or there is a substantial expectation due to the severity of the disability that there would be problems with regression or recoupment.

\_\_\_ **Point of Instruction** - The level of the student's disability make it likely that without ESY the student would require an increase in special education services, outside the general education classroom in order to achieve current goals and objectives.

\_\_\_ **Self-Injurious/Dangerous Behavior** - The student engages in self injurious/dangerous behavior. The student has an intervention plan that is continuously implemented, and in the absence of structured behavioral intervention, the behavior(s) would increase or re-appear.

\_\_\_ **Excessive Absences due to Disability** - There is verification of 25 or more health/disability related absences. There is data of the student's lack of progress on essential skills as a result of the health-related disability. ESY services could have a significant impact on the student's ability to make continued progress toward the acquisition of high priority goals and objectives necessary for his or her effective progress.

\_\_\_ **Extenuating Circumstances** - Describe the circumstances: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please complete back side



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Please provide a summation statement indicating the student's disability, priority goals and objectives that require extended year services and outline the recommended extended year services to be provided: \_\_\_\_\_

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I support the provision of extended year services for this student and believe that it is mandatory for this student to receive these services in order to access their education and maintain goals and objectives as outlined on their IEP.

\_\_\_\_\_  
Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Special Ed. Liaison

\_\_\_\_\_  
Date

Please submit this form to the PPS office immediately and attach a copy to the student's IEP.



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## Student Observation Form

Student to Be Observed: \_\_\_\_\_ DOB: \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_

Observer: \_\_\_\_\_ Relationship to Student: \_\_\_\_\_

Date of Observation\*: \_\_\_\_\_ Time of Observation\*: \_\_\_\_\_

Reasons for Observation Request: \_\_\_\_\_

I intend to use the information gained from the observation in the following manner:  
\_\_\_\_\_

### Further Stipulations:

- Observation time period will be mutually agreed upon by the principal and parent.
- No part of the observation may be used to evaluate a staff member's performance.
- Videotaping and/or photographing is/are prohibited.
- Audio-taping is not permitted without separate authorization.
- **Any personally identifiable information regarding other students in the classroom shall not be included in observation notes and shall be treated in accordance with confidentiality laws and regulations, including school record regulations.**

Initials: \_\_\_\_\_

I consent to all items contained in this agreement.

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Observer Signature

\_\_\_\_\_  
Date

\*A School Department staff member will be designated by the Director of Student Services and/or the school Principal to accompany the Observer. Scheduling of the Observation must include enough advance notice to work within the designated staff member's schedule.

Authorized School Department Staff Member Assigned: \_\_\_\_\_

*This Agreement will not be in effect until signed by a North Reading Public School Administrator.*

\_\_\_\_\_  
Director of Pupil Personnel/Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Date

*Please Note: In some cases, it may be necessary to obtain prior permission from other parents to have their children included in the observation.*



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## Student Observation Confidentiality Agreement

The North Reading Public Schools complies with all applicable laws and regulations pertaining to the privacy of students within our schools and makes every reasonable effort to ensure that student information remains confidential.

You, observer of \_\_\_\_\_ (Student) have requested the opportunity to observe this student in his/her current educational program or to observe a program that has been proposed for the student by his/her IEP Team. During such an observation, you may be exposed to private and confidential information pertaining to other students within the classes/program to be observed. Approval of your request for observation of a program that has been proposed for this student is contingent upon your agreement not to disclose any confidential, private, or personally identifying information pertaining to other students to which you may be exposed during the course of your observation. By signing this form, you agree that you will not disclose to any third party any confidential or private information regarding any student other than the student you are observing. You are further acknowledging and agreeing to the following conditions:

1. While present in the school building, you will be accompanied at all times by a designated school staff person.
2. You will not interrupt, disrupt or otherwise interfere with the instructional services taking place in any school classroom while you are present in the school building. School administrators reserve the right to terminate any observation that disrupts the educational environment of the classroom, program, or school.
3. You will not request, or be provided with access to, the records of any student other than the student you are observing. This includes, but is not limited to, students in any classroom that you might observe.
4. No part of the observation may be used to evaluate a staff member's performance.

Please complete the information below. Your signature documents that you agree to comply with the above guidelines and that all information obtained through your classroom observation, review of records, and other activities while in the school building will be held in strict confidence and will not be disclosed to any third party without the written consent of the parent(s)/guardian(s) of the student to whom the information pertains.

\_\_\_\_\_  
Name of Student/Program to be observed

\_\_\_\_\_  
School where observation will take place

\_\_\_\_\_  
Printed Name of Observer

\_\_\_\_\_  
Address of Observer

\_\_\_\_\_  
Signature of Observer





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## Observation Agreement

*This form should be used for ALL observations of students or programs. Observations cannot be done during the week prior to vacation weeks, within two weeks from the start or end of school, or during MCAS/PARCC administration.*

- Observer(s) must sign-in at office and wear a visitor pass at all times.
- A school administrator or his/her designee will accompany the observer(s).
- Cell phones must be turned off (no exceptions).
- Observer(s) may not use any audio or video recording device during the school visitation.
- Teachers are unable to conference with observer(s) during the observation. School staff will gladly discuss the observation at a mutually agreeable time which may or may not be on the same day as the observation.
- Observer(s) may not initiate conversation or interaction with students during the observation.
- The duration and extent of the observation will be determined on an individual basis with consideration given to the complexities of the student's needs as well as the needs of the other students in the classroom(s).
- Several observations may need to be scheduled in order to accommodate the observer's need to see both academic and non-academic program components.
- An observation may have to be rescheduled or terminated in the event of a building emergency or disruption that impacts the physical or emotional well-being of all students.
- In order for a parent designee to review student records, a signed parent release must be completed (*in accordance with Section 23.07(4) of the Student Records Regulations*).
- The confidentiality of other students in the classroom/program must be maintained.

\_\_\_\_\_ I have read and agree to the above.  
Initials of Observer