

# **Savannah-Chatham County Public School System**

## **Department for Specialized Instruction**

### **Implementation & Compliance Manual**

This manual is to be used as a guide for implementation and compliance in conjunction with the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) and its regulations, the Georgia State Department of Education's Rules, implemented April 18, 2011, and the Georgia Implementation Manuals 1 and 2.

This manual is routinely under revision to remain current and compliant with Georgia 2007 Special Education Rules and subsequent IDEA amendments (December 31, 2008). If any information in this manual conflicts with current rules, the rules supersede.

Date of SCCPSS Revision: **January 2018**

# PREFACE

As educators, we have an obligation to educate students with disabilities to the best of our ability. Our students deserve the opportunity to reach their maximum potential and it is our responsibility to help them get there. We must provide students with experiences that will translate into student success.

The purpose of this implementation manual is to provide guidance to service providers in the Savannah-Chatham Public School System related to the implementation of special education programs as required by the Individuals with Disability Education Improvement Act 2004 (IDEIA) and its regulations. It is designed to guide special education administrators, building level administrators, special educators, and assessment personnel through the appropriate procedures for the identification and evaluation of students with disabilities and subsequent IEP development for students eligible to receive special education services.

Consequently, it is the expectation of the District that all procedures set forth in this manual are adhered to by all District personnel. Each staff member is accountable for reading the manual and training will be provided to ensure a thorough understanding of its contents. Annual performance evaluations will take into account the effective implementation of the procedures outlined in the manual.

While the primary focus of this manual is compliance, the primary objective is to promote excellence in teaching and to provide guidance in developing plans for students that will create paths that lead to preferred post-secondary outcomes. Our students deserve the best that educators can give them. This manual will assist in providing our students with quality services that will result in social, emotional, and academic growth.

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# INTRODUCTION

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Savannah-Chatham County is pleased to offer this Implementation and Compliance Manual as a district supplement to the Georgia Department of Education's Special Education Rules and Implementation Manuals. It is meant to serve as a practical guide for implementing the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) and its regulations. It is not intended to state new law or supplant any federal or state laws, regulations, or requirements. Nothing in this manual should be seen as having the force of law. This manual should not be cited as law or as imposing any additional requirements or obligations outside the requirements of existing law.

It is strongly suggested that the State Special Education Rules and Implementation Manuals be consulted first when questions arise regarding laws and policies and then the Savannah-Chatham Implementation Manual regarding specific practices and procedures. This manual does not cover every aspect of each of the Rules for Special Education however it does cover many of the topics about which questions are frequently asked.

The purpose of this manual is to provide county-specific information regarding policies, practices and procedures for implementation of the Georgia Rules for Special Education and to ensure compliance.

The intended audience of this manual includes all the parties involved in the provision of services for students with disabilities. This includes administrators, principals, program managers, school psychologists, district staffing specialists (DSS), regular education teachers, special education teachers, related service providers, therapists, and specialists.

As with the state manual, sections will be undergoing updates regularly. Please check the state and district manuals online for the most current updates. The cover page will indicate the date of the revision. Announcements will appear on the PowerSchool SPED Home page whenever revisions are made. Revised copies will be placed on Acorn and in the PowerSchool SPED Help menu.

Confidentiality of educational records is a basic right shared by all children in public schools and their parents. These fundamental rights are described in the Family Educational Rights and Privacy Act (FERPA) of 1974, which applies to all students, not just those with disabilities.

All district personnel (including contracted employees) are governed by confidentiality requirements.

More information about FERPA can be found at:

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

# Student Records Management System

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PowerSchool SPED is a web-based special education case management system which contains sophisticated technology tools that enable educators to track and monitor the entire special education due process from the initial referral to the eligibility, IEP, the Response to Intervention Process (RtI) and student placement. Guided actions help educators navigate the process and promote compliance. PowerSchool SPED provides case management features including calendaring, messaging, document and event chronology, and reference materials. The Help Menu contains additional forms and reference materials to support placement and services. Direct data flow from forms enhances local, state, and federal reporting. PowerSchool SPED has been in use by SCCPSS since August of 2009.

1. Access PowerSchool SPED records management system for student records from 2009-present for:
  - Exceptional Students
  - Students in the RtI process
  - Students in the referral process to special education
  - Gifted Students
  - Students served on a 504 Plan
  - Students served through Hospital Homebound
2. New teachers and other certified special education staff will be trained to use PowerSchool SPED in order to receive security access.
  - The Exceptional Child Support Teacher (ECST) will contact the DSS to schedule training with the new certified staff.
  - The trainee will fill out the Security Access Request form following training.
  - The DSS will submit the Security Access from the Data Analyst to provide the appropriate access.
3. Log-in to PowerSchool SPED on the ACORN webpage under Resources>Administrative Apps> PowerSchool SPED Log-in
  - The school/district ID is: SCCPS
  - The User ID and password is the same as the district user ID and password
  - Log-in to: Instructional
4. Follow directions in the PowerSchool SPED Manual and the other PowerSchool SPED support documents and videos for creating and finalizing documents, scanning pages, accessing records, and reviewing standard reports and alerts. These manuals, guides, and Q & A are located in the Help Menu.
5. Records prior to the 2009-2010 school year are filed in Student Records Management (SRM). Contact the school ECST for document searches and access to review these records.

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## **Student Registration Procedures in PowerSchool and PowerSchool SPED**

**PowerSchool** is a web-based student information system housing all student data such as demographics, contact info, grades, schedules, test scores, and more. PowerSchool also provides a full range of features needed by administrators at the district and school level in addition to portals for teachers, parents, and students. All students must be registered at the area or service school to receive services. District registration procedures should be followed and are available on Acorn.

### **Procedure for Students Transferring from within SCCPSS**

Any student with disabilities that transfers from within the district will have automatic transfer of special education records in PowerSchool SPED once the Information Specialist (IS) at the sending school enters the withdrawal information and the IS at the receiving school enters the student registration in PowerSchool.

### **Procedure for Students Transferring into SCCPSS**

**IMPORTANT:** The school office must check the registration form of all entering transfer students to see if the parent indicates the student has an Individualized Education Program (IEP). The state SLDS system should be checked for in state transfer students to help ensure that all SWD are identified for services. This is critical for providing Free and Appropriate Public Education (FAPE) to all students. If services are missed for students, compensatory services may have to be provided by the school.

**A student that enters school with a copy of a current IEP from another school system (instate or out of state) is eligible for placement and must be provided services.**

- Verbal verification of placement from an appropriate school official is permissible as long as the information is properly documented (who, when, and phone number). In such situations, an immediate request for records from the last school should be made.
- When the IEP and/or eligibility are received, the local school must review the out of state documentation to determine whether to accept the documents per Georgia requirements or to amend the IEP.
- If the school does not receive or chooses not to accept the eligibility determination, the reason must be documented and the student should be referred for a comprehensive evaluation to determine eligibility under Georgia Special Education Rules.

### **Procedure:**

1. Obtain Release of Records if needed.
2. Obtain/scan current IEP, psychological report and eligibility from former school system.
3. After scanning documents into PowerSchool SPED, inform the DSS that a new student with a disability has entered. DSS will enter student information into the PowerSchool SPED profile. Hold an amendment meeting to review current IEP to address school system guidelines including special transportation. If a comprehensive evaluation is needed, obtain forms for a referral packet.
4. Obtain a SCCPSS consent for placement for special education services.
5. Scan subsequent signature documents from IEP amendment meeting.

6. Complete a Full-time Equivalency (FTE) Data Entry Form, obtain appropriate signatures, and give to the IS to enter into PowerSchool.

### **Procedure for Pre-school Intervention (PSI) Students**

Use the following procedure for registering and providing services for PSI community-based students.

1. Complete evaluations and meet with the parents to address eligibility and subsequent IEP if the child is found eligible.
  - Eligible students must be registered at their area school.
    - o **If at all possible, attempt to hold the meeting at the child's area school so that the parent will already be at the site and can complete registration prior to leaving.**
  - Obtain Consent for Placement for special education services.
  - Complete the FTE form for 3 to 5 year olds and submit to the IS at the site.
2. At the meeting, complete and review the **Parent's PSI Registration Letter**, and provide a copy of the registration form. The letter explains the registration process.
3. Provide contact information to the parent to be able to contact you once the child is registered.
4. Contact the DSS at the child's area school to activate the child in PowerSchool SPED.

# CHAPTER 1

## PARENTS

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### **Establishing Partnerships with the Family**

The family is the most important and enduring resource in a student's life. It is especially important for families of students with disabilities to be involved in the educational planning and decision making regarding their child's education and the development of the Individualized Education Program (IEP). It is also important the families feel welcomed and valued. Issues can be prevented by regularly communicating with parents and by listening to them when they express concerns.

Research shows that the most important family contributor to student success is the attitude of the parent. When parents are supportive of the student's education, students experience positive benefits. Some examples of parent engagement are expressing high expectations for a child, reading to or with a child regularly, ensuring homework is completed, letting a child see the parent read and applying math skills to everyday activities

- Some benefits of parent engagement in a child's education are:
- Improved school attendance
- Fewer antisocial behaviors
- Greater self-confidence, a more positive attitude about school and better performance in school
- High graduation rates and increased participation in postsecondary educational program (State of Georgia Special Education Rules Implementation Manual, Chapter I)

### **Family and Community Liaisons**

The Department for Specialized Instruction employs two part-time Family and Community Liaisons who are available to work with individual parents or to provide training to groups of parents, administrators and/or teachers on topics of interest and concern. Parents may request contact information or schools may refer parents to the Liaisons, but always with the parent's knowledge and consent.

### **Purpose**

The purpose of the Family and Community Support Program is to nurture communication and collaboration among parents and educators, ultimately leading to greater success for students with disabilities. The Savannah-Chatham County Public School System participates in this parent driven initiative, headed by the Georgia Department of Education. Through this program, the Department for Specialized Instruction employs parents of children receiving special education services to advise, educate and support other families navigating through the special education process. They are skilled

at working with and developing collaborative partnerships among parents, school staff, agencies, and the community. Liaisons are professional staff members of the school system who know first-hand the triumphs and disappointments of raising a child with learning, emotional and /or physical challenges.

### **Role of a Family and Community Liaison**

- Provide training and information to parents regarding
  - The special education process of referral, evaluation, and placement.
  - Parent rights and responsibilities under the IDEIA
  - Individualized Education Program (IEP) meetings
  - Resources available within and outside the school system
- Services provided through
  - Parent Training Workshops (individual, schools, or community)
  - One-on-one meetings
  - Informational parent publications (newsletter, brochures, resource guide)
  - Community forums and events
  - Network of supportive parents

### **Contact Information for Family and Community Liaisons:**

Offices for Family and Community Liaisons are located at Whitney; may be reached at either of the following telephone numbers: 912-395-1331/912-395-1329.

### **Ways to Promote Engagement**

#### **PTA's National Standards for Family-School Partnership Standard 1:**

##### **Welcoming all families into the school community**

Families are active participants in the life of the school, and they feel welcomed, valued, and connected to each other, to school staff, and to what students are learning and doing in class.

##### **Standard 2: Communicating effectively**

Families and school staff engage in regular, two-way, meaningful communication about student learning.

##### **Standard 3: Supporting student success**

Families and school staff continuously collaborate to support students' learning and healthy development, both at home and at school, and they have regular opportunities to strengthen their knowledge and skills to collaborate effectively.

##### **Standard 4: Speaking up for every child**

Families are empowered to be advocates for their own and other children in order to ensure that students are treated fairly and have access to learning opportunities that will support their success.

##### **Standard 5: Sharing power**

Families and school staff are equal partners in decisions that affect children and families and together they inform, influence, and create policies, practices, and programs.

##### **Standard 6: Collaborating with community**

Families and school staff collaborate with community members to connect students, families, and staff to expanded learning opportunities, community services, and civic participation.

*Source: PTA's National Standards for Family-School Partnerships*

## **Parent and Student Rights (Georgia Rule 160-4-7-.09)**

### **Procedural Safeguards Notice/Parent Rights**

The Parent Rights (Procedural Safeguards Notice) Notice provides parents with the opportunity to understand their rights, the rights of their child, and the procedures for resolving differences. The Parent Rights Notice outlines all of the rights and safeguards available to parents of children with disabilities and to students with disabilities who have reached the age of majority.

A copy of the procedural safeguards (Parent Rights) must be given to the parents of a child with a disability and an explanation provided to ensure that the parents understand these rights. The Parent Rights are provide to parents only one time a school year, except that a copy also must be given to the parents –

- Upon initial referral or parental request for evaluation;
- Upon receipt of the first state complaint;
- Upon receipt of the first due process hearing request;
- Upon notification by the school district to the parent of a disciplinary removal of a student from school that would constitute a change of placement
- Whenever a parent requests a copy.

The Parent Rights Notice should be provided in the native language of the parent or other mode of communication (e.g. Braille or sign language) used by the parent. If necessary, the district will translate the notice orally or by other means so that the parent understands the content of the notice. To obtain copies of Parent Rights in video, English or another language, follow this link:

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Parent-Rights.aspx>

The following information on the complaint process comes from the Special Education Services and Supports section of the Georgia Department of Education website:

There are several ways to come to a resolution in a dispute with a system over the rights and services afforded to students with disabilities and their families. The quickest and most efficient method is to contact the special education administration in the system. The special education director can offer assist a family to work out the differences with minimal time and conflict. When a resolution cannot be worked out locally, there processes guaranteed to families of students with disabilities under the Individuals with Disabilities Education Act (IDEA). These include (1) formal complaints, (2) mediation and/or (3) a due process hearing.

<b>Dispute Resolution Comparison Chart</b>				
<b>Question</b>	<b>Complaint</b>	<b>Mediation</b>	<b>Due process Hearing</b>	<b>Resolution Session</b> <i>(only upon request for a due process hearing)</i>
<b>Who can initiate the process?</b>	Any individual or organization.	Parent or system, but must be voluntary for both parties	Parent or system	System schedules the resolution session upon receipt of a due process hearing request unless the parties agree to waive or use mediation
<b>What is the time limit for filing?</b>	One year from the date of the alleged violation	None specified	Two year of when the party knew or should have known of the problem with limited exceptions	Triggered by a parent's due process hearing request
<b>What issues can be resolved?</b>	Alleged violations of federal regulations and Georgia Department of Education Rules for Special Education	Any matter under the IDEA federal regulations and Georgia Department of Education Rules for Special Education including matters arising prior to the filing of a due process complaint (there are some exceptions)	Any matter relating to the identification, evaluation, educational placement or provision of a free appropriate public education (there are some exceptions)	Same issues as the due process hearing request.
<b>What is the timeline for resolving the issues?</b>	Sixty days from receipt of the complaint unless extended for unusual circumstances	None specified	45 days from the end of the resolution session unless specific extensions to the timeline are granted.	System must convene a resolution session within fifteen (15) days of receipt of the due process hearing request unless both parties agree in writing to waive the session or agree to use mediation. The resolution period lasts for not more than thirty (30) days.
<b>Who resolves the issues?</b>	Georgia Department of Education/Division for Special Education Services	Parent and system with a mediator. Both parties must agree to the solution in writing. Decisions are legally binding	Administrative Law Judge	Parent and the system. Both parties must agree to the solution in writing. Decisions are legally binding.

For more information regarding the complaint process, visit the following link: <http://www.gadoe.org/curriculum-instruction-and-assessment/Special-Education-Services/Pages/default.aspx>

## Parent Consent

1. Written consent is required for the following actions
  - To conduct an initial evaluation
  - To conduct a reevaluation
  - For the initial provision of special education and related services on the IEP
  - To make a substantial change in the special education and related services; and before disclosure of the personally identifiable information that is subject to confidentiality
2. System specific procedures regarding Consent to Place
  - For students entering from other systems with an IEP
  - Whenever guardianship changes

## Revocation of Consent Procedures

### Authority

- IDEIA gives parents the right to determine their child's education.
- IDEIA states parents should participate in all components of their child's education and be the primary protector of the rights of the child.
- Parents have the right to revoke consent for special education and related services.

### **Revocation of Consent**

1. A parent must provide **written** intent to withdraw consent.
2. If a parent cannot provide the request in writing, the system should assist the parent to put the request in writing.
3. Once the Revocation of Consent is received by the school, the school will provide prior written notice (PWN) to the parent about the revocation of consent.
4. The system may not challenge the revocation through mediation or a due process hearing.
5. The system may not delay the revocation of services, even for the purpose of holding an IEP meeting.
6. Other considerations regarding services that may discontinue may also include the need for schedule changes, transportation changes and possibly even school changes when the student is not attending the school in his/her attendance zone.
7. When a parent/student revokes consent for special education and related services, the student should be reported with the withdrawal code of 10 in the Final Student Record Submission. The date of the Event Code 10 indicates the date at which the student no longer receives special education services.

Revocation of Consent and Prior Written Notice Forms are in the Help Menu on PowerSchool SPED

## **Revocation of consent and prior written notice when the parent has presented written notice to discontinue special education services**

- *Revocation of Consent revokes all services. Consent for services is consent for special education. If the parent revokes consent, all services discontinue.*
- Once the system receives the written Revocation of Consent from the parent, the school must provide Prior Written Notice (PWN) before services can be discontinued and this must occur in a timely manner.
- Complete each section of the PWN form.
- The principal or designee (Assistant Principal or ECST) and the Program Manager must be informed and either the principal or designee must review and sign the PWN prior to providing the PWN to parent.
- The PWN must be reviewed with the parent and each element explained
- An IEP meeting is NOT required by the state HOWEVER district policy is:
  - Complete an IEP Amendment.
    - Include the Redetermination page
    - Check “Parent requested dismissal from special education in writing.” In section C of the redetermination page.
    - Upload the following documents to the IEP Amendment before you finalize:
      - Written notice from the parent
      - Signed copy of the Revocation of Consent Form
      - Completed and signed copy of the Prior Written Notice
      - Finalize the IEP Amendment upon completion
- A student who has reached the age of majority may not hold the LEA responsible for lack of provision of FAPE if the parent has previously revoked consent
- A student who has reached the age of majority (age 18 years) may revoke consent for placement. In this case, PWN should be provided both to the child and to the parent
- Discipline issues: Protections about out of school suspension and manifestation do not apply. The rules and timelines applying to general education students will apply once consent is revoked
- 504 eligibility and ADA – the new regulations are silent.
- Child Find responsibility does not change. System continues to have the obligation to follow the process for identification of any child even if the parent has refused the service in the past. In these circumstances, the referral must be considered and “initial referral” and the 60-day timeline applies. However, current testing or relevant educational testing and data may be used for eligibility determination or revision.
- Keep the best interest of the child in mind especially if a parent wants to reenter special education. Although 60 days are allowed, if the information is available and current, it may be reasonable to do the eligibility determination and IEP development prior to the 60 days and get the student back into services that were recommended and determined to be needed.

## Prior Written Notice: Examples of Statements

*These are examples of information that might be included a prior written notice when parent has requested that services be revoked. We are providing these examples only to exemplify the type of information that might be in each section of the prior written notice. They should only be used as a guide or reference.*

### ***Purpose of this notice:***

- *An action is being proposed*
- *An action is being refused*
- *Parent/adult student has notified system of revocation of consent to receive special education and related services*

### **1. A description of the action proposed or refused**

- The school district will cease (stop) providing special education services to the student on (date) because the parent has revoked consent. The students will no longer receive any special education services, including testing accommodations and transition services.

### **2. An explanation of why the system proposes or refuses to take the action:**

- The parent notified the district on (date) that she has revoked consent for the district to provide special education services to her child.

### **3. A description of any other options the system considered and the reasons why those options were rejected.**

- Even though the parent has requested in writing that special education services for (student) be discontinued, it is recommended that special education services be continued due to (student's name) need for specially designed instruction throughout the school day to address difficulties in the following areas:\_\_\_\_\_.

### **4. A description of each evaluation procedure, test, record, or report the system used as a basis for the proposed or refused action:**

- Describe any reports or evaluation the system use as a basis for the proposed or refused action.

### **5. A description of any other factors relevant to the system's proposal or refusal:**

- Because the parent has revoked consent for special education services, the student will not be protected by the federal and State discipline procedures for students with disabilities in the event the student violates the code of conduct.
- Other protections and services that will be discontinued as a result of the request to revoke services must be thoroughly explained to the parent.

## Surrogate Parent Procedures

**Schools requiring a surrogate parent for a student with a disability should contact the Department for Specialized Instruction. The Department will have a list of trained surrogate parents; however, if a school has someone to recommend for training who meets the qualifications, training will be provided by the Department.**

### **Students in Need of a Surrogate Parent**

1. IDEA defines the conditions under which students need representation by a surrogate parent as being “when no parent can be identified or located or the child is a ward of the state or the child is an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Assistance Act.”
2. IDEA defines the term “parent” as a natural or adoptive parent, a legal guardian, a person acting as a parent, or a surrogate parent who has been appointed to represent the child in educational issues or a foster parent if the foster parent was trained and appointed the surrogate parent of a child with a disability
  - “Person acting in the place of a parent” means a person such as a grandparent, a stepparent or other relative with whom the child lives, or a person other than a parent who is legally responsible for the welfare of the child.
  - “Surrogate Parent” means an individual appointed by the district to make education decisions regarding the free appropriate education (FAPE) of a child with a disability
  - “Guardian” means a person authorized to act as the child’s parent and/or to make educational decisions, but it does not mean the State if the child is a ward of the State.
3. The surrogate parent cannot be an employee of the agency providing services to the child, including the Savannah Chatham County Public School System and the Department of Family and Children Services.

### Georgia Special Needs Scholarship (Senate Bill 10)

The Georgia Special Needs Scholarship (GSNS), which was signed into law in May 2007, provides parents of students with disabilities who are enrolled in Georgia public schools and have an active IEP, the opportunity to transfer their children to another public school or to a state approved participating private school in Georgia.

### **Georgia special Needs Student Scholarship Eligibility Criteria**

In order to qualify for the GSNS Program a child must meet the following requirements:

- The student’s parent currently resides within Georgia and has been a Georgia resident for at least one calendar year.
- The student has spent the entire immediate prior school year in attendance at a Georgia public school in grades K-12.
- The student was enrolled and reported by a public school district(s) for funding purposes during the preceding October AND March full-time equivalent (FTE) program counts.

- The student was served at some point during the immediate prior school year under an IEP and was reported by a school district in either the October OR March FTE program counts OR in student record as a student receiving special education services.

There are no exceptions to these eligibility criteria.

### **Private School Choice**

The scholarship provides funding to offset tuition costs at state approved participating private schools in Georgia. If the private school choice option is used, the student must meet the eligibility criteria and apply and be enrolled in a state approved private school in Georgia. A list of participating schools will be posted on the Georgia Department of Education's website beginning May and will be updated regularly through July. For more information and to apply for the scholarship (private school choice) online, visit the state DOE website at <http://www.doe.k12.ga.us/External-Affairs-and-Policy/Policy/Pages/Special-Needs-Scholarship-Program.aspx>. If this option is chosen, **the parent is responsible for providing transportation.**

### **Public School Choice**

Parents can request their child to transfer to another public school within the school district as long as there is available space at that school and the school has a program with the services in the student's existing IEP. In addition, the specific program within the school must also have available space. Parents who select this option must submit a request to the Department for Specialized Instruction. If this option is chosen, **the parent is responsible for providing transportation.**

To request a public school to public school transfer form, go to the sccps.com website and look for the SB10 tab, and either mail, fax or deliver the completed form to the Department for Specialized Instruction, 208 Bull St., Room 204; **Phone:** 912-395-5877 **Facsimile:** 912-201-7692.

### **Other Public School Districts Option**

Parents may request a transfer to a school in another school district if there is available space and the system/school has the program with the services in the student's existing IEP. However, the school district must agree to accept the student. If the parent chooses this option and the school district accepts the child, then the parent is responsible for transportation to a school in that district. If you are interested in your child attending a school in another system, please contact that system directly.

### **State Schools Option**

A parent may also request a transfer to one of the state schools for the deaf and/or blind operated by the State Board of Education. Acceptance into a state school will depend on whether the setting is appropriate for the student's needs. If the parent chooses this option, **then the parent shall be responsible for transportation to the state school.** Please contact the Georgia Department of Education for more information about transferring to a State School.

**For more information,** contact the Department for Specialized Instruction at 912-395-5877 or 912-395-5583.

# CHAPTER 2

## Free Appropriate Public Education (FAPE)

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All students with an IEP are entitled to a free appropriate public education. This includes children that are eligible for special education from the ages of three (3) through twenty-one (21). Entitlement to FAPE ends upon reaching age 22 or graduating with a regular diploma, whichever comes first.

SCCPSS board policy provides the following clarification: if a student with an IEP reaches his or her 22nd birthday while attending a school in the Savannah-Chatham County School System, services will continue until the conclusion of the semester in which the student turns 22. The goal is to transition students to a desired activity in collaboration with other agencies or supports so that transition has occurred and the student can continue in appropriate adult activities.

The education provided to the student with an IEP must be appropriate and must address what the individual student needs in order to make educational progress, but this is neither a guarantee of achievement of each goal on the IEP nor a guarantee of promotion, passing grades, or graduation. Likewise, passing from grade-to-grade or receiving all passing grades does not mean that a student is receiving FAPE. Each student is an individual and his or her appropriate education is determined on a case-by-case basis. In addition, the term “appropriate” is not the same as “best”; “appropriate” is a minimal standard that assures the student has the opportunity to make educational progress.

Special Education and related services are services provided so eligible students can make progress toward and/or meet the educational standards of Georgia. All students will be provided an education that includes access to the Georgia curriculum and addresses the unique needs of the individual student and his or her disability.

The Department for Juvenile Justice (DJJ) or the Department of Corrections (DOC) are public schools. These agencies will contact the school system to obtain records so that FAPE can be provided. Records should be provided in an expeditious manner. Adult students between 18 and 21 who did not have an IEP the last time they attended school do not have an entitlement to FAPE. A student with a current IEP and is in a community facility run by the city or county is entitled to FAPE. The district where the student is incarcerated is responsible for providing services.

SCCPSS does not require medication as a condition of attending school receiving an evaluation, or receiving services. Parents make the decisions regarding their children and any medication that may or may not be administered. Classroom observations may be shared with the parents in order to better inform parents of the student’s behavior and academic performance when taking or not taking medication.

Districts may use federal, state, private or other sources of available funds to provide services under FAPE. Districts must not delay the delivery of services required by an IEP until the funding source is located or secured.

Extended school year (ESY) services are provided to students that need such services to receive FAPE. Procedures for consideration are outline in Chapter 7 on IEP's. Assistive technology is considered by each IEP team in the development, review, and revision of student IEPs. When the IEP team determines that a student requires assistive technology devices or services, this should be clearly documented in the IEP, and the assistive technology should be provided to the student in a timely manner. The provided assistive technology should be integrated into instructional activities, and data should be collected on the use of the technology. Accessible instructional materials for students who are blind or other print disabled must also be provided where necessary to receive FAPE. Regular inspection of hearing aids should be documented and provided.

FAPE can also include nonacademic and extracurricular services. Supplementary aids and services necessary to provide students with disabilities the equal opportunity to participate in nonacademic and extracurricular activities must be considered in the IEP. Educational opportunity entitles all children to have access to the same education and services that all other children have within the district. The IEP does not negate other eligibility requirements for participation.

# CHAPTER 3

## Child Find

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Child Find refers to our district's obligation under the Individuals with Disabilities Education Improvement Act, to provide continuous public awareness activities, screening and evaluation designed to *locate, identify, and refer as early as possible* all young children, between the ages of three and 21, suspected of being children with disabilities.

Child Find also includes early intervention services for children from birth to age three (these children are served by **Babies Can't Wait [BCW]** until they reach the age of three). BCW is Georgia's statewide interagency service delivery system for infants and toddlers with developmental delays or disabilities and their families. BCW is established by Part C of the [Individuals with Disabilities Education Act \(IDEA\)](#) which guarantees all eligible children, regardless of their disability, access to services that will enhance their development.

### Target Population

Child Find includes the following target populations:

- Birth through age three (served by Babies Can't Wait)
- Preschool children, ages 3-5
- Children enrolled in the Savannah Chatham County Public School System including public charter schools
- Highly mobile children, including migrant children
- Children who are detained or incarcerated in jails or correctional facilities
- Parentally-placed private school children, including religious, elementary and secondary schools, and home/school/study programs
- Children suspected of being children with a disability

### Public Awareness

The District and the Department conduct a Private school consultation meeting annually to inform private school representatives of the District's Child Find Procedures; this includes information on the pre-referral process or Response to Intervention. In addition, Child Find information and activities are published and/or announced on the Savannah Chatham County Public School System's (SCCPSS) public website on the Department for Specialized Instruction's webpage.

This information can be accessed by following link below:

- <http://sccps-acorn/aa/sped/Shared%20Documents/Child%20Find%20and%20Parentally->

[Placed%20Private%20School%20and%20Home-Schooled%20Students/Child%20Find-Parentally-Placed%20Private%20Home-school%20students.pdf](#)

The Department for Specialized Instruction provides annual training/information at the school level (including public charter schools) to ensure that building administrators and school service providers have been informed and understand SCCPSSS Child Find Procedures. Information is also disseminated within the community through the following channels:

- SCCPSS, Department for Specialized Instruction webpage
- Parent Forums
- Community Newsletters
- Interagency collaboration (public day care centers, Economic Opportunity Authority (EOA) Headstart, community preschools, DFACS, Early Start, BCW, Living Independence for Everyone (LIFE), county health department, Easter Seal (many of these agencies are also participants of the Interagency Coordinating Council; SCCPSS's parent liaison attends these meetings regularly and is available to share information regarding District Child Find Procedures).
- private school consultation, community magazines (target population: Hispanic )

### **Screening and Identification**

Screening tools help identify children in need of closer monitoring and those in need of more intensive academic, behavioral, communicative and/or functional interventions. Screenings are utilized to identify the risk status of children and guide the intervention delivery system/Response to Intervention (RtI) to determine appropriate educational strategies.

A screening is not a comprehensive evaluation. A comprehensive evaluation is used to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.

For students of ages 3-5 years, the Department conducts regular screenings to identify those students who require additional monitoring and guide the selection of research-based interventions as a part of the RtI process.

Educational screenings are also available to children ages 3-21 at every school in the SCCPSS through the Response to Intervention process.

### **Response to Intervention**

Response to Intervention (commonly abbreviated RTI or RtI) is a method of academic intervention used in the United States designed to provide early, effective assistance to children who are having difficulty learning. RtI was also designed to function as a data-based process of diagnosing learning disabilities. This method can be used at the group and individual level.

The RtI method has been developed by researchers as an alternative to identifying learning disabilities with the ability-achievement discrepancy model, which requires children to exhibit a severe discrepancy between their IQ and academic achievement as measured by standardized tests. Further, the RtI process brings more clarity to the Specific Learning Disability (SLD) category of the Individuals with Disabilities Education Improvement Act (IDEA 2004), which has been referred to as a residual category for children with moderate learning problems.

RtI seeks to prevent academic failure through early intervention, frequent progress measurement, and increasingly intensive research-based instructional interventions for children who continue to have difficulty. Students who do not show a response to effective interventions are likely (or, more likely than students who respond) to have biologically-based learning disabilities and to be in need of special education.

RtI is an organized process within the SCCPSS. The process for parentally placed private school/home school students, highly mobile children including migrant children, and those detained or incarcerated in jails or correctional facilities is the same as it is for students enrolled in the District. This means that there must be an RtI/SST process and progress monitoring documentation that shows attempts have been made to provide appropriate research-based interventions and accommodations.

Some of the core features are:

- Scientifically based instruction
- Screening all students in the school
- Three tiers of increasingly intense instruction. The first tier occurs in regular education.
- Continuously monitoring students' progress through objective tests. This monitoring is used to determine changes in how the child is taught.
- Continuing progress monitoring throughout instruction and evaluating the changes.

Parents or guardians (to include the Department of Juvenile Justice/Youth Detention Center) of students with suspected disabilities can access the RtI process at students' area schools or the school closest to the private school (particularly if the student resides in a county outside of Savannah Chatham), home, facility, etc.

Parents/guardians of any student between the ages of three and twenty-one suspected of having a disability are invited to contact the Department for Specialized Instruction at (912)395-5583 for further information on the Child Find initiative.

### **Evaluation and Eligibility Determination**

Student referrals to special education must be accompanied by documentation of scientific, research or evidence based academic, behavioral, and/or communicative interventions that demonstrate insufficient rate of progress (documentation of the implementation of the RtI

process with fidelity). Exception is allowed when a child displays a disability that is so significant that the student requires immediate consideration for evaluation/placement.

The RtI team makes a determination of suspected disability and refers for a comprehensive evaluation if progress is not demonstrated. All initial evaluations and eligibility meetings are completed by the psychologist, therapist, itinerant, and/or preschool teacher within 60 calendar days of the school receiving signed Parental Consent for Evaluation. A meeting is held to determine eligibility. This meeting should include the parent, general education teacher, LEA representative, special education teacher, therapist, psychologist and other appropriate team members. To determine whether a student is eligible or ineligible for special education and related services, an eligibility report is developed. An Individualized Education Program is written if the student is determined eligible.

Parentally-placed private school students with disabilities (to include home school) are not entitled to a free appropriate public education (FAPE). IDEA explicitly provides that children with disabilities enrolled by their parents in private schools (including home school) do not have an individual right to receive some or all of the special education and related services they would receive if enrolled in the public schools. After timely and meaningful consultation has occurred with private school representatives and representatives of parents of parentally placed private school children with disabilities, SCCPSS is responsible for making final decisions about all aspects of the services to be provided to parentally placed private school children with disabilities.

In the case of parentally-placed private school students, an Individualized Education Program **is not** developed. Equitable services for a parentally placed private school child with a disability must be provided in accordance with a Service Plan. The plan includes all evaluation information, current classroom performance data, goals and objectives. The parents must be involved in the development of the Service Plan. These plans must be reviewed annually and address the individual needs of each student. Progress should be reported to the parent as indicated in the Service Plan.

For information regarding how, where, and by whom special education and related services will be provided, including a discussion of types of services--including direct services and alternate service delivery mechanisms, please contact the Savannah Chatham County Public School System, Department for Specialized Instruction at (912) 395-5583.

**Resources:**

Questions and Answers about Serving Children With Disabilities Placed by Their Parents at Private Schools (April 2011) Georgia Implementation Manual, Part I, pp 13-14

# CHAPTER 4

## EVALUATION

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### Response to Intervention (RtI) Tiers 1-4 Procedures

- Best practice education (research- and evidence-based instruction)
- Differentiated and collaborative instruction
- Early Intervention
- Direct, explicit, systematic instruction
- Problem-solving model
- Data driven decision-making

*Memorandum to: State Directors of Special Education, 111 LRP 4677 (OSEP 01/21/11).*  
**Districts must not deny referrals or delay initial evaluations for students suspected of having a disability and needing special education and related services on the basis that they are utilizing an RtI approach.**

### Tier 1-Process and Procedures

1. Complete universal screening or benchmarking at the school level.
2. Use research- and evidence-based instructional strategies to teach students.
3. Use Standards-based instruction to teach students (Georgia Standards of Excellence - GSE).
4. Provide core reading instruction addressing the five elements of reading (Phonemic Awareness, Phonics, Fluency, Vocabulary, and Comprehension).
5. Complete benchmark assessments in the Fall, Winter, and Spring.
6. Change or differentiate instruction, as needed (to include flexible, small groups).
7. Identify groups of students at-risk of failing academically or exhibiting chronic, persistent behavior difficulties that may need to participate in more intensive interventions.
8. If 80% of students at the grade level are not acquiring a skill then the skill should be re-taught.

### Tier 2-Process and Procedures

1. Continue to provide Tier 1 instruction.
2. Complete *Parental Consent for Screening* form (hearing, vision, etc.).
  - a. If a student fails the hearing screening, a letter should be provided to the parents to notify them of the need for further evaluation and a referral should be made to

the district audiologist.

- b. If the student fails the vision screening, or is unable to screen using traditional methods, the school nurse will contact the District Staffing Specialist (DSS) assigned to the school in order to schedule the Plusoptix Vision Screening device.

- Results indicating “Pass” on the Plusoptix Vision Screener should be printed and uploaded to PowerSchool Sped.

If a “Pass” is not obtained on the Plusoptix screener (i.e. “Refer” or other errors due to the student not being able to focus or maintain gaze, too much physical movement, etc.), a letter should be provided by the school nurse to the parents notifying of the need for further evaluation. Parents must have the student’s vision examined by a doctor; results of the vision exam should be submitted to the school.

- Results indicating “Refer” should be printed and uploaded to PowerSchool Sped and a copy provided to the parents.

There are rare occasions when the eye specialist may be unable to obtain visual acuity on a student. When the physician is unable to obtain visual acuity, this should be clearly documented by the physician in the results of the eye exam. When acuity is not obtained by the eye specialist, the Education Vision Assessment (EVA) form should be completed by the nurse in concert with the referring teacher. The EVA form is located in PowerSchool Sped under the Help menu.

All documents should be uploaded to PowerSchool SPED.

- c. If a student fails the vision screening, a letter should be provided to the parents to notify them of the need for further evaluation. Parents must have the student’s vision examined by a doctor; results of the examination should be returned to the school.
3. The speech and language screening completed by the Speech-Language Pathologist, if communication concerns are noted. After the communication screening has been completed, the SLP will provide interventions to the teacher to implement, if necessary.
  4. The motor screening completed by the Occupational or Physical Therapist, if necessary.
  5. Complete the *RtI Tier 2 Parent Notification Letter* to inform parents/guardians that their child will be receiving small group instruction in the specific areas of need.
  6. If student exhibits chronic, persistent behaviors, a *RtI FBA/BIP* must be completed at this time.
  7. Provide small group interventions; using the *RtI Tier 2/3 Intervention & Progress Monitoring Documentation Form* to record progress.
  8. Administer progress monitoring probes every week to measure student progress toward goal attainment (one baseline measure and at least four data points per intervention).
  9. If after 4 data points of progress monitoring, regression or no progress is indicated, the RtI team should meet to determine if more intensity in delivery, time, or instruction is required, or

if a different strategy should be implemented. If communication interventions have been provided for the student, invite the SLP to that meeting.

10. Complete the *RtI Tier 3/SST Referral Form* if inadequate performance is documented at Tier 2. **All areas must be addressed concerning student strengths and weaknesses!**
11. Continue Tier 2 interventions if they are moving the student toward grade level performance.
12. Return the student to Tier 1 if goals have been met.

### **Tier 3-Process and Procedures**

1. Continue to provide Tier 1 instruction.
2. Send parent/guardian the *Tier 3 Parent Invitation Letter*, allowing sufficient time for parents to respond/attend.
3. Continue using the five step problem solving model to develop appropriate interventions.
4. Complete medical documentation form(s), if necessary (OHI, OI, VI, OT/PT, etc.-see Acorn).
5. Analyze baseline and progress monitoring data from Tier 2 to create specific goals for student improvement.
6. Complete the *RtI Tier 2/3 Interventions & Progress Monitoring Documentation Form* at the meeting in order to plan and identify specific interventions the teacher will implement with the student and to determine how progress will be documented. If communication interventions have been provided for the student, invite the SLP to that meeting.
7. Give the *Student Background Information Form* to the parents/guardians to complete whenever the team considers referral for a comprehensive assessment. When significant emotional and/or behavioral concerns are suspected, the RtI team will request that a social history be completed to include information regarding the history of the child's current problem(s), the professional services and interventions that have been considered or provided from outside the school.
8. Implement interventions for a minimum of four weeks; the teacher will keep progress monitoring data on a weekly basis; and meet every four weeks to discuss student progress.
9. Move student to lower intervention tiers if the student meets their identified goal(s).
10. Make a determination of suspected disability and refer for a comprehensive evaluation if adequate progress is not demonstrated.
11. Invite the school psychologist to the Tier 3 Referral meeting; the school psychologist should be invited to all other referrals. If communication continues to be a concern, invite the SLP to Tier 3 Referral meeting. The psychologist will review all RtI documentation and offer recommendations, as needed.
12. If a referral for a comprehensive evaluation is determined necessary, the school psychologist or DSS will explain Parental Rights and obtain signatures for the Consent for Evaluation. If a speech only referral determined necessary, SLP will explain Parental Rights and obtain signatures for the Consent for Evaluation.
13. Tier 3 interventions and progress monitoring must continue until eligibility determination is complete.

**\*For student who may be considered for Specific Learning Disabilities eligibility: SLD determination requires 12 weeks of intervention data and additional weeks of interventions can take place during the specified evaluation period for Special Ed eligibility.**

#### **Tier 4-Process and Procedures**

1. Complete a comprehensive evaluation (Psychological and/or other evaluation as deemed appropriate and RtI data).
2. Follow specific guidelines listed in the initial referral procedures in Chapter 4 and eligibility procedures listed in Chapter 5.
3. Determine eligibility.
4. Develop the initial IEP, if needed.
5. Place and provide special education services with all entitled IDEIA benefits and protections.
6. Sign Consent for Placement.

#### **Reasons to Fast-track an Evaluation**

- The student is demonstrating moderate to severe difficulties cognitively; academically, communicatively, and/or behaviorally.
- The student demonstrates sensory or physical impairments such as vision impairments, hearing impairments, or orthopedic impairments.
- The student demonstrates significant medical impairments such as a neurological problems, seizure disorder, etc.
- The parents, although encouraged to use the RtI process, still request a comprehensive psychological evaluation (please contact your principal and program manager regarding these requests prior to referral).

#### **Fast-track Process and Procedures**

1. The RtI Coordinator will schedule a Tier 3/SST meeting and notify the parent using the appropriate parent invitation letter. If communication interventions have been provided for the student, invite the SLP to the Tier 3/SST meeting.
2. Request that the parents bring in any independent assessments or medical information from physician/psychologist/psychiatrist, if available.
3. Request that staff bring all relevant data to the meeting (grades, tests, work samples, etc.).
4. Complete the *RtI Tier 3/SST Referral Form*, check “Fast track” box.
5. Develop *RtI Tier 2/3 Intervention & Progress Monitoring Documentation Form* and set up a meeting every four weeks.
6. Acquire a parent/guardian signature on the *Parental Consent for Screening* form (hearing, vision, etc.).
  - a. If a student fails the hearing screening, a letter should be provided to the parents to notify

them of the need for further evaluation and a referral should be made to the district audiologist.

- b. If the student fails the vision screening, or is unable to screen using traditional methods, the school nurse will contact the District Staffing Specialist (DSS) assigned to the school in order to schedule the Plusoptix Vision Screening device.
  - Results indicating “Pass” on the Plusoptix Vision Screener should be printed and uploaded to PowerSchool Sped.

If a “Pass” is not obtained on the Plusoptix screener (i.e. “Refer” or other errors due to the student not being able to focus or maintain gaze, too much physical movement, etc.), a letter should be provided by the school nurse to the parents notifying of the need for further evaluation. Parents must have the student’s vision examined by a doctor; results of the vision exam should be submitted to the school.

- Results indicating “Refer” should be printed and uploaded to PowerSchool Sped and a copy provided to the parents.

There are rare occasions when the eye specialist may be unable to obtain visual acuity on a student. When the physician is unable to obtain visual acuity, this should be clearly documented by the physician in the results of the eye exam. When acuity is not obtained by the eye specialist, the Education Vision Assessment (EVA) form should be completed by the nurse in concert with the referring teacher. The EVA form is located in PowerSchool Sped under the Help menu.

All documents should be uploaded to PowerSchool SPED.

- c. If a student fails the vision screening, a letter should be provided to the parents to notify them of the need for further evaluation. Parents must have the student’s vision examined by a doctor; results of the examination should be returned to the school.
7. The RtI Coordinator or DSS will give the appropriate medical or sensory documentation forms to the parents (e.g. OHI Medical Form, etc.), if necessary, so that they can acquire documentation and a signature from their physician.
8. Implement the interventions and collect progress monitoring data on a weekly basis.
9. Acquire signatures on the Consent to Evaluation form once the *Parental Consent for Screening* form has been completed successfully and all medical forms have been received.
10. Invite the school psychologist to initial referrals requiring a psychological evaluation and SLP, if Speech/Language will be evaluated. Invite the DSS to all other referrals; this step takes place at Tier 3 of the RtI process. The psychologist, DSS, or SLP will review all RTI documentation and offer recommendations, as needed.
11. If a referral for a comprehensive evaluation is determined necessary, the school psychologist, DSS or SLP will explain Parental Rights and obtain signatures for the Consent for Evaluation.
12. Continue to develop, implement, and progress monitor the Tier 3 interventions until the evaluation has been completed and eligibility determined.

## Procedures When Parents Request Initial Evaluation

When a parent requests an initial evaluation, even if the student has either not completed the RtI process or has not yet participated in the RtI process, the school **must** do the following:

\_\_\_\_\_ **Immediately** provide and explain Parent Rights

- This must be the most current edition of the long form
- Must be given and explained to the parent

\_\_\_\_\_ **Immediately** obtain consent to screen vision/hearing

- Give signed copy to the school nurse who will evaluate v/h
- As soon as passing results are received, scan the completed form and notify the school psychologist or therapist
- If the student fails either or both vision and hearing, the school nurse will notify the parent and retest in two weeks
- If the student again fails either, parent will be notified. The system audiologist can then test the hearing; however, the child's personal physician must evaluate the vision and provide results to the school
- The student's case manager must follow up on this evaluation and consult with the principal and program manager for direction if passing results are not received in a timely manner

\_\_\_\_\_ Schedule the Tier 3 RtI/SST meeting immediately

\_\_\_\_\_ Obtain consent to evaluate when the passing vision/hearing results are available (at Tier III meeting)

\_\_\_\_\_ Continue to follow the RtI process during the referral period

\_\_\_\_\_ Within 60 calendar days

- Complete the evaluation **and**
- Address eligibility

\_\_\_\_\_ If eligible, the IEP must be completed within 30 calendar days following eligibility

## **RtI Progress Monitoring for Referral to New Programs (RNP)**

### **SPED students ONLY**

*While we have identified separate responsibilities, these procedures should be a collaborative effort between the General Education Teacher and Speech Language Pathologist / OR Special Education Teacher. This is for students with SPED eligibilities including Speech ONLY Eligibilities.*

#### General Education Teacher Responsibilities:

1. Collaborate with the Special education teacher OR Speech Language Pathologist (Speech Only Students) of decision regarding appropriate interventions and progress monitoring methods.
2. General education teacher will create an Intervention Plan.
3. When identifying the Tier Level on the Plan, you will select “RNP-Referral to New Program”.
4. General education teacher will ensure the intervention is implemented as designed and conduct Progress Monitoring according to the RtI Tier III Schedule.
5. Monthly Outcome Meetings should be held with the Tier III Team to address progress toward goals. Be sure to invite the Special education teacher OR Speech language Pathologist (Speech Only Students) to this monthly meeting.

#### Special Education Teacher/Speech Language Pathologist Responsibilities:

1. Collaborate with the General education teacher and offer intervention suggestions or directions. Be sure appropriate progress monitoring methods are also being utilized.
2. The Speech Language Pathologist or Special Education Teacher will amend the IEP to address the academic or behavior concerns and note that the student has an intervention plan.

## **RtI Procedures for English Language Learners**

1. Include interventions for social language skills
2. Include interventions for vocabulary-concrete and abstract
3. Include interventions for writing-grammatical conventions, spelling, and content
4. Include a social/background interview with the parents during Tier 2 rather than Tier 3
5. Integrate language acquisition activities within academic instruction
6. Promote proficiency in English
7. Choose meaningful and comprehensible interventions
8. Examine the intervention choices and data for any hidden biases
9. Use informal and formal assessment to inform intervention selection and delivery
10. Consult with ELL staff, if available, when planning interventions and assessments
11. Consult with the school’s SLP when planning interventions and assessments

## **Effective Assessment Guidelines for English Language Learners**

1. Use RtI data
2. A “rule of thumb” referral policy should not exist since each student’s difficulties are different
3. Use informal and formal assessment models
4. Train translators about the administration/standardization rules of the assessments performed
5. Use a team approach to determine which formal measures should be used i.e. teacher, ELL teacher, psychologist, and parent
6. Complete observations of the student in multiple settings while completing various tasks
7. Keep all of the data in one place
8. Assess in both languages, if possible
9. Assess oral language and written language skills
10. Use formal assessments i.e. Muñoz, orally translate, and non-verbal measures

## **Characteristics of SLD with English Language Learners**

1. Language-based Characteristics: Dysfluent speech/writing flow, Disorganized speech/writing, and Associative/abstract language learning difficulties
2. Nonverbal Characteristics: Ability to focus, Processing lags, Memory Issues, Sustained Concentration levels, Abstract nonverbal reasoning, Organization problems, Work & study habits, and Classroom behavior
3. Visual/auditory Processing Characteristics: Directionality of letter/number formation, Phonemic/phonological processing difficulties, and Speed of discerning visual differences

## **Barriers to Effective Assessment of English Language Learners**

1. Assessing only in the student’s native language
2. Using question from formal assessments which cannot be translated effectively into the native language
3. Failing to address the discrepancies between informal and formal assessments, if they exist
4. Failing to consider the influence of speech and language acquisition when interpreting assessment results
5. Failing to consider the reliability and validity of the formal assessments
6. Failing to consider performance variability based upon culture, family, linguistic, and psychological issues

## **Suggestions for Improving Future Practices**

1. Complete action research on the guidelines; study the phenomenon while the guidelines are being enacted
2. Form partnerships with research institutions and Local Education Agencies to continue to explore the most effective means for assessing ELLs

3. Form partnerships with LEAs and State Departments of Education

### **Federal Law-IDEIA 2004**

P.L. 108-446 § 614 (b)(3)(A)(i) and (ii)

“(3) ADDITIONAL REQUIREMENTS-Each local educational agency shall ensure that- “(A) assessments and other evaluation materials used to assess a child under this section- “(i) are selected and administered so as not to be discriminatory on a racial or cultural basis;

“(ii) are provided and administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is not feasible to so provide or administer.”

### **RtI Manifestation Determination Process for General Education Students**

#### **A Response to Intervention Manifestation Determination meeting is required if:**

1. a school seeks placement, long term suspension, or expulsion of a general education student, and;
2. the student has (or does not have) a Tier 3 Intervention Plan for behavior, and;
3. the student has a documented disability, of which the school is aware.

If the above conditions exist, the SST must conduct a Response to Intervention Manifestation Determination meeting to review or develop the **RtI Tier 3 Intervention Plan for Behavior**. Invite your RtI Teacher Specialist to these meetings.

The **Response to Intervention Manifestation Determination** document (found on the PowerSchool Special Education Help Menu) must be completed by the home school and uploaded to PowerSchool Special Education as a file-based document. During the RTI Manifestation Determination meeting, two conclusions must be reached.

1. Whether the student has a current **RtI Intervention Plan** for behavior that has been implemented with fidelity; and
2. Whether the conduct in question was/is caused by or has a direct and substantial relationship to the disability.
  - If the answer to either of the conclusions is “no”, alternatives to suspension should be considered.

Complete the **Alternative Site Request Checklist** (found on the PowerSchool Special Education Help Menu) to be signed by the RtI Coordinator and the Academic Specialist. (NOTE: Be sure to contact the alternative site to schedule a transition meeting.):

- If there is a **RtI Site Request Checklist** (at the home school), but it does not address the behavior for which the student is being considered for placement, suspension, or expulsion,

- Update the Plan to include at least one behavior goal related to the current behavior;
  - Determine whether or not the student should be referred for evaluation, based upon data (which may include RtI progress monitoring data, a 504 Plan, psychological, etc.). Follow Fast Track Procedures according to the **Quick Reference Guide**;
  - Check for/obtain current vision/hearing.
- If no **RtI Tier 3 Intervention Plan for Behavior** is in place at the home school, refer to the **RtI Procedures Checklist for Behavior Concerns** (found in the Quick Reference Guide) to develop an Intervention Plan for Behavior.

## Comprehensive Evaluations

### Variety of appropriate evaluation tools:

In a comprehensive evaluation, the district will

- assess all areas related to any suspected disability, including vision and hearing, and, if appropriate, health, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- use a variety of evaluation tools and strategies to gather relevant academic, functional, and developmental information about the child, including information provided by the parent;
- not use any single procedure as the only criterion for determining whether a child is a child with a disability or for determining an appropriate educational program for the child;
- use assessment techniques that may assess intellectual and behavioral skills in addition to physical or developmental skills;
- use evaluation tools and strategies to provide relevant information that will directly assist the eligibility team in determining the educational needs of the child;
- use assessments and other evaluation materials to assess specific areas of educational need and not only those that are designed to provide a single general intelligence quotient (IQ) score; and
- select assessment methods so that, when administered to a child with impaired sensory, manual, or speaking skills, the results accurately reflect the child's aptitude or achievement level.

Information Sources: Evaluations often use many of the following:

- Individually administered tests and tools:
  - Academic achievement
  - Cognitive ability
  - Social/Emotional/Behavioral
  - Speech/Language
- Parent/Teacher/Child Questionnaires:
  - Social/Emotional/Behavioral
  - Adaptive behavior
- Parent information and input
- Teacher input (verbal or written descriptions/analyzed classroom work samples)

- Schoolwide standardized testing results
- Medical information, as appropriate
- Classroom observations
- Prior testing done in private settings
- Prior testing done in other school settings, such as formative assessments from classroom progress monitoring

### **Multidisciplinary Evaluation Team**

When a referral for special education evaluation is made, the comprehensive evaluation will be conducted by a multidisciplinary team. This team may consist of the district’s psychologist, educational diagnostician, speech-language pathologist, occupational therapist and/or physical therapist, and others as appropriate to the evaluation. The child’s parents are considered members of this team. The team is responsible for assessing the student in all areas related to any suspected disability and in any other areas deemed relevant. It is recommended that the student be given a hearing and vision screening during the SST or other pre-referral process and that such results be no older than one calendar year. The parents will be asked to provide input during the evaluation process. Their information is valuable in developing the total picture of the child.

### **Review of Existing Evaluation Data/Identify Additional Data Needed**

As part of an initial evaluation, and as part of any reevaluation, the parent and other qualified professionals must review evaluation data on the child that is already available. This review may be conducted without a meeting and may include evaluations and information provided by the parent, current classroom-based local or Georgia assessments, classroom-based observations, and observations by the teacher and related service providers. The team will, on the basis of that review, and considering how long it has been since formal assessment of the student last occurred, identify additional data needed, if any, to determine the following:

- the present levels of academic achievement and related developmental needs of the child;
- whether the child continues to have a disability or has an additional disability;
- whether the child continues to need special education and related services
- whether the child needs any additions or modification to the special education and related services to meet the measurable annual goals set in the IEP; and
- whether or not the child can participate in the general education curriculum, as appropriate.

If the IEP/reevaluation committee determines that no additional information is needed, then the committee can proceed with eligibility. If additional information is determined to be needed, the committee determines which assessments are needed to provide it. The parent has a right to request assessments for the determination of eligibility for the child’s educational needs, even if the committee has concluded that no additional data was needed.

## Initial Referral Procedure

A full and individual initial evaluation is conducted prior to the provision of special education and related services. The Georgia Department of Education requires 100% compliance for completion of all initial referral timelines.

After completing the Tier 1 and Tier 2 process:

1. RtI coordinator schedules Tier 3 RtI meeting and invites the school psychologist or DSS along with other appropriate team members.
2. RtI team makes determination of suspected disability and refers for a comprehensive evaluation if progress is not demonstrated. Refer to RtI Tier 3 Process and Procedures previously noted in this chapter. A comprehensive evaluation:
  - Is multifaceted
  - Consists of a variety of appropriate evaluation tools
  - Evaluation tools are administered by trained knowledgeable staff
  - Includes a review of existing data
  - Considers if additional are needed to determine eligibility
3. School psychologist generates Parental Consent for Evaluation when a psychological evaluation is required. Parental rights are provided and explained in the parent's native language. The School psychologist obtains parent signature on the Parental Consent for Evaluation, records the received date on the form, scans and attaches the parent signature to the original draft in PowerSchool SPED. This begins the 60 day initial timeline.
4. DSS generates Parental Consent for Evaluation for all other initial referrals to programs not requiring a psychological (SI, PSI, OI, Blind/VI, D/HOH).
5. All initial evaluations and eligibility meetings are completed by the psychologist, therapist, itinerant, and/or preschool teacher within 60 calendar days of the school receiving signed Parental Consent for Evaluation.
6. A meeting is held to determine eligibility. This meeting should include the parent, general education teacher, LEA representative, special education teacher, therapist, psychologist and other appropriate team members. An eligibility report is created regardless of whether the student is eligible or ineligible.
7. All participants sign the signature page of the eligibility. The signature page and all other appropriate documents (RtI, work samples, observation, medical forms, and/or social history) are scanned and attached to the eligibility.
8. Eligibility is finalized in PowerSchool SPED.
  - **If ineligible**: The DSS finalizes the consent to evaluate and ends the timeline.
  - **If eligible**: An initial IEP is completed.
9. The school special education teacher that will serve the student completes the initial IEP for all referrals requiring a psychological evaluation within 90 days of receiving the signed parental consent for evaluation.
  - **BEST PRACTICE IS TO COMPLETE THE IEP AT THE TIME OF THE INITIAL**

### **ELIGIBILITY MEETING.**

10. Initial IEPs not requiring a psychological are completed by the appropriate therapist, preschool, or itinerant teacher depending upon the eligibility area or age of the student within 90 days of receiving the signed consent for evaluation.
  - **BEST PRACTICE IS TO COMPLETE THE IEP AT THE TIME OF THE INITIAL ELIGIBILITY MEETING.**
11. All appropriate documents are scanned and attached before finalizing the IEP. Refer to IEP Procedures in Chapter 7.
12. Parent signs and dates the Parental Consent for Placement is scanned into PowerSchool SPED and attached to the original draft.
13. Finalize the documents in the following order:
  - a. Eligibility
  - b. Initial IEP
  - c. Parental Consent for Placement
14. Notify the DSS to finalize the Parental Consent for Evaluation once all other current documents have been finalized.
15. The teacher of record completes the FTE form, obtains signatures and submits it to the IS.

### **Redetermination Procedure**

Federal and state regulations require that the reevaluation of a student with a disability is to be conducted at least once every 3 years unless the parent and the district agree that a reevaluation is unnecessary.

1. Teacher of Record must consider redetermination at least every 2 years, but this may be a consideration at any IEP or amendment meeting by adding the Reevaluation/Redetermination page to the draft IEP or amendment.
2. Check both “Reevaluation” and “Annual Review” on the cover page.
3. Complete the Reevaluation/Redetermination page. Re-determine all of the student’s eligibility areas at the same time so that due dates are consistent.
4. For SDD students, consider the redetermination one school year prior to the school year in which the student turns 9.
5. Refer to the PowerSchool SPED Q & A for appropriate procedures, if a student is being dismissed from an eligibility area or all special education services.
6. Obtain necessary documents for reevaluation, if recommended.
  - a. Consent to Screen indicating passed vision and hearing results
  - b. If the student fails the vision screening, or is unable to screen using traditional methods, the school nurse will contact the District Staffing Specialist (DSS) assigned to the school in order to schedule the Plusoptix Vision Screening device.
    - Results indicating “Pass” on the Plusoptix Vision Screener should be printed and uploaded to PowerSchool Sped.

If a "Pass" is not obtained on the Plusoptix screener (i.e. "Refer" or other errors due to the student not being able to focus or maintain gaze, too much physical movement, etc.), a letter should be provided by the school nurse to the parents notifying of the need for further evaluation. Parents must have the student's vision examined by a doctor; results of the vision exam should be submitted to the school.

- Results indicating "Refer" should be printed and uploaded to PowerSchool Sped and a copy provided to the parents.

There are rare occasions when the eye specialist may be unable to obtain visual acuity on a student. When the physician is unable to obtain visual acuity, this should be clearly documented by the physician in the results of the eye exam. When acuity is not obtained by the eye specialist, the Education Vision Assessment (EVA) form should be completed by the nurse in concert with the referring teacher. The EVA form is located in PowerSchool Sped under the Help menu.

All documents should be uploaded to PowerSchool SPED.

7. If a student is unable to screen using traditional methods, an educational vision assessment may be administered. This may include students with significant cognitive delays who cannot identify or point to items. This may include nonverbal students and students with physical limitations.

A passing Educational Vision Assessment will give information that the child can see what is presented to him. Psychological testing can proceed. A failing Educational Vision Assessment gives information that the child showed no evidence that he could see what was presented. The Educational Vision Assessment form is located in PowerSchool SPED.

8. If a student fails the vision screening, a letter should be provided to the parents to notify them of the need for further evaluation. Parents must have the student's vision examined by a doctor; results of the examination should be returned to the school.

- Medical Recommendation Form or other appropriate documents for the eligibility being considered (Consult with DSS as needed)
- Contact DSS for Parental Consent for Evaluation

9. Attach the signed Reevaluation/Redetermination page to the IEP, along with the signed cover page and meeting notice
10. Email the DSS that the signed Parental Consent for Evaluation has been received and attached to the draft Parental Consent for Evaluation.
11. Contact school psychologist and/or the appropriate evaluators to inform them that the referral packet is scanned.

## Referral to New Program (RNP) Procedure

A Referral to a New Program is made when an IEP team determines the need to consider a new/additional eligibility. The consideration process will include the need for 2 amendment meetings.

### **Before the First Meeting:**

1. Obtain Parental Consent for Screening and check the appropriate boxes
2. Have the school nurse to complete the hearing and vision screening
  - a. If a student fails the hearing screening, a letter should be provided to the parents to notify them of the need for further evaluation and a referral should be made to the district audiologist.
  - b. If the student fails the vision screening, or is unable to screen using traditional methods, the school nurse will contact the District Staffing Specialist (DSS) assigned to the school in order to schedule the Plusoptix Vision Screening device.
    - Results indicating “Pass” on the Plusoptix Vision Screener should be printed and uploaded to PowerSchool Sped.

If a “Pass” is not obtained on the Plusoptix screener (i.e. “Refer” or other errors due to the student not being able to focus or maintain gaze, too much physical movement, etc.), a letter should be provided by the school nurse to the parents notifying of the need for further evaluation. Parents must have the student’s vision examined by a doctor; results of the vision exam should be submitted to the school.

- Results indicating “Refer” should be printed and uploaded to PowerSchool Sped and a copy provided to the parents.

There are rare occasions when the eye specialist may be unable to obtain visual acuity on a student. When the physician is unable to obtain visual acuity, this should be clearly documented by the physician in the results of the eye exam. When acuity is not obtained by the eye specialist, the Education Vision Assessment (EVA) form should be completed by the nurse in concert with the referring teacher. The EVA form is located in PowerSchool Sped under the Help menu.

All documents should be uploaded to PowerSchool SPED.

- c. If a student fails the vision screening, a letter should be provided to the parents to notify them of the need for further evaluation. Parents must have the student’s vision examined by a doctor; results of the examination should be returned to the school.
3. Set up an IEP amendment document in Tie Net
4. Send home the IEP notification form to the parents; scheduling a meeting
5. Invite all necessary staff members including DSS.

**At the Meeting:**

1. In Present Levels of Academic Achievement and Functional Performance identify additional areas of concern and describe the specially designed instruction which includes: Adapting of Content Methodology (specialized program), or Instructional Delivery provided. Give the parent any necessary forms (e.g.) OHI Medical Recommendation form (etc.)
2. Develop new goals and objectives to address identified needs. \*When a referral for consideration of SLD is warranted, add a grade level goal(s) in the student's area(s) of weakness.
3. Identify appropriate staff to implement and progress monitor goals
4. Schedule the next meeting

**After the Meeting:**

1. Complete the interventions with fidelity and progress monitor goals weekly.
2. Scan all signature pages into PowerSchool SPED as part of the IEP amendment
3. If after 4 data points of progress monitoring, regression or no progress is indicated, the team should meet to determine if more intensity in delivery, time, or instruction is required, or if a different strategy should be implemented until improvement or refer the student for further testing

**Referral Meeting:**

1. Special Education Teacher of Record may initiate Referral to New Program when the following documents have been scanned and uploaded to PowerSchool SPED
  - Current (within one year) passed vision and hearing screening results
  - Necessary medical and other required forms depending upon the disability area of concern (consult with DSS)
2. Special Education Teacher of Record will
  - Schedule Amendment meeting
  - Invite the District Staffing Specialist and other appropriate IEP team members
  - The District Staffing Specialist creates Parental Consent for Evaluation
3. Special Education Teacher of Record chairs Amendment Meeting.
  - Provide and review Parental Rights and Senate Bill 10 information
  - Analyze progress monitoring data
  - Complete Redetermination page indicating Referral to New Program
  - Obtain Parent Consent for Evaluation signature. Scan and upload signed consent to draft document
  - Notify appropriate staff such as OI, VI, or HI of the signed consent for evaluation

**NOTE:** Continue to use the RNP-RtI paperwork on PowerSchool SPED for students who are eligible for speech only and who are being referred to a new program. A special education teacher is not assigned to the student and the general education teacher typically completes this process. If the referral comes from the Speech Language Pathologist or Speech Therapist; she/he is responsible for setting up the meetings, but not providing or assessing the academic/behavior interventions. If the referral is for Speech Impairment services from another program, the SLP or Speech Therapist provides and assesses the communication interventions.

**Referral for Students Planning to Attend  
Post-secondary Educational Institutions**

1. The assessment decision for students who may attend post-secondary education institutions MUST be made between 10<sup>th</sup> and 12<sup>th</sup> grade at a special considerations annual review or IEP amendment meeting.
2. The students referred must be on track to graduate (appropriate credits, grades, and passing results on EOCT).
3. The referral must be submitted no later than the end of the 1<sup>st</sup> quarter of the student's senior year so that the assessment can be completed during the 1<sup>st</sup> semester.
4. Eligibility must be re-determined by the IEP committee based on the new data.

**The referral packet should include:**

1. Passing hearing and vision
2. Consent for evaluation
3. Current transcript
4. Grades and EOCT results
5. Projected graduation date
6. Effective student accommodations

**Referral to a Related Service Procedure**

**Procedures for Occupational Therapy (OT) and Physical Therapy (PT) referrals:**

1. If a need for related service evaluation is considered, document the need for referral in IEP or IEP Amendment.
2. Have parent sign Consent to Screen. Check motor skills, vision, and hearing.
3. Give Consent to Screen to nurse to complete the hearing and vision form.
4. Scan and upload passed vision and hearing.
5. Notify related service provider to proceed with screening.
6. If results indicate need for evaluation, complete Related Services Referral form (OT/PT will communicate results to the special education service provider).
7. Obtain Physician's Initial Referral Form to be completed by student's physician for OT and PT.
8. Scan and upload Related Services form and Physicians Initial Referral to PowerSchool SPED.
9. Notify DSS to create Parental Consent for Evaluation.
10. Obtain parent signature, scan and upload as attachment to original Parental Consent for Evaluate.
11. Notify Related Service provider.
12. Related Service provider notifies Special Education Teacher of Record when evaluation is completed.
  - Therapists have a 60 day timeline to complete all referrals.
13. Special Education Teacher of Record schedules IEP or Amendment meeting.

- Address results
  - Document services on Related Services page if needed.
14. Special Education Teacher of Record notifies DSS after IEP or Amendment meeting is finalized.
  15. DSS finalizes Parental Consent for Evaluation.

**Procedures for Adapted PE (APE) referrals:**

1. If a need for Adapted Physical Education evaluation is considered, document the need for referral in IEP or IEP Amendment.
2. Have parent sign Consent to Screen. Check motor skills, vision, and hearing.
3. Give Consent to Screen to nurse to complete.
4. Scan and upload passed vision and hearing.
5. Notify appropriate Adapted PE Teacher to proceed with screening.
6. If results indicate need for evaluation, notify DSS to create Parental Consent for Evaluation
7. Obtain parent signature, scan and upload as attachment to original Parental Consent for Evaluate.
8. Complete Adaptive Physical Education Referral Form.
9. Notify APE teacher.
10. APE will notify Special Education Teacher of Record when evaluation is completed.
11. Special Education Teacher of Record Schedules IEP or Amendment meeting
- \* Address results
- \* Document services on Related Services page if needed
12. Special Education Teacher of Record notifies DSS after IEP or Amendment meeting is finalized.
13. DSS finalizes Parental Consent for Evaluation.

**Referral to Orientation & Mobility (O&M) Services Procedures**

Orientation and mobility services are provided to blind or visually impaired students by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community.

- Includes teaching student’s spatial and environmental concepts and use of information received by the sense, such as sound, temperature and vibrations, to establish, maintain, or regain orientation and line of travel, i.e., using sound at a traffic light to cross the street.
- Includes teaching students to use the long cane to supplement visual travel skills or as a tool for safely negotiating the environment for students with no available travel vision.
- Includes teaching students to understand and use remaining vision and distance low vision aids, and other concepts, techniques, and tools.
- Improving the student’s mobility and functional travel training within the educational environment which will include the school community as directed by the IEP.

## **Referral Procedure**

1. Consult with VI Teacher.
2. Complete and submit O&M Referral form to the VI Program Manager.
3. Provide a copy of the most recent vision report.
4. Scan O&M Referral Form.
5. O&M Instructor will complete an O&M assessment.
6. O&M Instructor will notify VI Teacher when assessment has been completed.
7. Hold IEP amendment to discuss results and document services. After meeting, scan documents.

## **Procedures for Auditory Processing Referrals**

Auditory Processing is considered a related service and falls under audiology services. Eligible students are served in the general education/inclusion environment by a special education teacher with consultation of the audiologist. The audiologist works with the special education teacher to develop goals, accommodations and/or necessary interventions.

**Initial Referral:** By way of Student Study Team (SST) and initiated by the Speech-Language Pathologist or Psychologist:

1. The psychologist provides the teacher with the Auditory Processing Domains Questionnaire (APDQ) for Specific Learning Disability (SLD) referrals.
2. The teacher returns the scale to the designated audiologist assigned to their particular school.
3. The audiologist scores and sends the results to the psychologist.
4. If this is part of a speech evaluation, the Fisher's Auditory Problems Checklist for the Teacher is provided by the SLP.
5. Once screen is completed and, if a full evaluation is warranted, results will be shared with the parent/guardian prior to eligibility.
6. Once eligibility is established, then related services are considered by the IEP team.

### **If student is already eligible for services:**

1. Need for related service referral is documented through an IEP or amendment.
2. Parent signs Consent to Screen.
3. Have parent sign Consent to Screen. Circle processing.
4. Give Consent to Screen to nurse to complete the vision and hearing.
5. Scan and upload passed vision and hearing.
6. Notify related service provider to proceed with screening.
7. If results indicate the need for a full evaluation, DSS is notified to create Parental Consent for Evaluation.
8. Audiology is listed under the drop down menu of the CTE under related services.
9. Obtain parent signature, scan and upload as attachment to original Parental Consent for Evaluation.
10. Notify Related Service provider.
11. Related Service provider notifies Special Education Teacher of Record when evaluation is completed.

12. Special Education Teacher of Record schedules an IEP or Amendment meeting to
  - Address results
  - Document the need for services on the service page.
13. Special Education Teacher of Record notifies DSS after IEP or Amendment meeting is finalized.
14. DSS finalizes Parental Consent for Evaluation.

**Referral to Coastal Georgia Comprehensive Academy (CGCA) Procedure**  
**Georgia Network for Educational and Therapeutic Support (GNETS)**

**GNETS Purpose and Services:**

- (a)** The Georgia Network for Educational and Therapeutic Support (GNETS) is a service available within the continuum of supports for LEAs to consider when determining the least restrictive environment for students with disabilities, ages 5-21. GNETS services is an option in the continuum of supports that prevents children from requiring residential or more restrictive placement. Specifically, GNETS provides comprehensive educational and therapeutic support services to students who exhibit intense social, emotional and/or behavioral challenges with a severity, frequency or duration such that the provision of education and related services in the general education environment has not enabled him or her to benefit educationally based on the IEP.
- (b)** GNETS services aim to support students with social, emotional and/or behavioral challenges. These students' behaviors may include but are not limited to, significant, aggressive, self-destructive, atypical, and withdrawal behaviors. Children receiving GNETS services are taught coping skills, behavior regulation, and adaptive behaviors, with a keen focus on developing positive interpersonal relationships with others.\
- (c)** GNETS services are implemented with greater intensity and frequency than what is typically delivered in a general education school environment. The supplemental aids and services available at GNETS must be appropriate and necessary in order for the child's IEP team to consider GNETS services.
- (d)** GNETS will be staffed to meet the needs of a unique population of students requiring intensive individualized supports, including providing appropriate therapeutic services identified in the IEP. The staff receive specialized training in skills designed to deescalate major disruptive behaviors and assist students with meeting their IEP goals.
- (e)** GNETS staff will collaborate with professionals from a variety of agencies to enhance students' social, emotional, behavioral and academic development based on their IEPs.
- (f)** The IEP team will assess at least annually whether the student with disabilities is ready to transition to a less restrictive setting. Progress monitoring data aligned with IEP goals should be reviewed to determine if the student is ready to receive a free appropriate education (FAPE) in the lesser restrictive environment.

Consideration for CGCA services are for students who may need intensive, therapeutic, educational support. Referral documentation must include evidence that appropriate research based interventions

were provided for a significant length of time. Documentation should also indicate less restrictive services have been provided with supporting data that indicates such services have not enabled the child to benefit educationally as needed. Data should reflect the severity, duration, frequency and intensity of one or more of the characteristics of the disability, primarily Emotional Behavior Disorders (EBD). Any referrals or resulting placements at CGCA are through collaboration between home school and CGCA staff. General Operations:

- Classes at CGCA shall operate a minimum of 180 days each fiscal year and may operate up to 200 days. The recommended maximum class size for preschool, elementary and middle school is eight. The recommended maximum class size for high school classes is ten.
- CGCA programs utilize evidence-based positive behavioral interventions, supports and other strategies designed to increase children's resilience and social emotional competence.
- The academic curriculum for all children will be Georgia's general education curriculum.
- CGCA has an ongoing system for documenting effectiveness and program improvement based on GaDOE requirements and guidance from stakeholders.

As stated in the GNETS State Rule, the consideration for services for CGCA is as follows:

- (a) Consideration for GNETS services is determined by the student's Individualized Education Program (IEP) team using the criteria set forth in SBOE Rule 160-4-7-.06.
- (b) IEP teams considering recommendation of GNETS services will follow the notice requirements of SBOE Rule 160-4-7-.06. The IEP meeting will include a GNETS director of his/her designee.
- (c) An individual student is considered for GNETS services only if his or her IEP team recommends GNETS services based on the existence of all of the following, which will be documented in the student's education record:
  1. Documentation that indicates evidence of annual IEP reviews, progress monitoring data aligned with IEP goals, documentation indicating prior services were delivered in a lesser restrictive environment and the student's inability to receive FAPE in that environment.
  2. A Functional Behavioral Assessment (FBA) and/or Behavior Intervention Plan (BIP) administered within the past year.
  3. Documentation that a comprehensive reevaluation has been completed within the last 3 years.

### **Procedure**

1. Collect appropriate data to indicate
  - Severity, duration, frequency, and intensity of behavior.
  - Appropriate research based interventions have been provided.
  - Appropriate services have been provided through the least restrictive environment (LRE). Progress monitoring data of goals/objectives that illustrate the need for more restrictive educational support.
2. Develop or update an appropriate FBA and BIP
  - Request assistance for collecting behavior logs and developing plans if needed from the ECST, Behavior Specialists, Behavior Analysts, DSS, psychologist, other department staff, and/or CGCA staff.

- Progress monitor using the BIP to collect data toward progress.
3. Prepare for an amendment meeting to address concerns if data indicates the need
    - Review data with the ECST and DSS to determine if any additional information is needed.
    - Obtain consent for vision/hearing screening and passing results for screening.
    - Schedule an amendment meeting and invite parent, CGCA staff, Program Manager, DSS and any other appropriate team member.
  4. Conduct the amendment meeting and determine whether a referral is needed
    - Obtain the consent for evaluation if the team determines an evaluation is needed.
    - Mark psychiatric on the consent for evaluation.
    - Scan appropriate signatures and supporting documentation into PowerSchool SPED.
  5. CGCA will schedule and complete evaluation, eligibility and IEP or amendment meeting
    - Appropriate team members from the referring school will be invited.
    - Determination will be made at the meeting whether or not placement is appropriate at this time.
    - Home school staff collaborates with CGCA staff to complete eligibility and IEP.

### **Transfer Process to Alternative School Sites For General Education Students**

Any student entering an Alternative Site must have a **Tier 3 Behavior Intervention Plan** and a Transition Meeting must be held.

- Prior to Transition Meeting (to be held at alternative site), **Alternative Site Referral Checklist for General Education Students** must be completed and signed by RtI Coordinator and RtI Teacher Specialist and attached to the Placement, LTS and Expulsion packet.
- Students being referred to Alternative Sites should have the **Tier 3/SST Referral Form, Initial Tier 3/SST Parent Invitation Letter, Student Background Information, Tier 3 FUBA, and the Tier 3 Behavior Intervention Plan** completed in PowerSchool Special Education (formerly TieNet).

*NOTE: Students entering an alternative site due to an isolated infraction may have a Tier 2 Intervention Plan created by the home school. If there are questions about whether the incident qualifies as isolated, please contact your Academic Specialist.*

- While at the Alternative Site, the **Tier 3 Behavior Intervention Plan** must be maintained and Outcomes meetings held every four weeks.
- Follow all procedures on the **Alternative Site Referral Checklist for General Education Students**.

Any missing documents must be completed during the mandatory Transition Meeting to be scheduled by/held at the Alternative Site. Representatives from the home school and the Alternative Site must be present. (Meeting attendance by phone is acceptable.)

#### **During the Transition Meeting:**

1. The current **Tier 3 Intervention Plan** (from the home school) should be reviewed upon the

student entering the Alternative Site. Meeting members should review the interventions and data to determine whether changes are needed.

NOTE: There are unique circumstances when students are placed in an alternative setting, i.e. Designated Felons. These students may not have a Tier 3 Behavior Intervention Plan when they enroll at the Alternative Site.

2. If the same interventions and Progress Monitoring tool will be used, continue the Plan as written:
  - When the student becomes active in PowerSchool Special Education at the Alternative Site, open the **Tier 3 Intervention Plan** and click Update Document Now (found in red type at the top of the Intervention Plan).
  - Within the Plan, update Teacher and Person Responsible.
3. If DIFFERENT Interventions and Progress Monitoring tools will be used, update the Plan accordingly and follow these procedures:
  - Update the Outcomes/Minutes page of the Intervention Plan to indicate the student's change of school and how the current school will address the student's needs.
  - Place the same date of that meeting in the "Most Current Outcomes Meeting Date" box AND in the "Next Outcomes Meeting Date" box.
  - Create a NEW **Tier 3 Intervention Plan** to identify the alternative school will implement interventions.
  - Finalize the Intervention Plan from the previous school.

#### **During the Transition Meeting to Return to the Home School:**

4. Before a student returns to the home school from an Alternative Site, a Transition Meeting must be held and the RtI Intervention Plan must be discussed. During the transition meeting to return the student to the home school follow these procedures:
  - Enter all data points onto goal pages.
  - Hold an Outcomes Meeting and write minutes that state decisions/recommendations and which communicate a clear understanding of the status of the student's progress and any/all RtI decisions made.
  - No documents should be left in "Draft" status.
  - Any documents that are no longer in use or current should be finalized.
  - All current/active documents such as **Tier 3 Intervention Plan** should be placed in "REVIEW" status.
5. Please be certain that ALL RtI documents are up to date PRIOR to the student being withdrawn from your school.

#### **Criteria for an Independent Educational Evaluation (IEE)**

1. Independent evaluators must meet the qualifications and training requirements to administer, score, and interpret the evaluation instrument(s) utilized during the IEE, as specified by the test publisher.
2. Parents must provide written consent for an exchange of information between the District and the Independent Evaluator including the release to the District of the evaluation report and results of all assessment data collected by the Independent Evaluator.
3. The Independent Evaluator shall provide the District with a written evaluation report, prior to

receipt of payment for services, which shall contain the following:

- a. Dates when evaluation activities were conducted
  - b. Scores, along with subtest scores, of the tests administered
  - c. Discussion and interpretation of test results
  - d. Diagnosis of the student's condition, as appropriate, and
  - e. Recommendations for the District's evaluation team to consider
4. Upon request, the Independent Evaluator shall be available in person or electronically (i.e. telephone conference call, interactive video, etc.) to discuss results of the IEE with the District Team.
  5. The District will consider the findings and recommendations provided by an IEE completed in accordance with these procedures. However, the District continues to be responsible for making decisions regarding the child's eligibility and need for special education services and, if eligible, for determining placement and services to be provided.

# CHAPTER 5

## ELIGIBILITY

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### Eligibility Report Procedures

An eligibility report must be completed anytime Parental Consent for Evaluation has been signed and an evaluation has been completed. This includes initials, reevaluations and referrals to a new program.

Eligibility Team members include at least the following roles:

- Parent
- LEA
- General Education Teacher familiar with the student and grade level curriculum
- A person qualified to report/interpret evaluations that were completed
- Special Education Teacher

Lead persons responsible are as follows based upon the student's suspected disability area: Initials will be developed by the eligibility team led by either the:

- School Psychologist
- Preschool Intervention (PSI) teacher of record
- Orthopedically Impaired (OI) teacher
- Blind/Visually Impaired teacher
- Deaf/Hard of Hearing teacher
- Speech Language Pathologist/Speech Language Therapist

Reevaluations and referrals to new programs will be completed by the special education teacher of record.

The statement of special education program eligibility summarizes the comprehensive evaluation data, including classroom performance, and relates these data to specific eligibility criteria as defined in the Georgia Implementation Manual Part 2.

The July 2007, state regulation revisions were adopted to align with the 2005 Federal reauthorization of IDEIA. A new format for documenting eligibility was introduced. The singular eligibility form must document the following information prior to determining eligibility for a student:

- Student information
- A documented case history
- A summary of interventions and data prior to referral
- A summary of progress monitoring towards achieving standards
- Results of relevant district, state and benchmark assessments

- Individual student data, as applicable
- Consideration of exclusionary factors
- Decision making of education impact
- A summary of considerations
- Eligibility Determination

Each special education area of disability has specific eligibility requirements. To qualify for special education placement, each student must meet eligibility requirements for at least one area as well as not having exclusionary criteria that would prevent eligibility. Designated personnel will review assessment data and other information to determine the student's program eligibility. Although the local school system has the responsibility of determining the student's program eligibility, the IEP team will determine placement based upon IEP programming requirements.

Eligibility must be demonstrated prior to initial placement in a program and must be demonstrated at the time of reevaluation consideration.

**Eligibility or non-eligibility must be documented for all students referred and evaluated for special education placement. An appropriate eligibility report must be done as part of the due process procedure for all referred students. The parents must be invited to participate in the process.**

### **Georgia Eligibility Categories**

- Autism Spectrum Disorder (ASD)
- Deaf/Blind
- Deaf/Hard of Hearing (D/HH)
- Emotional & Behavioral Disorder (EBD)
- Intellectual Disabilities
  - Mild Intellectual Disability (MID)
  - Moderate Intellectual Disability (MoID)
  - Severe Intellectual Disability (SID)
  - Profound Intellectual (PID)
- Orthopedic Impairment (OI)
- Other Health Impairment (OHI)
- Significant Developmental Delay (SDD)
- Specific Learning Disability (SLD)
- Speech-Language Impairment (SI)
- Traumatic Brain Injury (TBI)
- Visual Impairment & Blindness (VI)

### **160-4-7-.05 Eligibility Determination and Categories of Eligibility**

[http://archives.doe.k12.ga.us/DMGetDocument.aspx/160-4-7-.05\\_Eligibility\\_3-31-10.pdf?p=6CC6799F8C1371F652A505DFC2E6E9873664C9C07475C448B6F4C484C7DA08A6&Type=D](http://archives.doe.k12.ga.us/DMGetDocument.aspx/160-4-7-.05_Eligibility_3-31-10.pdf?p=6CC6799F8C1371F652A505DFC2E6E9873664C9C07475C448B6F4C484C7DA08A6&Type=D)

## **Disability Category Definitions**

### **Autism**

[http://archives.gadoe.org/DMGetDocument.aspx/Autism\\_eligibility\\_3-11-10.pdf?p=6CC6799F8C1371F68ED41AA6F919E8FF80855C47A88CC8D64AC212CA68770DA0&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/Autism_eligibility_3-11-10.pdf?p=6CC6799F8C1371F68ED41AA6F919E8FF80855C47A88CC8D64AC212CA68770DA0&Type=D)

Autism spectrum disorder is a developmental disability generally evident before age three that adversely affects a child's educational performance and significantly affects developmental rates and sequences, verbal and non-verbal communication and social interaction and participation. Other characteristics often associated with autism spectrum disorder are unusual responses to sensory experiences, engagement in repetitive activities and stereotypical movements and resistance to environmental change or change in daily routines. Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance as defined in (d). Children with autism spectrum disorder vary widely in their abilities and behavior. [34 C.F.R. § 300.8(c)(1)(i)]

The term of autism spectrum disorder includes all subtypes of Pervasive Developmental Disorder (such as Autistic Disorder; Rett's Disorder; Childhood Disintegrative Disorder; Asperger Syndrome; and Pervasive Developmental Disorder, Not Otherwise Specified) provided the child's educational performance is adversely affected and the child meets the eligibility criteria. Autism spectrum disorder may exist concurrently with other areas of disability.

### **Deaf/Blind**

[http://archives.gadoe.org/DMGetDocument.aspx/Deaf-Blind\\_Eligibility\\_3-31-10.pdf?p=6CC6799F8C1371F6A4D044DAD9A9D708963EE6677575107E7F6965A5A4B1B518&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/Deaf-Blind_Eligibility_3-31-10.pdf?p=6CC6799F8C1371F6A4D044DAD9A9D708963EE6677575107E7F6965A5A4B1B518&Type=D)

Deafblind means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness. [34 C.F.R. § 300.8(c)(2)]

### **Deaf/HOH**

[http://archives.gadoe.org/DMGetDocument.aspx/DHH\\_Rules\\_and\\_Regulations.pdf?p=6CC6799F8C1371F603FEC15D61D462810206EFC6597482136605AB10BBC9A77C&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/DHH_Rules_and_Regulations.pdf?p=6CC6799F8C1371F603FEC15D61D462810206EFC6597482136605AB10BBC9A77C&Type=D)

A child who is deaf or hard of hearing is one who exhibits a hearing loss that, whether permanent or fluctuating, interferes with the acquisition or maintenance of auditory skills necessary for the normal development of speech, language, and academic achievement and, therefore, adversely affects a child's educational performance. [See 34 C.F.R. § 300.8(c)(3) & (5)]

### **Emotional Behavior Disorder**

<http://archives.gadoe.org/DMGetDocument.aspx/EMOTIONAL%20AND%20BEHAVIORAL%20DISORDER.pdf?p=6CC6799F8C1371F6B8F2A7669398C922E63F2BDC2C8B7BAE1D64B35B9DC25364&Type=D>

An emotional and behavioral disorder is an emotional disability characterized by the following: (i) An inability to build or maintain satisfactory interpersonal relationships with peers and/or teachers. For preschool-age children, this would include other care providers. (ii) An inability to learn which cannot be adequately explained by intellectual, sensory or health factors. (iii) A consistent or chronic inappropriate type of behavior or feelings under normal conditions. (iv) A displayed pervasive mood of unhappiness or depression. (v) A displayed tendency to develop physical symptoms, pains or unreasonable fears associated with personal or school problems. [34 C.F.R. § 300.8(c)(4)(i)(A – E)]

### **Intellectual Disability**

[http://archives.gadoe.org/DMGetDocument.aspx/160-4-7-.05\\_ID\\_Eligibility\\_3-31-10.pdf?p=6CC6799F8C1371F60491518A7964E3637EAB863F5EFC1DEFA52C6DE25E2059CC&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/160-4-7-.05_ID_Eligibility_3-31-10.pdf?p=6CC6799F8C1371F60491518A7964E3637EAB863F5EFC1DEFA52C6DE25E2059CC&Type=D)

Intellectual disabilities refer to significantly subaverage general intellectual functioning which exists concurrently with deficits in adaptive behavior that adversely affects educational performance and originates before age 18. [34 C.F.R § 300.8(c)(6)]

Intellectual disability does not include conditions primarily due to a sensory or physical impairment, traumatic brain injury, autism spectrum disorders, severe multiple impairments, cultural influences or a history of inconsistent and/or inadequate educational programming.

### **Orthopedic Impairment**

[http://archives.gadoe.org/DMGetDocument.aspx/Orthopedic\\_Impairment\\_Rules\\_Regs.pdf?p=6CC6799F8C1371F65545E28E215201AA21D6C3174AC002573CD6F3BD70BDBC3F&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/Orthopedic_Impairment_Rules_Regs.pdf?p=6CC6799F8C1371F65545E28E215201AA21D6C3174AC002573CD6F3BD70BDBC3F&Type=D)

Orthopedic impairment refers to a child whose severe orthopedic impairments adversely affects their educational performance to the degree that the child requires special education. This term may include: (1) Impairment caused by congenital anomalies, e.g., deformity or absence of some limb. (2) Impairment caused by disease (poliomyelitis, osteogenesis imperfecta, muscular dystrophy, bone tuberculosis, etc.) (3) Impairment from other causes, e.g., cerebral palsy, amputations, and fractures or burns that cause contractures. [34 C.F.R.§ 300.8(c)(8)]

### **Other Health Impairment**

[http://archives.gadoe.org/DMGetDocument.aspx/OHI\\_Rules\\_and\\_Regulations.pdf?p=6CC6799F8C1371F6C24E001B33B21F8D923A06632FECA29C0A1C0B77F4864BD2&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/OHI_Rules_and_Regulations.pdf?p=6CC6799F8C1371F6C24E001B33B21F8D923A06632FECA29C0A1C0B77F4864BD2&Type=D)

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

1. Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, or heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette Syndrome, and
2. Adversely affects a child's educational performance. [34 C.F.R.§ 300.8(c)(9)]

## **Significant Developmental Delay**

[http://archives.gadoe.org/DMGetDocument.aspx/SDD\\_Rules\\_and\\_Regulations.pdf?p=6CC6799F8C1371F641AB3A546FF0E82D326518E920C90484578800E399541276&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/SDD_Rules_and_Regulations.pdf?p=6CC6799F8C1371F641AB3A546FF0E82D326518E920C90484578800E399541276&Type=D)

The term significant developmental delay refers to a delay in a child's development in adaptive behavior, cognition, communication, motor development or emotional development to the extent that, if not provided with special intervention, the delay may adversely affect a child's educational performance in age-appropriate activities. The term does not apply to children who are experiencing a slight or temporary lag in one or more areas of development, or a delay which is primarily due to environmental, cultural, or economic disadvantage or lack of experience in age appropriate activities. The SDD eligibility may be used for children from ages three through nine (the end of the school year in which the child turns nine). [See 34 C.F.R. § 300.8(b)]

## **Specific Learning Disability**

[http://archives.gadoe.org/DMGetDocument.aspx/160-4-7-.05\\_SLD\\_Eligibility\\_3-31-10.pdf?p=6CC6799F8C1371F663E40FB40C44553EDB7CB5259FFB3192CEAB2E7B758D84E0&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/160-4-7-.05_SLD_Eligibility_3-31-10.pdf?p=6CC6799F8C1371F663E40FB40C44553EDB7CB5259FFB3192CEAB2E7B758D84E0&Type=D)

(1) Specific learning disability is defined as 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 do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not apply to children who have learning problems that are primarily the result of visual, hearing or motor disabilities, intellectual disabilities, emotional or behavioral disorders, environmental, cultural or economic disadvantage. [34 C.F.R. §300.8(c)(10)]

(2) The child with a specific learning disability has one or more serious academic deficiencies and does not achieve adequately according to age to meet State-approved grade level standards. These achievement deficiencies must be directly related to a pervasive processing deficit and to the child's response to scientific, research-based interventions. The nature of the deficit(s) is such that classroom performance is not correctable without specialized techniques that are fundamentally different from those provided by general education teachers, basic remedial/tutorial approaches, or other compensatory programs. This is clearly documented by the child's response to instruction as demonstrated by a review of the progress monitoring available in general education and Student Support Team (SST) intervention plans as supported by work samples and classroom observations. The child's need for academic support alone is not sufficient for eligibility and does not override the other established requirements for determining eligibility.

## **Speech Language Impairment**

[http://archives.gadoe.org/DMGetDocument.aspx/SI\\_Rules\\_and\\_Regulations.pdf?p=6CC6799F8C1371F6ECD701F3B10F58FBC3284DAD0567D0001367CE02A527CF38&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/SI_Rules_and_Regulations.pdf?p=6CC6799F8C1371F6ECD701F3B10F58FBC3284DAD0567D0001367CE02A527CF38&Type=D)

Speech or language impairment refers to a communication disorder, such as stuttering, impaired articulation, language or voice impairment that adversely affects a child's educational performance. A speech or language impairment may be congenital or acquired. It refers to impairments in the areas of articulation, fluency, voice or language. Individuals may demonstrate one or any combination of speech or language impairments. A speech or language impairment may be a primary disability or it may be secondary to other disabilities. [34 C.F.R. § 300.8(c)(11)]

## **Traumatic Brain Injury**

[http://archives.gadoe.org/DMGetDocument.aspx/Traumatic\\_Brain\\_Injury\\_Eligibility\\_3-31-10.pdf?p=6CC6799F8C1371F636C006B9ACB93349743E30350287ECA14660888523ED7A5D&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/Traumatic_Brain_Injury_Eligibility_3-31-10.pdf?p=6CC6799F8C1371F636C006B9ACB93349743E30350287ECA14660888523ED7A5D&Type=D)

Traumatic Brain Injury (TBI) refers to an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects the child's educational performance. The term applies to open or closed head injuries resulting in impairments which are immediate or delayed in one or more areas, such as cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, speech and information processing. The term does not apply to brain injuries that are congenital or degenerative in nature, brain injuries induced by birth trauma. [34 C.F.R. § 300.8(c)(12)]

## **Visual Impairment**

[http://archives.gadoe.org/DMGetDocument.aspx/160-4-7-.05\\_VI\\_Eligibility\\_3-31-10.pdf?p=6CC6799F8C1371F6E31C808BFC500F0674BF020E8F819B1CBEDD61ED12E0686D&Type=D](http://archives.gadoe.org/DMGetDocument.aspx/160-4-7-.05_VI_Eligibility_3-31-10.pdf?p=6CC6799F8C1371F6E31C808BFC500F0674BF020E8F819B1CBEDD61ED12E0686D&Type=D)

A child with a visual impairment is one whose vision, even with correction, adversely impacts a child's educational performance. [34 C.F.R. § 300.8(c)(13)] Examples are children whose visual impairments may result from congenital defects, eye diseases, or injuries to the eye. The term includes both visual impairment and blindness as follows:

(1) Blind refers to a child whose visual acuity is 20/200 or less in the better eye after correction or who has a limitation in the field of vision that subtends an angle of 20 degrees. Some children who are legally blind have useful vision and may read print.

(2) Visually impaired refers to a child whose visual acuity falls within the range of 20/70 to 20/200 in the better eye after correction or who have a limitation in the field of vision that adversely impacts educational progress.

(a) Progressive visual disorders: Children, whose current visual acuity is greater than 20/70, but who have a medically indicated expectation of visual deterioration may be considered for vision impaired eligibility based on documentation of the visual deterioration from the child's optometrist or ophthalmologist.

## **Eligibility Report**

### **Section 1 – Student Information**

1. Data automatically flows from Power School to PowerSchool SPED.

### **Section 2 – Case History**

1. Document the reasons why the student is being referred.
2. Obtain supporting information from the school, RtI, and/or parent conference records in regards to preschool, retention, vision and hearing, health concerns, medications, medical needs, mobility and coordination concerns.

### **Section 3 – Summary of Interventions & Data Prior to Referral (Lead Person)**

1. For initial eligibility – list the interventions provided.
2. For re-evaluation and additional areas of concern – List specially designed specialized instruction, which includes adapting of content, methodology (specialized program), or instructional delivery provided.
3. Contact the program manager if the student with severe needs requires immediate consideration for special education.

### **Section 4 – Summary of Progress Monitoring Towards Achieving Standards (Lead Person)**

1. Summarize progress monitoring data toward achieving standards that has been obtained through RtI.
2. Must include:
  - Areas of difficulty
  - Interventions used
  - Baseline performance
  - Progress monitoring data

### **Section 5 – Results of Relevant District, State & Benchmark Assessments**

1. Provide results of the most recent and/or relevant statewide, local, and benchmark assessments.
2. Include the name and date of the assessments.
3. Provide a brief statement that summarizes the student's performance on each assessment.

### **Section 6 – Individual Student Data**

1. Provide information in **each** category to determine if the student is eligible for special education. Include a brief explanation in areas where there are no deficits noted.
2. Document:
  - Source of the information
  - Date of the information
  - The students strengths
  - The students weaknesses
3. Where applicable include - analyzed work samples (SLD), adaptive behavior scores (ID), behavior rating scales and social history (EBD), observations (SLD and ID) and medical forms (OHI, VI, HI, OI).
4. Areas that must be completed:
  - Sensory – hearing and vision – Lead person
  - Medical – Lead person
  - Motor – School Psychologist or Lead person if no psychological is warranted
  - Sensory processing – School Psychologist or Lead person if no psychological warranted
  - Communication – SLP or Lead person must document why referral to SI was not necessary
  - Social - Include social history and documenting services and interventions that have been considered or provided from outside the school – Lead person
  - Emotional/Behavioral - Include information from behavioral rating scales, analysis of behavioral data documenting frequency, intensity and duration -School Psychologist or Lead person if no psychological is warranted
  - Adaptive behavior rating scales – School Psychologist or Lead person if warranted

- Psychological functioning – School Psychologist or Lead person if no psychological is warranted
- Intellectual functioning – School Psychologist or Lead person if no psychological is warranted
- Academic achievement – School Psychologist or Lead person if no psychological is warranted
- Developmental history – Lead person completes this section as reported by the parent
- Classroom/Structured observation – Member of the eligibility team
- Parent information and input – Lead person completes this section as reported by the parent
- Other – Lead person

**Section 7 – Exclusionary Factors (Lead Person)**

1. Answer questions concerning exclusionary factors.
2. Provide an explanation if “YES” is an answer.
3. Eligibility should discontinue if the exclusionary factor is related to the disability being considered.

**Section 8 – Decision making on Education Impact (Lead Person)**

1. Document if interventions have been implemented and monitored by checking;
  - **If you check yes**, then answer the question concerning sufficient progress
    - If you say yes to this , proceed to Section 9
    - If you say no to this, the student does not meet eligibility requirements, so complete the committee rationale and proceed to the signature section.
  - **If you check no**, the student does not meet eligibility requirements – complete the committee rationale and proceed to the signature section.

**Section 9 – Summary of Considerations (Lead Person)**

1. Indicates the areas where deficits impact learning and education. Refer to Eligibility Quick Reference guide for disability guidance and to the Implementation Manual 2 for eligibility categories and requirements.  
<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Sample-Special-Education-Forms.aspx>
2. Consult with DSS/School Psychologist as needed to confirm eligibility criteria have been met.
3. Based on the summary in this section, list eligibility areas considered.

## **Section 10 – Eligibility Determination**

1. Make the final determination of eligibility. List the primary eligibility first. Eligibility decisions are made by the eligibility team and should be based upon all relevant data.
2. Under Insert Statements, choose the area(s) of eligibility and the appropriate characteristics.
3. Sign and indicate if you agree or disagree.
4. Obtain a written statement from any dissenting team member.
5. Attach all additional sources of information needed for the eligibility to the report (i.e., social history for EBD, medical recommendation form for OHI, work samples and observations, etc.).
6. **Initials that qualify** require an IEP within 30 days of eligibility determination and will be completed by the DSS or appropriate special education teacher of record or therapist (SLP, OI, B/VI, D/HOH, PSI).
7. **Initials that do not qualify** do not need an IEP created.
8. Hold an IEP or IEP amendment meeting for any re-evaluation or referral to new program that does qualify to update appropriate services and eligibility areas.
9. Hold an IEP or IEP amendment for reevaluations or referrals to new programs that DO NOT qualify, and include the redetermination page for dismissal from services.
10. Provide parents with a final copy of the Evaluation report and determination.

# CHAPTER 6

## YOUNG CHILDREN 3 - 5

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### Guideline for Pre-School Intervention (PSI) Program

#### General Procedures:

Contact special education office prior to receiving new students on your caseload.

#### Community Based Teachers and Therapists:

1. Email weekly schedules to SPED office by Monday afternoon.
2. Submit signed service logs to SPED office each Monday for the previous week's services. The log must be completed in its entirety.
3. IEP meetings are to be scheduled with parents and held at school sites. Attempts must be made to involve all appropriate members of an IEP team in accordance with IDEIA. If considering a facility based placement, the meeting should be held at the school where the child would attend (obtain that from the Program Manager prior to the meeting) and the PSI facility based teacher should be in attendance.

#### Procedure for Serving Students in the Home when feeling unsafe:

1. Contact Program Manger to discuss the situation. Document in writing the situation causing you to feel unsafe.
2. If the site is a public housing facility, work with the facility manager to possibly serve the child in the site's activity room, if available.
3. If this is not an option, work with you program manager to plan a more appropriate way to provide services to the child. It may be necessary to locate a site near the home that the child and parent can walk to if transportation is a concern.

#### Reminders:

1. If a child is absent from the community facility due to illness, the special education service provider should not go to the home to provide services.
2. Parental Rights are available in Spanish and Vietnamese on the PowerSchool SPED menu. If you need any other languages that are not on PowerSchool SPED, you can find them by going to the following link: <http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Parent-Rights.aspx>

#### Providing Services for PSI Students:

1. Utilize the PSI Best Practices Classroom Checklist as a guide in setting up your classroom.
2. Utilize the Ga. Early Learning Developmental Standards to teach your students. This will ensure that our children (3-5 years of age) are receiving "standard-based" instruction. These standards can be accessed at [www.gelds.dec.state.ga.us](http://www.gelds.dec.state.ga.us)

# CHAPTER 7

## IEP & TRANSITION

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The Individualized Education Program (IEP) serves as the framework for determining the meaning of the term “free appropriate public education” in the least restrictive environment, a term frequently reference in the IDEA. IEPs must be developed and reviewed annually and must be in effect at the beginning of each school year. The IEP may be reviewed more than once a year if the parent or the district requests a review. The IEP is also conducted within 30 days of eligibility determination.

### **IEP Team Members**

At a minimum the IEP team must include

- the parent
- at least one special education teacher
- at least one regular education teacher
- Principal or principal designee – someone who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs off the child,
- has knowledge of the general education curriculum, and
- has awareness of the availability of resources in the district.

The IEP team will:

1. Review and document student’s present levels of academic achievement and functional performance.
2. Develop IEP goals (and objectives or transition plan, if needed) based on present levels.
3. Determine whether the goal or objective can be taught in the general education classroom and what level of technical assistance will be needed for appropriate instructional practices (i.e., accommodations and modifications, personnel supports, general education settings). Determine appropriate continuum of services or setting based on data.
4. Determine the alternative placement or community setting where those goals and objectives that cannot be taught in a general education classroom can be taught.
5. Determine how the student will be monitored.
6. Evaluate the student’s performance on goals and objectives and determine if mastered based on data.

## **Individualized Education Program (IEP) Procedures**

### **Before the Meeting:**

1. Determine the meeting date and location. This should be a minimum of 30 days prior to the IEP date. Green alert in PowerSchool SPED reports indicates start paperwork.
2. Send/Mail the IEP Meeting notification at least two weeks prior to the meeting date. Include a copy of Parents Rights.
3. Inform all other required members of the meeting date.
4. If parent waives notice, write this on the notification form.
5. Enter the notification dates under “Documentation Notice of IEP Meeting” in IEP.
6. Gather the information needed to write the IEP.
  - Achievement, standardized test scores (formative and summative), grade level curriculum scores, regular education reports to include current difficulties in the classroom and current strengths, parent information, work samples, progress monitoring of goals/objectives, discipline records, FBA/BIP, attendance record, transition plan.
7. Draft the Present Levels of Academic Achievement and Functional Performance (Present Levels) for all areas, goals and objectives, classroom and testing accommodations and FBA and BIP if appropriate. Refer to and follow the Present Levels’ Rubric for guidance.
8. Provide draft IEP goals (Refer to and follow the Measurable Goals Rubric) and Present Levels to parent if requested.

### **At the Meeting:**

1. Have all attendees sign in.
2. Introductions.
3. Obtain excusal letters from parents, if needed for any required member not in attendance.
4. State purpose of meeting.
5. Give parent rights and review.
6. Review current personal information: address, phone number, etc.
7. Review Present Levels of Academic Achievement and Functional Performance and supplement Present Levels with info from the general education teachers and parents. Assessments and identified needs and strengths should be reviewed.
8. Document the Impact of the disability and progress in the general education curriculum.
9. Document parent concerns. Information should be a result of ongoing communication between parents and teachers. It should not be blank nor say “Parent did not attend”.
10. Address all special factors including statement for assistive technology.
11. Document transition will be addressed at age 16 or in the IEP prior to going to high school, or complete the Transition Plan, if required.
12. Review mastery of last IEP’s goals/objectives (must be documented in Present Levels) and propose new drafted goals/objectives (Refer to and follow Measurable Goals Rubric). Revise drafted goals/objectives, if needed. Review benchmarks/ short-term objectives for students on alternative assessment. Review criteria for measurement of goals/objectives.

13. Report of student progress toward annual goals will be reported at least as often as to parents of non-disabled students.
14. Complete redetermination if applicable. Refer to Redetermination procedure.
15. If a Behavior Intervention Plan is needed, review draft FBA or previous FBA. Revise if needed. Review draft BIP. Revise if needed to include positive behavior supports.
  - Refer to FBA/BIP procedures
16. Review drafted accommodations/modifications/assessments. Revise if needed. All accommodations should be supported by data in the Present Levels. Accommodation used for assessment must be consistent with accommodations used for classroom instruction/testing and specified in the IEP. Some accommodations used for instruction may not be allowed for statewide assessment.
  - When making these decisions, always use the current Georgia Accommodations Manual at the following link:  
  
<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Assessment/Pages/Information-For-Educators.aspx>
  - Address Extended School Year.
  - Refer to ESY procedure.
17. Consider service options (including special education, related services) and check all within the continuum that were discussed. An explanation of the extent, if any, to which the student will not participate with peers without disabilities in the regular class and/or in nonacademic and extracurricular activities.
18. Check/document rationale for why options were considered and not selected.
19. Consider special transportation services.
20. Finish and attach minutes.
21. Check how copies will be distributed – allow for a minimum of ten (10) days before services begin if parent was NOT in attendance.
22. Give copy of documents to parent after meeting if parent attended. If parent did not attend, send copy home within one school day and document the date sent.

### **After the Meeting:**

1. Scan and attach signature pages to the IEP and finalize in PowerSchool SPED prior to the end date of the previous IEP.
2. Make and distribute copies of the goals/objectives, accommodations/modifications and BIP if applicable for general education teachers and other classroom teachers involved in the students' education. Have the teachers sign the record of Access and/or Receipt of Modifications.
3. Provide testing coordinator of designee of copy of the assessment accommodations.

**Transfer of rights at 18 years of age – At the IEP meeting before the student turns 18, students must be informed of their rights that will transfer to them upon reaching the age of 18. This must be included in the IEP. Once rights have transferred to the student at age 18, the district must provide any notice required to both the child and the parent. All rights given to the parent transfer**

to the student.

**Transition for children birth through 2 – Part C** – Child Find refers to our district’s obligation under the Individuals with Disabilities Education Improvement Act, to provide continuous public awareness activities, screening and evaluation designed to *locate, identify, and refer as early as possible* all young children, between the ages of three and 21, suspected of being children with disabilities.

Child Find also includes early intervention services for children from birth to age three (these children are served by **Babies Can’t Wait [BCW]** until they reach the age of three). BCW is Georgia’s statewide interagency service delivery system for infants and toddlers with developmental delays or disabilities and their families. BCW is established by Part C of the Individuals with Disabilities Education Act (IDEA) which guarantees all eligible children, regardless of their disability, access to services that will enhance their development.

### **Target Population**

Child Find includes the following target populations:

- Birth through age three (served by Babies Can’t Wait)
- Preschool children, ages 3-5
- Children enrolled in the Savannah Chatham County Public School System including public charter schools
- Highly mobile children, including migrant children
- Children who are detained or incarcerated in jails or correctional facilities
- Parentally-placed private school children, including religious, elementary and secondary schools, and home/school/study programs

### **Inter and Intra-state transfer of students with IEPs**

#### **Procedures for Students Transferring from within SCCPSS**

Any student with disabilities that transfers from within the district will have automatic transfer of special education records in PowerSchool SPED once the Information Specialist (IS) at the sending school enters the withdrawal information and the IS at the receiving school enters the student registration in PowerSchool.

#### **Procedures for Students Transferring into SCCPSS**

**IMPORTANT: The school office must check the registration form of all entering transfer students to see if the parent indicates the student has an Individualized Education Program (IEP). The state SLDS system should be checked for in state transfer students to help ensure that all SWD are identified for services.** This is critical for providing Free and Appropriate Public Education (FAPE) to all students. If services are missed for student, compensatory services may have to be provided by the school.

**A student that enters school with a copy of a current IEP from another school system (instate or out of state) is eligible for placement and must be provided services.**

Verbal verification of placement from an appropriate school official is permissible as long as the information is properly documented (who, when, and phone number). In such situations, an immediate request for records from the last school should be made. Then the IEP and/or eligibility are received,

the local school must review the out of state documentation to determine whether to accept the documents per Georgia requirements or to amend the IEP. If the school does not receive or chooses not to accept the eligibility determination, the reason must be documented and the student should be referred for a comprehensive evaluation to determine eligibility under Georgia Special Education Rules.

### **Procedure**

1. Obtain Release of Records if needed.
2. Obtain/scan current IEP, psychological report and eligibility from former school system.
3. After scanning documents into PowerSchool SPED, inform the DSS that a new student with a disability has entered. DSS will enter student information into the PowerSchool SPED profile.
4. Hold an amendment meeting to review current IEP to address school system guidelines including special transportation. If a comprehensive evaluation is needed, obtain forms for a referral packet.
5. Obtain a SCCPSS consent for placement for special education services.
6. Scan subsequent signature documents from IEP amendment meeting.
7. Complete a Full-Time Equivalency (FTE) Data Entry Form, obtain appropriate signatures, and give to the IS to enter into PowerSchool.

### **Procedure for Pre-School Intervention (PSI) Students**

Use the following procedure for registering and providing services for PSI community-based students:

1. Complete evaluations and meet with the parents to address eligibility and subsequent IEP if the child is found eligible.
  - Eligible students must be registered at their area school. **If at all possible, attempt to hold the meeting at the child's area school so that the parent will already be at the site and can complete registration prior to leaving.**
  - Obtain Consent for Placement for special education services.
  - Complete the FTE form for 3 to 5 year olds and submit to the IS at the site.
2. At the meeting, complete and review the **Parent's PSI Registration Letter**, and provide a copy of the registration form. The letter explains the registration process.
3. Provide contact information to the parent to be able to contact you once the child is registered.
4. Contact the DSS at the child's area school to activate the child in PowerSchool SPED.

**FERPA and transmittal of records** – Confidentiality of education records is a basic right shared by all children in public schools and their parents. These fundamental rights are describe in the Family Educational Rights and Privacy Act (FERPA) of 1974, which applies to all student, not just those with disabilities. All district personnel (including contracted employees) are governed by confidentiality requirements. More information about FERPA can be found at:

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

## **Individualized Education Program (IEP) Amendment Procedures**

Parent/Guardian and/or Teacher may request an amendment meeting at any time a revision of the IEP is necessary.

### **Before the Meeting:**

1. Determine the meeting date, time and location. (Parent/guardian can waive their 10 day right to advance meeting notice. However, parent agreement should be clearly documented in the discussion section and noted on the form itself.)
2. Send/Mail the IEP Meeting notification.
3. Inform all other required members of the meeting date, time and location. (Mandatory members include: Special Education Teacher, General Education Teacher and LEA.)
4. Enter the notification dates under “Documentation Notice of IEP Meeting” on the additional Recommended Instruction/Related Service Page.
5. If permission is given for the amendment to take place over the phone, be sure to have required members and parents present throughout the entire meeting and note phone conference on the discussion page and on the written notification form.
6. Under parent signature, indicate that parent/guardian attended by phone. Have all mandatory members of the meeting sign the front cover page.
7. Include additional necessary pages if addressed i.e., accommodations, goals and objectives, transportation and/or a BIP.

### **At the Meeting:**

1. Provide parent/guardian a copy of their parental rights. (If this is not the first meeting of the year, you can offer condensed version.) Document whether rights were explained or if parent/guardian felt that no explanation was necessary.
2. Indicate the reason for the meeting under purpose for amendment.
3. Note under the discussion section the content being discussed by team members.
4. State the conclusion/decision the team arrived at under the decision/recommendation section.
5. Complete the recommended instruction/related services pages.
6. In the meeting minutes, detail how decisions were arrived at and add any relevant discussion that may not have been documented in any other section of the amendment.

### **After the Meeting:**

1. Scan and attach signature pages to the IEP amendment and finalize in PowerSchool SPED prior to the end of the next school day.
2. Make and distribute copies of any changes to include the goals/objectives, accommodations/modifications and BIP to all staff involved in the students’ education. Have staff sign a new record of Access.
3. Provide testing coordinator or designees a copy of the updated assessment accommodations and provide the IS with new FTE if applicable.
4. Send a copy of the amendment home to the parent/guardian by the end of next school day.

## **Procedures for Reporting Progress towards Goals & Objectives**

Federal Law requires that progress towards annual goals and objectives be reported to parents of disabled students at least as often as that of non-disabled students.

### **Documentation of IEP Goals and Objectives**

Teachers and special education service providers must document a student's progress on goals and objectives by a means consistent with what is indicated in the IEP. Appropriate data must be collected and analyzed on an ongoing basis to make decisions regarding a student's needs, instructional strategies, accommodations, and/or services and placement. If a teacher or service provider believes the student is making better or less than expected progress which requires revisions to the IEP, an amendment meeting must be held to discuss this information to make more appropriate decisions. Until an IEP team makes revisions to the IEP and parent consent is received, services and accommodations consistent with the current IEP must continue to be implemented.

### **The appropriate teacher or service provider/s will:**

1. Print off goals and objectives for each student on your caseload.
2. Develop a format to determine how progress toward each objective will be measured. Best practice suggests developing the progress monitoring piece as you develop the goal.
3. Establish a baseline for each goal and objective within PowerSchool SPED and report that along with other data in Present Levels – the baseline data should match what Present Levels reports.
4. Collect and enter data into PowerSchool SPED a minimum of two times per month on all goals and objectives utilizing the PowerSchool SPED Progress Monitoring format. You can enter data into PowerSchool SPED as often as you wish. Increased data points will result in more valid progress reporting and at least four (4) data points are needed to establish a trend line.
5. Review online and/or print the PowerSchool SPED progress report and/or report card on an ongoing basis and use that data to drive instruction:
  - Monitor the data chart in PowerSchool SPED to determine mastery toward the goal and objectives and the degree of effectiveness of current instruction and interventions
  - Print the PowerSchool SPED Progress Report to send home with supporting documentation as necessary to meet the reporting requirements of the student's IEP
6. Review previous goals and objectives at the annual IEP review meeting and indicate if the goal was mastered.
  - Scan supporting documentation into PowerSchool SPED.

## Special Transportation Qualification & Procedures

### Qualifications for Special Transportation

**Transportation services must be considered for all students with disabilities on an individual basis.** The majority of students with special needs can be transported on a regular routed bus if bus services are needed. Students with a 504 Plan or an Individual Education Program (IEP) may qualify for special transportation as a related service. The need for this service must be discussed during an IEP or 504 meeting at least annually. If determined necessary by the team, the rationale must be clearly established and specified on the special transportation form in PowerSchool SPED.

Students that are approved for a Senate Bill 10 transfer to a school other than the area school are not eligible for special transportation to the selected school.

### Special Transportation Procedure

#### The teacher of record will:

1. Include the Special Transportation Page in all IEP's.
2. Include the Special Transportation Page in any amendment where transportation is to be added, changed, or removed.
3. For a student with disabilities that moves in from Out of District or State and needs Special Transportation:
  - Scan IEP from previous district and upload into PowerSchool SPED.
  - Notify DSS to activate the special education profile.
  - Conduct an amendment meeting to address special transportation.
4. Review current needs to determine if special transportation is needed.
5. If it is determined that special transportation is not needed:
  - In section A: Check Special Transportation not needed and enter the reason why.

Department for Exceptional Children  
**Special Transportation Criteria**

Student Name: test test	DOB: 04/22/2000	M
Parent/Guardian:	Address:	
Home Phone:	Work Phone:	Ce
Emergency Contact:	Home Phone:	Work Phone:

Special Transportation Not Needed: (none)

Special Transportation needs must be re a Regular routed bus is appropriate service documented in the IEP.

Initial Request

Pick-Up Service: Complete B or C as app

Continuing Same Pick-Up Service

- Remove Special Transportation services and hours from the Instructional/Related Service page if the student had previously received special transportation.
6. If special transportation is needed, select appropriate reason/s related to the disability.
  7. Select appropriate equipment needs if required. Only select “other” if needed equipment is not already in the list. Specify any other medical/equipment need in the open box.

C.  Special Transportation Door-to-Door

**+Must meet at least one of the following criteria: (check all that apply)**

Unable to Walk to Stop Due to Physical Impairment

Unable to Remain at Stop Unattended (*must be related to disability*)

Communication Deficit/Safety Issue

Preschool, Cognitive Delays

Select equipment needs if required:

Seatbelt     Car Seat OR     Safety Vest

**(If needed, please only check one)**

Walker     Regular Wheelchair     Travel Wheelchair     Motorized Wheelchair

++Climate Control     ++Oxygen    ++ Requires a doctor's letter

Other (Specify)

8. Attendant:
  - Decide what service the attendant would provide that could not already be provided by the driver and medical or behavior plan.
  - Select “yes” only if there is a specified need for the attendant that clearly relates to the disability and needs of the student that could not be met otherwise.
  - Select or write in an explanation of what the attendant will be expected to do related to the specified medical or behavior need.
9. Specify any medical, emergency, and/or behavioral information that the bus driver may need to provide safe, appropriate transportation.
  - Specify any medical/emergency situation that might occur during transport by either selecting from the drop down menu or writing in appropriate explanation.
  - If student’s special transportation request is due to behavioral needs only, then a Functional Behavior Assessment and Behavior Intervention Plan must be in the student’s PowerSchool SPED documents addressing the bus behavior. Specify behavioral information by selecting from the drop down menu or writing in appropriate explanation.
10. Select Special Transportation as a related service on the Recommended Instructional/Related Services page 1 and included 5 hours for service.
11. Scan signature page.
12. Finalize IEP or amendment for information to be pulled in for routing by First Student.
13. Allow 4-5 school days for routing purposes.
  - If a student’s address changes but the student will remain at the same school, the new address will automatically pull in for First Student once the IS receives verification of the new address from the parent and enters it in PowerSchool.
  - If the student is transferring from one SCCPSS school to another, routing will automatically occur when the student is withdrawn from the sending school and is registered at the receiving school in Power School.

- Check with the IS to review the daily list from First Student showing students that have been routed and their routing information.
- Email your Program Manager, if services are delayed after five (5) days to resolve the transportation issue.

### **Extended School Year Services (ESY)**

**ESY** is an individualized instructional program for eligible students with disabilities that are provided beyond the regular school year. The need for ESY services must be determined annually on an individualized basis.

Some students with disabilities have difficulty retaining skills during holidays and/or summer. If a student requires a significant amount of time to recoup **mastered skills**, then the committee should discuss whether the student needs extended school year services. All decisions related to extended school year must identify the need of the services for the **provision of FAPE** and determine if **significant** concerns exist regarding skill maintenance **during a break in services**.

In determining the need for and in providing ESY services, the district cannot

1. Limit ESY services to particular categories of disability
2. Unilaterally limit the type, amount, or duration of ESY services. (A framework is developed to meet the needs of the majority. Anything outside of the framework must be discussed with the program manager for the site.)

### **ESY guidance**

1. The need for ESY services must be documented with data collection. The data collection shall demonstrate that in one or more critical areas addressed in the current individualized education program (IEP) objectives, the student had exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be recouped within a reasonable period of time.
2. Severe or substantial regression means that the student has been, or will be, unable to maintain one or more acquired critical skills in the absence of ESY services.
3. The reasonable period of time for recoupment is generally six to eight weeks.
4. A skill critical when the loss of that skill results, or is reasonably expected to result, in any of the following occurrences during the first eight weeks of the next regular school year:
  - Placement in a more restrictive instructional arrangement
  - Significant loss of acquired skills necessary for the student to appropriately progress in the general curriculum
  - Significant loss of self-sufficiency in self-help skills areas as evidenced by an increase in the number of direct service staff and/or amount of time required to provide special education or related services
  - Loss of access to community-based independent living skills instruction
  - Loss of access to on-the-job training as a result of regression of skills
5. For students enrolling in the district during the school year, information obtained from the prior school district as well as information collected during the current year may be used to determine the need for ESY services.

## **Procedure for ESY Services**

**Submit a complete packet for each student receiving ESY. Include the following:**

- ESY Referral Worksheet
  - There must be one for each goal the student is to receive services for
- ESY Service Page
- Copy of Transportation Page from IEP if student is to received transportation of ESY services
- All supporting documentation and data for identified ESY goals
- Student Information/Medical Emergency Form
- Specialize Equipment Form
- Confirmation of Receipt Form (for students receiving Learning Packets)

**Services will be offered utilizing 3 models:**

1. Learning Packets
2. Home/Community Services
3. School Based Services

- **Learning packets** – For students receiving Learning packets, a copy of the Referral Worksheet and ESY service page must be submitted. The packet should be given directly to the parent by the teacher and a confirmation of receipt signed by the parent must be submitted to the Department for Specialized Instruction. Parents of students with Learning Packets will be contacted by ESY staff during the summer to monitor student progress.
- **Home/Community Services** – This model is for students needing no more than 60 minutes of services per week during the ESY timeframe.
- **School Based Services** – This model is for students requiring services for maintenance of skills during school breaks as evidenced by data collection on critical goals. Services are scheduled for two 3 hour days per week for 6 weeks.

**Note: This is a framework that can accommodate the majority of students requiring services. For other students needing different services than what has been designed, contact the program manager for your site. The ESY forms are located under Help Resources in PowerSchool SPED.**

## **Bridge Law**

Bridge Law (Building Resourceful Individuals to Develop Georgia's Economy) or HB400 was established in May of 2010. It was created to show the relevance of education through career counseling and advisement for Middle and High School students. It was implemented in the 2010-2011 school year. Middle School students are exposed to counseling, scheduled advisement, career awareness, academic and skill evaluation, and career interests. Individual Graduation Plans (IGP) are created by 8<sup>th</sup> graders in preparation for high school. High School students receive career counseling, guidance, and advisement. They also are given information to assist with post-secondary activities such as college, training, and employment. Currently, Georgia Career Information System (GCIS) is used with students to fulfill the requirements for Bridge Law.

## Transition Planning & Procedures

### Transition Planning

#### What is transition?

**Transition Defined:** Transition services as outlined in the Individual with Disabilities Education Act (IDEA) 2004 are “a coordinated set of activities for students with disabilities” which are outcome focused. The goal of transition is to improve the academic and functional achievement of the child in preparation for transition from school to post-secondary activities. These activities are based on the students’ strengths, preferences, and needs and are to include post-secondary education, employment, and independent living. All of these areas are addressed at the child’s level of need with the goal of community integration and access always in the forefront.

#### Transition Planning:

Individualized Transition Plans (ITPs) serve as the roadmap for all the stakeholders involved in a child’s successful transition from school to adult life. This planning process can include a variety of people from the child’s personal life, school life (teacher, transition specialist, counselor, etc.), and community agency representations.

#### Why do we create Individualized Transition Plans?

- To satisfy Federal and State requirements with the development of transition plans for SWD, plans should be developed prior to the student entering 9<sup>th</sup> grade or by age 14, whichever comes first
- To increase the likelihood that students with disabilities will complete high school
- To provide the student with purposeful educational, vocational, and independent living experiences which support and directly relate to anticipated post-secondary goals

#### When does transition planning begin?

- As a student moves from middle school to high school or by the age 14.
- At the high school level, design and implement a coordinated plan for post-school adult life based on the student’s preferences and interests. Identify, arrange for and coordinate any anticipated post-school services, programs and supports
- By the student’s 14<sup>th</sup> birthday, regardless of grade of enrollment
- Annually after the initial plan

#### Who must we invite to the meeting?

- The student must be invited and the IEP meeting notification must indicate that the student was invited to attend (age 14 and over)
- Parent (includes guardians, surrogate parents)
- At least one regular education teacher
- At least one special education teacher
- Principal, Assistant Principal or designee to serve as LEA

- Individuals who have special knowledge or expertise regarding the student (employer, GVRA, CCDS, caseworker)
- Transition Specialist (always at the high school level)

### **What is a Transition Specialist?**

An individual who assist students, families and teachers to identify and coordinate post-school services, support or programs before the student exits the school system.

### **When should teachers consult with a Transition Specialist?**

Consult with a Transition Specialist when there are specific questions or concerns regarding a student's transition plan related to the following: community resources, employment, vocational training/programming/assessment, or continuing education.

### **What areas are addressed in the transition plan?**

- Employment preparation
- Postsecondary education or vocational training
- Transportation needs
- Living arrangements
- Independent living skills
- Community and Leisure participation
- Social behaviors
- Medical and health needs
- Self-Advocacy
- Several other areas may be addressed (financial/income needs, legal needs)

### **What are some examples of resources that are available in the community?**

- Goodwill Industries
- Coastal Center for Developmental Services (CCDS)
- L.I.F.E., Inc.
- Leisure Services (City of Savannah)
- Savannah Association for the Blind
- Georgia Vocational Rehabilitation Agency (GVRA)
- Work Force In Action
- PASS

### **How do we develop an effective transition plan?**

To be effective, transition planning should be an intrinsic component of the student's IEP; a partnership involving students with disabilities, their families, school and post-school service personnel, local community representatives, employers, and neighbors.

### **In summary, transition planning:**

- Is mandated by law
- Is outcome oriented
- Is driven by student needs, interests and preferences
- Includes appropriate courses of study
- Identifies instruction, community experiences, related services, employment and adult living objectives; and, if appropriate, daily living skills and functional vocational evaluation
- Identifies other agencies that may be responsible for providing or paying for needed services
- Identifies, coordinates, and links students and families to needed post-school services, supports or programs

### **Procedure for Developing Effective Transition Plans**

#### **Elementary School (K-5<sup>th</sup> Grade)**

- Begin discussions about student interests, preferences and future goals
- At annual review prior to entering the 6<sup>th</sup> grade, document the results of informal interest surveys in the Present Levels of Performance and any parental concerns/wishes that have been expressed.
- Summarize the student's survey results in the first section of the IEP Transition Services page
- Develop goals/objectives appropriate for the student to begin acquiring skills that will support independence
- Develop Self-Determination Skills

#### **Middle School Grades 6-8**

- Focused discussions and activities centered on post-secondary life to include education, independent living and employment.
- Provided a statement as well as any supporting goals and objectives needs to be included in the IEP during the 6<sup>th</sup> – 7<sup>th</sup> grade years.
- Prior to existing 8<sup>th</sup> grade, a complete and formal Individualized Transition Plan (ITP) needs to be developed with the support of the Transition Specialist. The plan must be in place prior to the student entering high school or turning 16, whichever comes first.
- Develop Self-Determination and Self-Advocacy

## **High School Grades 9-12**

- Provide annual assessments in order to update the Individualized Transition Plan (ITP)
- Develop an Individualized Transition Plan (ITP) based on multiple sources of information that reflect the student's wants, needs and preferences for post-secondary success
- Create transition goals and objectives
- Refer, coordinate and communicate with appropriate adult service agencies for post-secondary linkages
- Communicates with students and families about any changes in the resources in the community
- Refine Self-Advocacy Skills

# CHAPTER 8

## SERVICE DELIVERY & LRE

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### Least Restrictive Environment (LRE) Policy and Procedures

This procedure is used when determining LRE and documented on the Recommended Instruction/Related Services page of a student's IEP.

#### LRE Policy

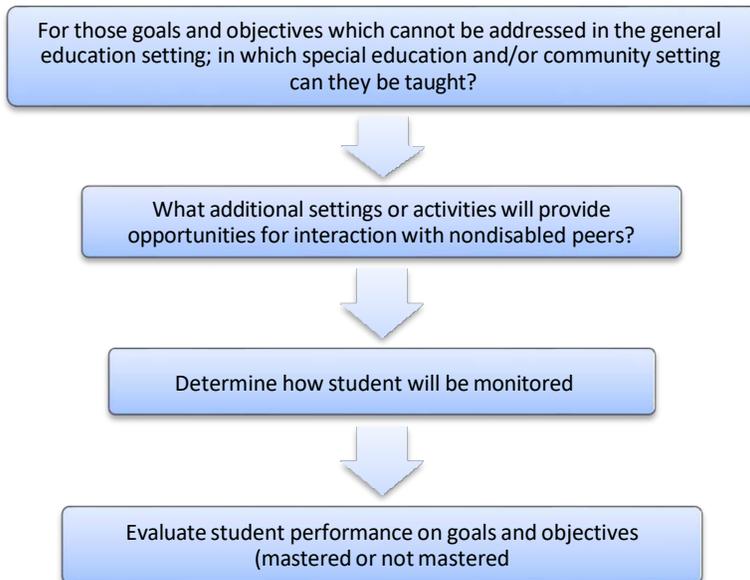
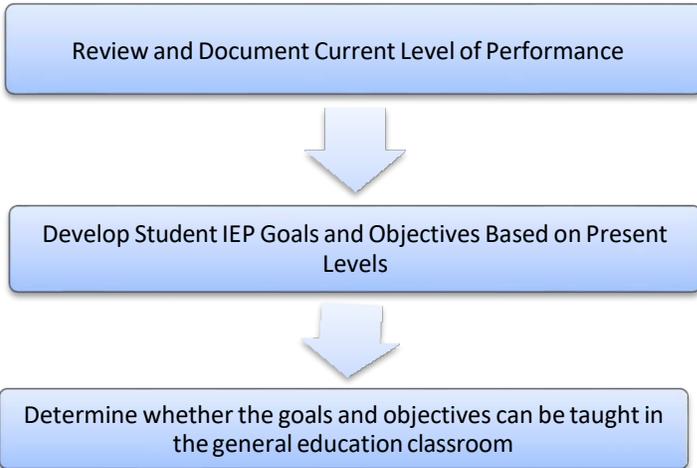
- The Individuals with Disabilities Education Improvement Act (IDEIA) guarantees students with disabilities the right to be educated with their peers in the Least Restrictive Environment (LRE) to the maximum extent appropriate.
- IDEIA guarantees students with disabilities access to a full continuum of services and it is up to the IEP team to determine the Least Restrictive Environment for an individual student.
- The IEP team determines the supports and accommodations necessary for successful participation in the LRE and other special education services as needed.

#### LRE Decision Practices and Procedures

The IEP team will:

1. Review and document student's present levels of academic achievement and functional performance.
2. Develop IEP goals (and objectives or transition plan, if needed) based on present levels.
3. Determine whether the goal or objective can be taught in the general education classroom and what level of technical assistance will be needed for appropriate instructional practices (i.e., accommodations and modifications, personnel supports, general education settings). Determine appropriate continuum of services or setting based on data.
4. Determine the alternative placement or community setting where those goals and objectives that cannot be taught in a general education classroom can be taught.
5. Determine how the student will be monitored.
6. Evaluate the student's performance on goals and objectives and determine if mastered based on data.

# LRE Decision-Making Model



**Continuum of Services**

General Education	Consultation	Supportive Instruction	Collaboration	Co-Teaching	Special Education Classroom	Alternative Setting
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Least Restrictive

More Restrictive

Least Restrictive

More Restrictive

PERSONNEL SUPPORT	DESCRIPTION OF SERVICE
GENREALEUCATION	Students with disabilities are served in the general education class with no personnel support.
CONSULTATION	Students with disabilities received at least one segment per month of direct service from the special education teacher.
SUPPORTIVE INSTRUCTION	Students with disabilities received service from personnel other than a certified teachers in the general education classroom= (i.e., a paraprofessional, interpreter, or job coach).
COLLABORATION	A special education teacher works with identified students with disabilities and the general education teacher within the general education classroom (less than full segment daily).
CO-TEACHING	The special education teacher provides service in the general education classroom by sharing teaching responsibility with the general education teacher (full segment every day).
ALTERNATIVE PLACEMENT	The special education teacher provides instruction to students with disabilities in a separate classroom, special schools, home environment, hospitals, or institutions.

## Preschool

The LRE Continuum for Preschool Intervention Programming is further explained:

1. Supportive services are provided in regular early childhood programs in both the public school and community programs. These services are provided by paraprofessionals and other appropriate staff.
2. Direct services are provided by community based teachers and/or therapists to parentally placed students in regular early childhood programs at Headstart, Ga. Pre-K and private community based daycare programs, utilizing a consultative or collaborative model. Service determinations are made by an IEP team based on the individualized needs of the child. In addition, at identified sites students receive direct services from special education personnel utilizing a co-teaching model.
3. Separate special education programs are available at various public school sites for children not attending a regular early childhood program. In addition, children are provided services at home as a natural environment, and at service provider sites at various schools.

## Class size

Most Savannah Chatham County Public School students are served in a departmental model allowing an individual maximum class size of seven without a paraprofessional and ten with a paraprofessional provided the number of students, of any one exceptionality, within the class does not exceed the individual maximum class size for that exceptionality. With annual class size waivers, 1-4 additional students may be served. Waivers are annually determined. Check with the Program Manager to see if a waiver exists for any given year and what that waived number may be. Savannah Chatham County Public School System adheres to the guidance and requirements of the Georgia Department of Education in terms of maximum class size as posted below.

Eligibility	Setting	Maximum Class Size without Para	Maximum Class Size with Para	Additional for up to 2 segments/day
SI	Self Contained	11	15	+1
LD		12	16	+1
MID	Any setting	10	13	+1
SID	Self Contained	NA	7	+1
D/HH	Self Contained	6	8	+1
SI	Resource	7	NA	NA
LD	Resource/Inc.	8	10	+1
BD	Resource/Inc.	7	10	+1
BD	Self Contained	8	11	+1
MOID	Self Contained	NA	11	+1
OI	Self Contained	NA	11	0
D/HH	Resource/Inc.	3	4	+1
VI	Resource/Inc.	3	4	+1
OI	Resource/Inc.	4	5	+1

VI	Self Contained	NA	6	+1
PID	Self Contained	NA	6	0

When students are served outside of the general education classroom, the setting in which those services are provided are in settings adequate to the learning processes and at a minimum of 38 square feet per student during student occupancy.

**Non-academic and Extracurricular**

The IEP team must review and consider supplementary aids and services necessary to provide students with disabilities the equal opportunity to participate in nonacademic and extracurricular activities.

# CHAPTER 9

## ACCOMMODATIONS & ASSESSMENTS

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Federal and state laws require that all students participate in the state-mandated assessment program, including students with disabilities

### **Students With Disabilities under the Individuals with Disabilities Education Act (Students with IEPs)**

The Individuals with Disabilities Education Act (IDEA), reauthorized in 2004, mandates the provision of special education and related services, as appropriate, as a means of providing a free, appropriate public education to students with disabilities. Special education refers to specially designed instruction, at no cost to the parents, to meet the unique needs of a student with disabilities.

Under the IDEA, a student with a disability is defined as a student with autism, deaf-blindness, emotional/behavioral disorder, deafness or hard of hearing, intellectual disability (mild to profound), learning disability, orthopedic impairment, other health impairment, significant developmental delay, speech or language impairment, traumatic brain injury, or visual impairment (including blindness). The Individualized Education Program (IEP) process determines the educational needs of a student with disabilities and the service or services required to meet the identified needs.

The IDEA mandates that all students with disabilities be included in state and local assessment programs.

Decisions regarding the participation of students with disabilities in statewide assessment must be made, on a case-by-case basis, by each student's IEP team. The IEP team should

- (a)** Consider the purpose of the assessment,
- (b)** Consider the feasibility of the student's participation,
- (c)** Determine what accommodation(s), if any, the student will need and document this in the student's IEP, and
- (d)** Document in the IEP the decision for the student to participate in the assessment or for the student not to participate.

If the student's IEP team recommends that she/he not participate in the regular statewide assessment, then the IEP must (a) document the reason the student will not participate, and (b) identify participation in the Georgia Alternate Assessment (GAA). The IEP team must ensure the student meets the eligibility requirements to participate in the GAA.

## Accommodation Guidelines for Students with Disabilities

- In determining appropriate accommodations to provide the student with a disability the opportunity to participate in the assessment in the most standard way possible, there should be a direct link between classroom accommodations and assessment accommodations; must be specified in the student's IEP or 504 Plan.
- No accommodation(s) for a student should be considered for the first time during a state or local assessment.
- Just because a student needs an accommodation does not mean he/she will know how to use it. Students need training and practice in using accommodations.
- Informed decision made regarding accommodations is critical in assuring successful and meaningful participation of students with disabilities. IEP teams (which should include the student by age 14) should analyze an assessment for what it requires the student to do in order to take the test.

Additional information and guidance on the appropriate use of accommodations for students with disabilities is provided in the GaDOE Accommodations Manual. The manual is located on GaDOE Website and Powerschool SPED.

Access the manual through the link below:

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Assessment/Pages/Information-For-Educators.aspx>

**It is imperative that teachers bring a copy of the approved accommodations to every IEP and amendment meeting to ensure that only approved accommodations are being utilized.**

In addition, you may also refer to the FAQ section of the GaDOE website, for answers to Frequently Asked Questions regarding Accommodations.

**\*Assessment/Accommodations Frequently Asked Questions\***

**Refer to the link below for information of GADOE Primary Assessment Guidelines for all state administered tests.**

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Assessment/Pages/default.aspx>

**Primary Assessments:**

Georgia Milestones Assessment System

ACCESS for ELLs

Georgia Alternate Assessment (GAA)

Georgia Kindergarten Inventory of Developing Skills (GKIDS)

National Assessments of Educational Progress (NAEP)

**Former/Retired Assessments:**

Criterion-Reference Competency Tests (CRCT)

Criterion-Referenced Competency Tests-Modified (CRCT-M)

End of Course Tests (EOCT)

Georgia High School Graduation Tests (GHS GT)

Georgia High School Writing Test (GHS WT)

Writing Assessments (Grades 3, 5, and 8)

**Additional information and guidance on all district administered tests is available on [www.sccpss.com](http://www.sccpss.com) under the Accountability, Assessment and Reporting tab.**

# CHAPTER 10

## FEEDING & SWALLOWING FOR SWDs

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The Individuals with Disabilities Education Act (IDEIA) requires school districts to locate, evaluate, and identify children with disabilities from birth through 21 years of age and to provide the special education and related service and/or accommodations necessary to address their disabilities. Many students with intricate medical and developmental needs are being served in the public schools. Some of these students may require an evaluation and/or intervention in the areas of feeding and swallowing in order to access, participate, and progress in their curricula.

These children represent a variety of conditions such as cerebral palsy, traumatic brain injury or other neurologic or neuromuscular impairments, craniofacial anomalies, developmental disabilities, or autism. Some of these children present with obvious or already identified concerns; others may have frequent absences or hospitalizations due to respiratory-pulmonary conditions that may be caused by unidentified aspiration of liquids or food. While many of these students can take nutrition orally, others need to be fed by tube. Some children may be transitioning from tube to oral feeding, and still others need to supplement their oral input with tube feedings temporarily or permanently to meet their nutrition needs.

Students who are undernourished or dehydrated due to swallowing and feeding problems cannot attend adequately to the learning environment; consequently, their performance at school may suffer, and/or they may miss school more frequently than other students due to related health issues.

### Special Diets Procedure

The United States Department of Agriculture (USDA) requires that the child's healthcare provider submit documentation specifying the dietary modification and to specify what changes need to be made. The Department for Specialized Instruction will follow the standard procedures for Special Diets established by the Savannah Chatham County School Nutrition Program.

1. Obtain Diet Order Form
2. Parents or Guardian must complete the Diet Order Form.
3. Part II of the Diet Order Form must be completed by the child's physician
4. Return the completed form to the child's school nutrition manager
5. The site nutrition manager and district coordinator will discuss and design a plan of action to accommodate
6. The site nutrition manager will meet with key people involved in the student's welfare, which might include the Parent, Coordinator, Principal, Teacher, Nurse, Case Worker, and Related Service Providers

7. The site nutrition manager will prepare a file specifically for the student and file the physician's statement and the plan of action information
8. The manager will meet with the Assistants to discuss:
  - The diet modification or restrictions necessary and why these modifications are important to the child's health or life
  - Menus and substitutions that can be made
  - Emergency Plan
  - Liabilities of the School Nutrition Program

## Special Diets Policies

### POLICY TITLE

#### **SPECIAL DIETS**

Date Adopted \_\_\_\_\_ Number 0810

The Savannah Chatham County School Nutrition Program will make accommodations for children with special diet needs based on a prescription written by the child's healthcare provider.

USDA regulation (7CFR – 15B) requires substitutions to the standard meal pattern for children who are considered disabled\* and whose disability restricts their diet; and permits substitutions for other children who are not disabled but are unable to consume the regular meal because of medical or other special dietary needs, when that need is certified by the child's healthcare provider.

Parents may print the **Diet Order** form on the web site or obtain a copy from the School Nutrition Manager at the child's school.

\*Disability is defined in:

Section 504 of the Rehabilitation Act of 1973 Americans with Disabilities Act of 1990

Part B of the Individuals with Disabilities Education Act (*IDEIA*)

IEP

## SAVANNAH CHATHAM COUNTY PUBLIC SCHOOLS SCHOOL NUTRITION PROGRAM

Date \_\_\_\_\_

Dear Parent or Guardian:

Thank you for entrusting the School Nutrition Program to provide meals for your child.

The United States Department of Agriculture (USDA) requires that the child's healthcare provider must submit documentation specifying the dietary modification and to specify what changes need to be made

Follow the instructions on page 2 of the Diet Order Form to ensure the information is accurate and complete. Part II must be completed by the child's physician.

Return the form to your child's Nutrition Manager at the school. The manager will work with the program's Dietitian to make the necessary menu modifications. Menu adjustments are made only for diagnosed medical conditions. **The program is unable to honor food preferences. A variety of menu choices and a la carte items are offered to accommodate individual likes and dislikes.**

Sincerely,

Onetha Bonaparte, Director School Nutrition Program (912) 395-1130

# DIET ORDER

Annual Medical Statement for Students with  
Special Nutritional Needs

Send completed form to:

School Nutrition Manager at your child's school

**Part I (to be filled out completely by parent or guardian)**

Name of Student (Last) \_\_\_\_\_ (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_ Age \_\_\_\_\_ Student ID # \_\_\_\_\_

\_\_\_\_\_ School Attended by Student \_\_\_\_\_ Grade: \_\_\_\_\_ School Year: 20\_\_ to

20\_\_ Will student eat Breakfast at School? ( ) Yes, ( ) No;

Lunch at School? ( ) Yes, ( ) No

Is student in Before School Program? ( ) Yes, ( ) No; After School Program? ( ) Yes, ( ) No

Parent/Guardian's

Phone Number (s) ( ) \_\_\_\_\_ (H), ( ) \_\_\_\_\_ (W), ( ) \_\_\_\_\_ (Cell)

Name \_\_\_\_\_ of

Parent/Guardian \_\_\_\_\_ Signature \_\_\_\_\_

Mailing Address \_\_\_\_\_ City/State Zip \_\_\_\_\_

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**Part II (to be filled out only by a Licensed Medical Doctor (MD) or Registered Dietitian (RD) treating the student)**

**R  
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**Student's Diagnosis** \_\_\_\_\_

MD Indicate which dietary modification the patient needs and **specify** what changes need to be made:

Texture Modification:  pureed  ground  chopped  other \_\_\_\_\_  
\_\_\_\_\_

Nutrient Modification: (cholesterol, sodium, gluten, etc.): \_\_\_\_\_  
\_\_\_\_\_

Lactose Intolerance:  No milk to drink,  Avoid all dairy products,  Juice in place of milk@meals

Diabetic (Please indicate grams of carbohydrate at breakfast and lunch.) \_\_\_\_\_  
\_\_\_\_\_

Food Allergies: Please check appropriate box(es):  ingestion  contact  inhalation

List foods to be avoided: \_\_\_\_\_  
\_\_\_\_\_

MD name \_\_\_\_\_

MD Signature \_\_\_\_\_

Phone \_\_\_\_\_ Date \_\_\_\_\_

OR

RD name \_\_\_\_\_

RD Signature \_\_\_\_\_

Phone \_\_\_\_\_ Date \_\_\_\_\_

Medical Office Stamp:

**Part III School Nutrition to complete:**

School Nutrition Program Notes:   
SNP Coordinator's Signature _____ Date _____

Information provided on this form will be used by School Nutrition personnel to prepare and service the student's special diet. Information will not be released except to those responsible for the student's meal.

<b>PURPOSE:</b>	<u>To record the student's condition requiring dietary modifications of school meals and the changes needed. This form must be completed at the start of each school year and whenever diagnosis or change is indicated. Annual completion of this form by the child's Medical Doctor (MD) or Registered Dietitian (RD) ensures that current nutritional needs are being met.</u>
<b>PREPARATION:</b>	<u>The parent or guardian of the child is responsible for obtaining the form, filling out Part I, requesting completion by the student's physician or dietitian, and delivering the form to the Manager at the child's school. A licensed physician or registered dietitian is required to complete Part II of the document based on the child's medical condition and attach the diet and list of allowed substitutions.</u>

**INSTRUCTIONS:**

**Part I (to be filled out by parent or guardian):**

**Name of Student:** Enter the student's last name, first name and middle initial. **Date of Birth:** Enter the student's six digit date of birth, e.g. May 1, 1988 = 050188. **Age:** Enter the student's current age and Student ID #.

**School Attended by Student:** Enter the name of the school, which the student regularly attends, grade, and school year and indicate if child eats Breakfast and or lunch in school cafeteria.

**Parent/Guardian's Phone Number(s):** If available, enter one or two telephone numbers with the area codes where a parent/guardian can be reached during the daytime: home, work and cell number.

**Name of Parent/Guardian(s):** Print the full name of the student's parent(s) or legal guardian(s).

**Signature of Parent/Guardian:** Enter the signature of one parent or legal guardian's name. A printed name on the previous line should correspond to the signature.

**Mailing Address:** Print address and include zip code.

**Part II (to be filled out by Physician (MD) or Registered Dietitian (RD) treating the student):**

**Student's Diagnosis:** Insert the patient's clinical diagnosis for the condition, which requires dietary modification.

**Indicate which dietary modification the patient needs and specify what changes need to be made:**

Check the type(s) of modification the patient's condition requires and fill in the corresponding specifics next to the type of modification. A dietitian can assist in completing this section.

**Registered Dietitian's (RD) Name / Signature:** Provide a local dietitian's name and phone number if available.

**Physician Name, Phone Number and Signature:** Enter the signature of the local physician filling out the form and the date signed. **Please include Medical Office Stamp.**

**Part III (to be filled out by School Nutrition Program):**

**Occupational Therapist (OT)** – The Occupational Therapist can address pre-feeding, oral phase of eating, selection of appropriate utensils in the school environment, limited use of upper extremities, sensory (e.g., tactile defensiveness), and the training and evaluation of others who carry out eating/feeding interventions during school day.

**Physical Therapist (PT)** – The Physical Therapist will provide input to the school team that includes positioning (tonal issues, head/trunk control), seating options (e.g., wheelchair, adapted chair), and assistance with assistive technology needs.

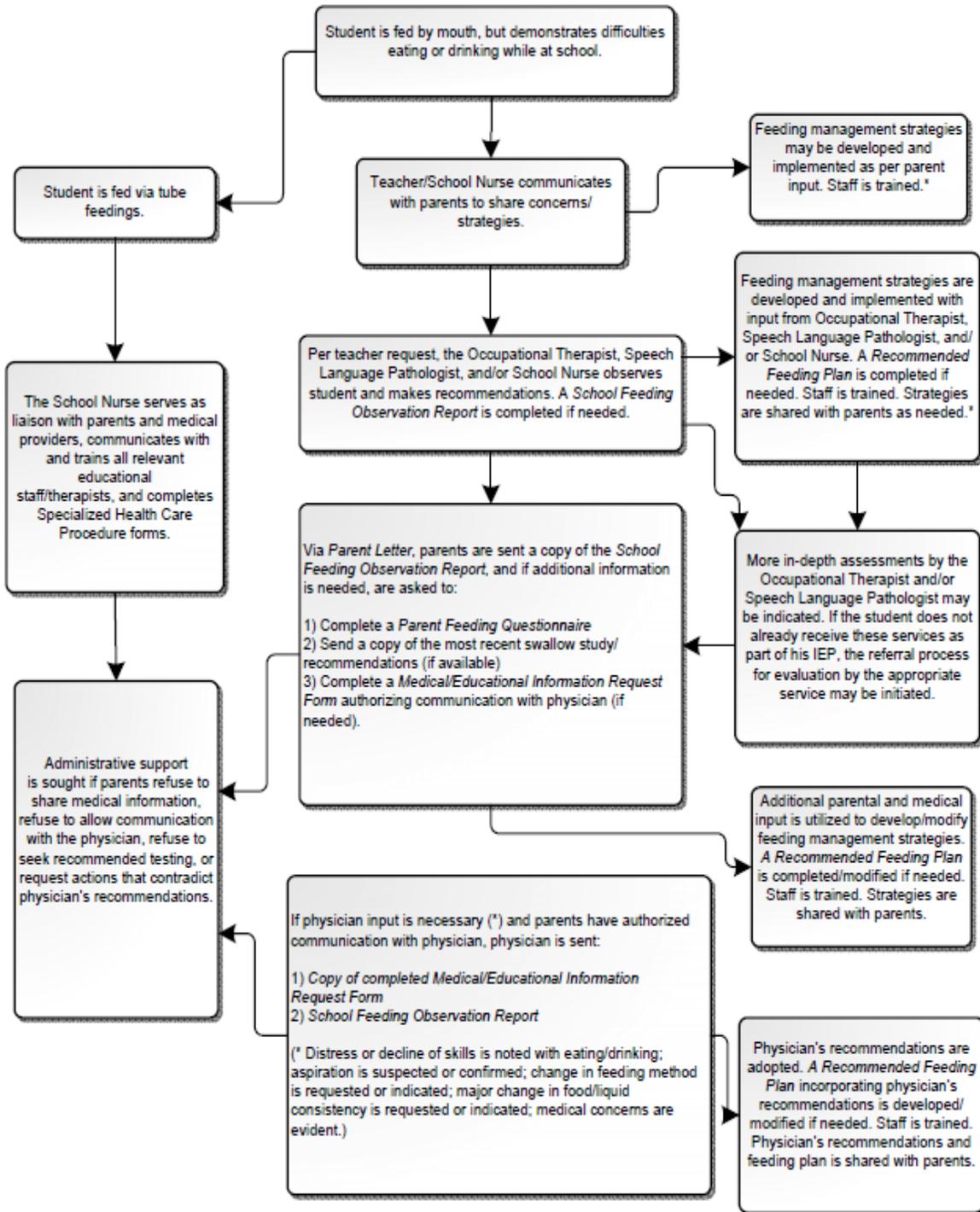
**Speech and Language Pathologist (SLP)** – The SLP can assist with identifying students at risk for feeding and swallowing disorders, addressing any oral motor issues, swallowing, lip closure and sucking concerns.

**Speech Language Therapist/Speech Therapist (SLT)** – The SLT collaborates with the Speech Language Pathologist mentor to identify students at risk for feeding and swallowing disorders; the SLP mentor addresses any oral motor issues, lip closure and sucking concerns

**Dietitian or Nutritionist** – A registered dietitian is a food and nutrition expert. The dietitian or nutritionist is qualified to address four areas of nutrition practice: assessment, diagnosis, intervention, and monitoring/evaluation.

**Nurse** – The school nurse can address any nursing interventions for students with swallowing disabilities, including precautions to prevent aspiration, oral feeding and non-oral methods (tube feeding, IV feeding), emergency care, positioning (in collaboration with OT and PT), safety and surveillance, referral and ongoing communication with medical teams, and nourishment preparation

Savannah-Chatham County Public School System  
SAFE FEEDING PROTOCOL



\* Indicates no further action may be required to meet student's needs at this time.

# CHAPTER 11

## DISCIPLINE

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### Discipline Process for Students with Disabilities

Students with disabilities, defined as any student who is receiving special education services or has been identified as a student with a disability under the Individuals with Disabilities Education Act (IDEA) or Section 504, are expected to follow the Code of Conduct, but with these limitations:

1. *Notification*: No later than the date on which the decision to take disciplinary action is made, the school provides notice to parents of the decision to take disciplinary action and of all procedural safeguards.
2. Any student identified as disabled under the IDEA should NOT be suspended over (10) school days in a school year. Immediate notification of any suspensions shall be sent to the program manager. Students with disabilities may not be excluded from school for disciplinary reasons for more than ten (10) days in a school year without the approval of the Superintendent. Every effort must be made to use school-based interventions to serve the student. Alternatives to suspension may include alternative placement
3. Suspension for more than 10 days must follow specifies procedure including: immediate notification to parents, IEP review with a functional assessment, development of behavior management plan and manifestation determination review (MDR). Services required under the IEP must continue through the Provision of Services process.
  - a. If the I.E.P. team determines that the misconduct is NOT RELATED to the student's disability, then the student will be subjected to the same disciplinary actions as the non-disabled student. Special Education Records including discipline records must be made available to the Disciplinary Hearing Officer. Services required under the I.E.P., which now includes access to the general curriculum, must continue.
  - b. If the misconduct IS RELATED to the disability, the disciplinary process will continue: However, the student may not be subjected to the same discipline as non-disabled students. An I.E.P. Meeting must be held to review the current placement and discuss program changes or modifications.
4. A temporary alternative educational setting of not more than 45 days can be:
  - a. Ordered by school personnel if the disabled student brings a WEAPON to school or possesses, uses or sells CONTROLLED SUBSTANCES OR ILLEGAL DRUGS, or causes SERIOUS BODILY INJURY to upon another person.
  - b. Ordered by State Department of Education administrative law judge or an order from a court if the school system shows substantial evidence that keeping the child in the current placement is substantially more likely to result in injury to self or others. The

school system reserves the right to request consecutive 45-day placements under the same circumstances.

- c. Any 45 school day alternative educational placement may be applied in addition to a preliminary placement of up to ten (10) days.

All appeals in the case of disagreement by the parent / legal guardian must comply with due process requirements of the IDEA. and the state and local plan for special educations.

5. Students subject to a Section 504 plan will be processed as appropriate to their particular situation. All complaints under Section 504 must be directed to the system 504 coordinator.

Behavioral expectations and replacement behaviors as set forth in the IEP goals, should be taught, enforced, and monitored with all students so that students are aware of acceptable behaviors at school. If a student with disabilities is having behavioral problems at school, parents or school personnel may request a Functional Behavioral Assessment (FBA) to determine the function of the student's behavior and appropriate strategies to teach and support replacement behaviors. Following the FBA, an IEP team meeting is held to discuss appropriate behavior supports to assist in improving the student's behavior. Findings from the FBA are used to develop or modify a Behavior Intervention Plan (BIP).

## **Removals**

A change of placement occurs

- if the disciplinary removal is for more than 10 consecutive days or
- if the removal is part of a series of removals that constitutes a pattern.

A pattern of removals occurs when

- a series of removals totals more than 10 school days in a school year;
- the behavior is substantially similar to previous incidents that required removal; and
- the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another have been considered.

If the student has access to the general curriculum and receives his or her IEP services while assigned to ISS, it is not counted as an out-of-school suspension.

If special transportation is listed in the student's IEP, and if a student is suspended from the bus, IEP services have been interrupted. Therefore, the bus suspension/removal will be counted as out-of-school suspension unless the school makes provisions for alternative transportation.

## Manifestation Process

Within 10 days, after a student accumulates five (5) days of suspension in a school year, the IEP team at the school must convene a meeting, to conduct a Manifestation Review meeting to develop or review the Functional Behavior Assessment (FBA), behavior Intervention Plan (BIP) and all relevant information from the student's file (including IEP, Teacher observations, and relevant information from parents) to address the specific behavior leading to suspension in order to prevent it from reoccurring. The IEP team reconvenes on each subsequent disciplinary event.

Within 10 school days from the beginning of a disciplinary action that either exceeds 10 school days in a row or that constitutes a pattern of removals (a change in placement), the student's IEP team must meet to determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability or whether the conduct was a result of the district's failure to implement the student's IEP. These steps are referred to as a "manifestation determination".

The manifestation Determination is made by: the parent; relevant members of the IEP team, as determined by the district and the parent; the district.

- If the Manifestation Team determines that the student's conduct at issue was not caused by or was not directly and substantially related to the student's disability and the IEP Team finds the conduct in question was not the direct result of failure by the schools to implement the IEP, then the student will be subjected to the same consequences as a non-disabled student, except that he may not be excluded from school for more than ten (10) days in a school year. If these actions include expulsion, the IEP team must determine how the student will continue to receive educational services that allow him or her to continue to participate in the general education curriculum and progress toward meeting the goals in the IEP. In addition, the IEP team, if appropriate, will conduct a functional behavior assessment and develop a behavior intervention plan.

### **Determination That Behavior Was A Manifestation.**

- If the Manifestation Team determines that the student's conduct at issue was caused by or was directly and substantially related to the student's disability or if the IEP Team finds that the conduct in question was the direct result of a failure by the school to implement the IEP, the disciplinary process will continue; however, the student may not be subjected to the same discipline as non-disabled students. An IEP meeting must be held to review the current placement and discuss program changes or modifications, if needed. In this case, if the student does not have a behavior intervention plan, the IEP team must conduct a functional behavioral assessment and implement a behavior intervention plan to address the behavior violation. If the student already has a behavior intervention plan that addresses the conduct in question, the IEP team must review and modify it as necessary to address the behavior.

## **Special Circumstances**

If a Manifestation Team determines that the student's conduct at issue was caused by; or was directly and substantially related to the student's disability; or, if the IEP Team finds that the conduct in question was the direct result of a failure by the school to implement the IEP, the student may be placed in a temporary alternative educational setting for up to 45 school days if the student receiving special education services:

- brings a weapon to school, on school premises, or at a school function;
- possesses, uses or sells controlled substances or drugs at school, on school premises, or at a school function; or
- has caused serious bodily injury on school premises, or at a school function.
- The school system obtains an order from an administrative Hearing Officer or District Court Judge that provides for appropriate interim placement of the student due to a finding that maintaining the student's current educational placement is substantially likely to result in an injury to the child or to others.

## **Referral to & Action by Law Enforcement & Judicial Authorities**

The school system may choose to notify local authorities when a student with a disability commits a crime as listed above. Should the system LEA do so, the school also must ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime only as permitted by Family Education Rights & Provides Act (FERPA).

## **Transition to an Alternative Placement**

A student may not be excluded from school during the period of transition to an alternative placement if the total number of days the student has been excluded from school for the year exceeds ten (10) days without the approval of the Superintendent.

## **Appeals**

All appeals in the case of disagreement by the parent/legal guardian must comply with due process requirements of IDEA.

Students subject to a Section 504 plan will be processed according to the system guidelines. All complaints under Section 504 must be directed, in writing, to the school system's 504 Coordinator (Program Manager).

A parent may appeal:

- The manifestation determination and
- The selection of an interim alternative educational setting regarding the issues of weapons, illegal drugs or controlled substances, or serious bodily injury.

The district may appeal if it believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others.

An expedited due process hearing occurs within 20 school days of the date the hearing is requested. A determination must be made by the administrative law judge within 10 school days after the hearing. The parent or the district may appeal the administrative law judge’s opinion consistent with Rule 160-4-7:10 Dispute Resolution.

**Placement during Appeals**

When the parent disagrees and appeals, the student will remain in the interim alternative educational setting (IAES) pending the hearing decision or until the expiration of the 45 school day time period if the infraction involved illegal drugs, controlled substances, weapons, or serious bodily injury, unless the parent and the district agree otherwise. The student does not stay put in his or her special education placement that was in place prior to the IAES.

**Provision of Services**

**What to do when Special Education Students are disciplined Less than 10 Days of Removal**

<b>Case Manager</b>	<b>Administrator</b>	<b>Parent</b>
<ul style="list-style-type: none"> <li>• Verify the student is receiving all required IEP support</li> <li>• Collect current grades and missing assignments to determine if there are academic needs</li> <li>• Review current BIP and progress monitoring of current behavior goals, determine if any changes need to be made</li> <li>• Check for prior events and determine if there is a pattern of behavior</li> <li>• If a pattern exists:               <ul style="list-style-type: none"> <li>*and there is a BIP review the document to determine what changes need to be made to aid in reducing future events</li> <li>*if the BIP is for an additional behavior begin collecting data to address the new behavior *and the child does not have a FUBA and BIP begin collecting data to complete a FUBA and BIP</li> </ul> </li> <li>• If the child is in ISS or OSS prepare a work packet to ensure the student does not fall behind</li> <li>• Monitor return of all work for understanding and completion</li> <li>• Ensure all staff serving the child are aware of modifications and BIP</li> <li>• Maintain current evidence of</li> </ul>	<ul style="list-style-type: none"> <li>• Review the disciplinary file with the case manager</li> <li>• Request the case manager review the current behavior interventions, BIP, current grades and missing assignments and report to you</li> <li>• Consider alternatives to ISS or OSS</li> <li>• Determine appropriate disciplinary actions</li> <li>• Ensure all due process procedures are followed</li> <li>• Contact and communicate options for discipline with the parents</li> <li>• Monitor supports to ensure all missed tasks are completed with case manager and general education teacher support</li> <li>• Explore additional supports available to help keep the student in school (Behavior Interventionist, Academic Specialist, Program Manager, Counselor)</li> <li>• Ensure manifestation meetings are held for each incident over 5 days of combined ISS and OSS</li> </ul> <p><b>160-4-4-.10 Discipline Students with disabilities cannot be removed for more than 10 days in the same</b></p>	<ul style="list-style-type: none"> <li>• Participate in all requested meetings due to inappropriate behavior</li> <li>• Communicate with the building administrator and case manager information that will help your child</li> <li>• Inform your child of the importance of adhering to the school’s code of conduct</li> <li>• Reinforce school expectations for behavior and academic progress at home</li> <li>• Ensure the classroom work packet is completed and notify the case manager of any concerns with understanding</li> </ul>

<p>student progress on academic and behavioral goals</p> <ul style="list-style-type: none"> <li>• Ensure Manifestation meetings are held for each incident over 5 days of combined ISS and OSS</li> </ul> <p><u>* All POS Forms are Located in PS SPED</u></p>	<p><b>school year.</b></p>	
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**What to do when Special Education Students are disciplined More than 10 Days of Removal**

<b>Case Manager</b>	<b>Administrator</b>	<b>Parent</b>
<ul style="list-style-type: none"> <li>• Verify the student is receiving all required IEP support</li> <li>• Collect current grades and missing assignments to determine if there are academic needs</li> <li>• Review current BIP and progress monitoring of current behavior goals, determine if any changes need to be made</li> <li>• Check for prior events and determine if there is a pattern of behavior</li> <li>• Complete the Provision of Service Planning form by gathering assignments and tasks from all teachers and creating a schedule of support to be offered during the exclusionary period</li> <li>• Schedule a Manifestation meeting after each event</li> <li>• When inviting the parent to the Manifestation meeting include the FAPE letter with service options</li> <li>• Ensure all services are provided, assignments completed and documented on the Provision of Services Planning Form</li> <li>• Complete the Provision of Services for Students Suspended More Than 10 Days Summary Form, collect supporting documentation (Planning and Service guide) and submit it to the Department of Specialized</li> </ul>	<ul style="list-style-type: none"> <li>• Review the disciplinary file with the case manager</li> <li>• Request the case manager review the current behavior interventions, BIP, current grades and missing assignments and report to you</li> <li>• Consider alternatives to ISS or OSS</li> <li>• Determine appropriate disciplinary actions</li> <li>• Ensure all due process procedures are followed</li> <li>• Review and sign the Provision of Service FAPE letter</li> <li>• Participate in the Manifestation meeting</li> <li>• Ensure all services are provided, assignments completed and documented on the Provision of Services Planning Form and sign confirming supports were provided</li> <li>• Ensure the summary form for Provision of Services for Students Suspended More Than 10 Days is completed, signed and all documentation is submitted to The Department of Specialized Instruction by the 25th of each month.</li> <li>• Explore additional supports available to help keep the student in school (Behavior Interventionist, Academic Specialist, Program Manager, Counselor)</li> </ul>	<ul style="list-style-type: none"> <li>• Participate in all requested meetings due to inappropriate behavior</li> <li>• Communicate with the building administrator and case manager information that will help your child</li> <li>• Inform your child of the importance of adhering to the school’s code of conduct</li> <li>• Reinforce school expectations for behavior and academic progress at home</li> <li>• Ensure your child is available for all support services offered to enable access to the information, tasks and assignments needed for successful completion of academic requirements</li> </ul>

Instruction by the 25th of each month * <u>All POS Forms are Located in PS SPED</u>		
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**Procedure for Students Not Eligible for Special Education**

Under state and federal laws and regulations, a student who has not been determined to be eligible for special education and related services, and who has engaged in behavior that violated any rule or code of conduct, may assert any of the protections provided to students with disabilities if the school had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

The school is deemed to have knowledge the student is a student with a disability if prior to the incident:

- The parent of the student expressed concern in writing to school staff that the student is in need of special education services;
- The parent has requested an evaluation of the student; or
- The teacher of the child or other school personnel has expressed specific concerns about the pattern of behavior of the child to the director of Specialized Instruction or other supervisory special education personnel.

The school is deemed NOT to have knowledge the student is a student with a disability if:

- The parent has not allowed an evaluation of the child
- The parent has refused services
- The child has been evaluated and determined not to be a child with a disability based on state Eligibility Determinations & Criteria rules and regulations.

If there is no prior knowledge of disability, the student may be subject to the same disciplinary measures as those applied to students without disabilities with the following limitations:

- If a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation should be conducted in an expedited manner; and
- Until the evaluation is completed, the student remains in the educational placement determined by school authorities.

*Protections for Students Not Yet Eligible for Special Education (Flow Chart)*

The child may assert protections under the Discipline Rule, if the district had prior knowledge the child is a student with a disability. Is there a basis for the district having prior knowledge?

**YES, if any of the following occurred prior to the incident:**

1. The parent expressed concern in writing to the teacher or administrator that the child was in need of special education and related services.
2. A parent requested an evaluation of the student.
3. The teacher or other personnel expressed specific concerns about the student's behavior patterns to an administrator.

**NO, if prior to the incident,**

1. The parent has not expressed in writing a need for special education and related services for the student.
2. The parent has not requested an evaluation.
3. The teacher has not expressed concerns about the pattern of behavior of the student.
4. The parent REFUSED an evaluation of the student.
5. The student has been evaluated and been found NOT ELIGIBLE.

An expedited evaluation must be conducted. The student remains in district-determined placement, which can include suspension or expulsion, until evaluation is completed.

The student is determined eligible for special education

The student is determined not eligible for special education

**Regular disciplinary actions may be imposed.**

**IEP is developed. District provides special education and related services for the student.**

## **Definition of Terms**

### **Individuals with Disabilities Education Act (IDEA)**

The Individuals with Disabilities Education Act (IDEA) requires that a free appropriate public education (FAPE) must be made available to all students with disabilities between the ages of 3 and 21, inclusive, including students who have been suspended or expelled from school. Therefore, students with disabilities removed from their current placements through suspension or expulsion must continue to receive educational services, maintaining their participation in the general education curriculum, although in another setting, and to progress toward meeting their Individualized Education Program (IEP) goals.

### **Significant Disproportionality in Suspension and Expulsion Rates**

The Individuals with Disabilities Education Act (IDEA) requires state education agencies to review local educational agency (LEA) data annually to determine if a significant discrepancy in long-term (greater than 10 days) suspension and expulsion rates exists for students with disabilities as a whole and students with disabilities by race or ethnicity. State educational agencies must report their findings in Indicator 4A/B in the State Performance Plan. LEAs may be required to complete a self-assessment of policies, procedures, and practices related to the discipline of students with disabilities.

### **PBIS**

Positive Behavior Interventions and Supports (PBIS) are designed to build capacity in SCCPSS to educate all students, especially students with difficult behaviors, by implementing a positive and prevention-oriented approach to school-wide discipline and behavior management. This approach focuses on teaching and encouraging positive school-wide behavioral expectations and increasing school capacity to support the use of research-based practices. Technical assistance and training on school-wide discipline and behavior management can be requested by contacting the Behavioral Services Program Manager.

### **Functional Behavior Assessment**

The Functional Behavior Assessment (FBA) is a required process for addressing a student's problem behaviors. The purpose of the FBA is to determine the function of a specific behavior by identifying circumstances that precede the behavior (antecedents) and the reinforcers that occur after the behavior. The results of this assessment are discussed in an Individual Education Plan (IEP) / 504 meeting and positive behavior supports to address the problem behavior are proposed.

The Functional Behavior Assessment is a dynamic process which is integrated, as appropriate, within the development and review of the student's Behavior Intervention Plan (BIP). The FBA looks beyond the behavior itself, and identifies significant, student-specific social, affective, cognitive, and/or environmental factors associated with the occurrence (and non-occurrence) of specific problem behaviors. This broader perspective offers a better understanding of the function or purpose behind student behavior. It is based on an understanding of "why" the student misbehaves.

The Functional Behavior Assessment includes:

- **Target Behavior:** Define the target behavior in observable terms.
- **Data Collection and Analysis:** Collect data through observations, checklists, interviews with school staff and parents, school records review, and other pertinent data (medical, historical, etc.) Determine frequency, duration and intensity of the target behavior.
- **Antecedent and Consequences:** Antecedents are conditions that immediately precede the behavior. Consequences are conditions that immediately follow the behavior.
- **Functions of the Target Behavior:** Determine causes and functions of the target behavior. The 4 functions of behavior are attention, avoidance/ escape, access, and sensory.
- **Reinforcers:** Identify positive reinforcers that are meaningful to the student that will enhance the likelihood of desirable behavior.

A Functional Behavior Assessment must be conducted when:

- A student with any disability has behaviors that are preventing the student from making appropriate progress in the general curriculum and appropriate advancement toward achieving the goals set out in the student's IEP.
- A student with any disability has been suspended for 5 days in a given school year.
- A student with any disability has been suspended repeatedly for challenging or serious behaviors.
- A student with any disability is referred to a disciplinary hearing.

### **Behavior Intervention Plan**

A Behavior Intervention Plan (BIP) is required when a student's behavior impedes his/her learning or that of others.

The Behavior Intervention Plan (BIP) is a plan of action developed by the IEP team to help the student learn more appropriate behaviors. The BIP is based on information learned through the Functional Behavior Assessment.

The focus of the BIP is to decrease problem behaviors through the identification of replacement behaviors (e.g., the student walks away from another student rather than engage in verbal or physical aggression). Positive behavior interventions, strategies and supports are an integral part of an effective BIP.

Behavior goal(s) are required in the IEP for all students with a BIP.

The BIP includes:

- **Target behavior:** A description of the behavior targeted for change. Define behaviors in specific, observable and measurable terms. If there are more than one target behaviors, choose the most challenging behavior.
- **Positive Behavior Supports and Interventions:** Include proactive methods of teaching appropriate behavior, e.g., conflict resolution, social skills instruction, and other supports.
- **Replacement Behaviors:** Replacement Behaviors or Functionally Equivalent Behaviors are behaviors that serve the same function. Our goal is to replace the current inappropriate or unacceptable behavior with an acceptable behavior. If the new proposed behavior does not meet the same function, then the student will be less likely to add it to their repertoire.
- **Consequences for Target Behavior:** Consequences should: (1.) include alternatives to suspension, e.g., verbal warnings, loss of privileges, lunch detentions; (2.) promote the learning of the replacement behavior; (3.) address the occurrence of the target behavior.
- **Reinforcers:** Based on the student's preferences to improve the likelihood of desirable behavior.
- Information regarding the **function** of the behavior from the FBA.
- **Action Plan** for monitoring and implementing the intervention plan.
- If needed, a **Crisis Intervention Plan** is developed when the safety of the student or others must be assured.

### **Procedure for Developing a Functional Behavior Assessment**

Every student with behavior problems noted in his/her IEP should have a FBA and BIP in place. As soon as a student exhibits behaviors that impede his learning, best practice is to begin to collecting data using a Behavior Log or other data collection tool.

The Functional Behavior Assessment and Behavior Intervention Plan must be completed when a student is suspended for 5 days; however, you should not wait until the student is suspended to complete this process. These documents are updated as needed based on the occurrence of problem behaviors.

### **Behavior Logs**

The Special Education case manager will coordinate the completion of a behavior log. Behavior logs should be completed and submitted to the case manager on a weekly basis, or as appropriate. Other data might include social history, RtI/SST information, discipline records, attendance records, and student/parent conference information.

The following people may be involved in compiling the behavior logs:

- All teachers that work with the student
- Appropriate administrators at school

- Parents
- Student, if appropriate
- Others

### **Guide to Completing Behavior Logs**

**Behavior** – Write specific behavior(s) the student is exhibiting.      **Time** – List time of day

**Activity** – What was the child involved with when the behavior occurred? Some possible activities might include:

- Arrival/dismissal to or from class
- One-on-one instruction
- Large group participation
- Small group participation
- Structured Play
- Unstructured Play
- Listening to a story
- Lunch
- Math
- Riding the Bus
- Snack
- Toileting
- Transition between tasks, areas, rooms, etc.
- Unstructured time
- Waiting (for a turn, in line, etc.)
- Working independently

**Setting** – Where and when did the behavior occur? Some possible settings might include:

- Bathroom
- Gym
- Library
- Music Room
- Bus Ramp
- Transitions
- Playground
- Reading Group
- Work Area
- General Ed. Classroom
- Pull-out Resource Room

**Who** – Who were the significant people involved with the activity, antecedent events or around the child at the time of the behavior? Carefully note those people who interacted with the child before, during, and after the behavior and anyone who may have exited or entered the area before, during, or after the behavior.

**Antecedent** – What happened right before the behavior that may have caused the behavior? Some possible antecedent events might include:

- A child in the routine
- A demand or request is made of the child
- A loss of a privilege
- A particular sound, sight, texture, etc.
- A reprimand
- A request
- Attention directed to someone or something other than the child
- Reinforcement delivered
- Denial of a request
- Difficult with a task
- Feedback for an action, answer, etc.
- Physical Contact
- Verbal redirection

**Interventions** – Strategies implemented to change this antecedent behavior. Some possible interventions might include:

- Change of setting
- Change of activity
- Give concrete examples
- LSI
- Proximity
- Reduce workload
- Time Out Contract
- Opportunity for Movement

### **Analyze Behavior Logs**

The case manager will compile information from all behavior logs and facilitate team meetings to analyze the information when enough information has been gathered to identify specific patterns of behavior and purpose for the problem behavior.

### **Complete FBA Form**

Complete the Functional Behavior Assessment using the FBA form in PowerSchool SPED. Ten days of observational data is needed.

## **Develop BIP**

Schedule IEP or amendment meeting to develop the Behavior Intervention Plan (BIP) based on results of FBA. Use the BIP form in PowerSchool SPED. A new FBA must be completed each time a new BIP is done.

### **Procedures for Conducting & Documenting Physical Restraint**

Physical restraint procedures are emergency procedures and should rarely be used and if used must only be used when:

- The student's actions pose a clear, present, and imminent physical danger to him/her or to others.
- Less restrictive measures have not been effective in de-escalating the risk of injury.
- The restraint should last only as long as necessary to resolve the actual risk of danger or harm; and
- Minimal degree of force should be used – only what is necessary to protect the student or other persons from bodily injury.

Restraint procedures should never be used as punishment or for managing student behavior or responding to students running away unless there is imminent risk of injury related to that flight. No chemical or mechanical restraints (i.e. rifton chair) should ever be used as a restraint.

#### **During physical restraint:**

1. Only those persons trained in physical restraint procedures should conduct physical restraints. This means that only those persons certified in Part II of the MindSet training, the management of aggressive behavior including physical restraint techniques, should conduct physical restraints.
2. Trained staff should use only those techniques taught in the MindSet training.
3. Physical restraint procedures should not be conducted without at least one additional staff member present to take notes and to observe the student's behavior and physical status during the restraint and to determine when the student is no longer a threat to himself or others.
4. The student must be able to breathe and to speak at all times. Breathing should be carefully monitored and the restraint must be terminated immediately if the student is exhibiting any respiratory distress.
5. Restraint must be immediately terminated if the student is observed to be, appears to be, or claims to be in severe distress.
6. The restraint should be removed as soon as the student is no longer a danger to himself or to others. Generally, students should be restrained for very short periods of time.
7. If the restraint lasts for a prolonged period, then additional staff support should be provided and the documentation log should note that the restraint lasted for a longer period of time
8. Parents should be informed as soon as possible when students are removed from the school

setting by emergency medical or law enforcement personnel.

**After physical restraint:**

1. As soon as appropriate after the restraint, the staff should discuss the incident leading up to the restraint with the student and discuss alternative behaviors that could have been utilized.
2. When the student is no longer a danger to himself/herself or to others, he/she should be returned to the instructional activity or to a less restrictive environment.
3. Parents must be informed not later than one school day after each instance of the use of restraint and must be provided a copy of all documentation.
4. The system form – Documentation of Physical Restraint and Parent Notification-must be completed by the school administrator immediately following the restraint and signed by all who participated. Guidance for completion of the restraint form can be found in PS SPED help guides.
5. A copy must be provided to the parent no later than one school day after each and every instance of the use of restraint.
6. A copy must be filed and maintained at the school. One administrator at the school should be responsible for maintaining these forms and for ensuring that the data is entered into the system documentation folder.
7. The building supervisor must be informed as soon as possible after each use of restraint.
8. Discipline data teams must review the restraint incident reports weekly.
9. Monitor the physical well-being of both the student and the person who conducted the restraint for the remainder of the school day due to the possibility of shock, potential delayed effects or possible injury.
10. A staff de-briefing must occur as soon as possible after every incident of physical restraint.
11. If any of the following situations occurs, then staff should determine if interventions or school-wide programs are effectively meeting the needs of the students:
  - Repeated use of physical restraints for any one student
  - Multiple physical restraints across different students
  - When the amount of time spent restraining a student exceeds the recommended time
12. If the student has an IEP, then the team should review the IEP, FBA, BIP and current placement.
13. For any student, conduct a Tier 3 FBA and develop BIP and recommend that the student be followed by RtI process.
14. Consult with other professionals such as school social worker, school psychologists, behavior interventionist, etc. to look at other interventions that may be more suitable in meeting the student's needs.
15. Consider other placement options that may be more effective in addressing the student's needs.

**Proactive strategies:**

1. These procedures apply to all students and not just to students eligible for special education.
2. **All staff** in each school must be trained in Part I of MindSet Training - the de-escalation of aggressive behavior.

3. There must be a school-wide positive behavior support plan that includes the use of positive behavior interventions and de-escalation techniques and training of all school personnel on how to implement positive behavior supports and documentation procedures.

# CHAPTER 12

## PRIVATE SCHOOLS

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### State Rule: 160-4-7-.13 **Private School Placement Parentally-Placed/Home-Schooled Students**

The Savannah-Chatham County Public School System makes exceptional child services available to eligible students with disabilities (preschool-12th grade) enrolled by their parents in private schools and to home-schooled eligible students with disabilities.

**A student 6-21 years of age** identified as in need of and qualifying for Special Education and/or Related Services has an Individualized Education Plans (IEP) developed by a committee that ensure a Free Appropriate Public Education (FAPE). Some parents or students 18 or over, may choose to not accept these services and instead enroll in a private school, or choose to be homeschooled. In Georgia, home schooled students are categorized as private schooled. When FAPE is at issue between the parent and the school district, and the parent determines that he or she is going to place the student in a private school at public expense, the parent must notify the district in writing at least 10 business days prior to the removal of the child or at an IEP meeting prior to the removal. If the parent does not provide the notice, then the cost of reimbursement for private school services may be reduced or denied.

When the IEP has been rejected by the parent, the district's obligation to provide FAPE ends. However, special education and/or related services may continue through a Services Plan.

### **Service Plans**

A Services Plan will be developed and implemented for each private school child with disabilities who will receive services from the district. The district will initiate and conduct the meetings to develop, review, and revise a services plan at least annually.

It will ensure that a representative of the private school attends each meeting. As with IEPs, in-person participation in the meeting is encouraged, but participation may be through conference call or other means.

Service Plans must:

- Contain a statement of the special education and related services, and supplementary aids and services, to be provided to the child;
- Be in effect at the beginning of each year; and
- Be developed, reviewed, and revised periodically, but no less than annually, in accordance with IEP requirements in Georgia Rules.

Services provided to private school children are provided by qualified district personnel. The Savannah-Chatham County Public Schools System, Department for Specialized Instruction currently provides only speech services to private school students.

Services may be provided at the private school, or the student's area public school, or public school nearest the private school, or community setting.

The district may provide materials, equipment, and property purchased to implement the services to the children with disabilities in the private school; but these must be used only for those purposes and must be returned when no longer needed. No funds may be used for repairs, minor remodeling, or construction of private school facilities.

Service plans are developed in the following instances:

- Parentally-placed private school or home schooled students ages 6-21 who are eligible for a services plan
- Parentally placed private school preschool-aged children when these children who are eligible for a services plan attend private nonprofit elementary school (grades K and higher).

Parentally-placed private school preschools (that are not considered elementary or secondary schools) outside their residential district are not entitled to services from that district.

## **Procedures**

The Services Plan document and the Private School Services Plan Procedure manual are located in PowerSchool SPED Help Menu. If there are questions, consult the District Staffing Specialist assigned to your school or contact your Program Manager.

**A student 3-5 years of age** identified as in need of and qualifying for Special Education and/or Related Services has an IEP developed by a committee that ensures FAPE. If parents reject the services in a public school and the child enrolls in a private school within the district, the student will have an IEP stating where and how the services will be provided. In the event services are provided in the student's home/public school, transportation will be provided at no cost to the parent. Parentally-placed private school preschool students who attend private preschools (that are not considered elementary or secondary schools) outside their residential district are not entitled to services from the district.

Any materials/property necessary to provide the special education and/or related services will be provided by the system, signed received and remain the responsibility of the private school, and will be secular/neutral and non-ideological.

## **Child Find**

In addition, as part of our Child Find responsibilities, we are required to assess students to determine if they are eligible for one of our programs. The process for private school/home-schooled students is the same as for public school students in that there should be an RtI/SST process

and evidence that attempts have been made to provide appropriate interventions and accommodations. Parents or guardians of students with suspected disabilities and private schools can access the response to intervention (RtI) process at their home school or school closest to the private school if the student resides in a county outside of Chatham. The parent or guardian and private school teachers are members of the RtI team and are directly involved in this decision. Additionally, the school system will request help from the private school in collecting information regarding strategies and interventions that have been implemented at the private school. If the RtI team recommends an evaluation, the public school system will complete the evaluation and eligibility according to the State of Georgia guidelines. The Private school representative will be invited to all evaluation, eligibility, and IEP meetings conducted for the student by Savannah-Chatham County Public Schools.

**See Chapter 3: Child Find for additional information regarding services for Parentally-Placed Private School Students.**

### **LEA Privately Placed Students**

If the Individualized Education Program (IEP) team, including the parent, decides that the most appropriate placement for a student is in a private school, the district that places the student in the private school continues to be responsible for making sure that the student receives the special education and related services included in the student's IEP and that those services are provided at no cost to the parent.

The district should make sure that the education provided at the private school meets the standards that apply to other students with disabilities and that the student and parent continue to have all the same rights that other students with disabilities and their parents have. A district representative must visit the private school at least annually. Ultimately, the district remains responsible for ensuring free appropriate public education (FAPE) when the student is placed in the private school.

# CHAPTER 13

## AGENCY PLACED STUDENTS

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State Rule: 160-4-7-.19

### Services for Agency-Placed Students

Students placed by the Department of Human Services (DHS) or Department of Behavioral Health and Developmental Disabilities (DBHDD) in DHS or DBHDD-operated or contracted facilities and students placed by the Department of Juvenile Justice (DJJ) in DJJ-contracted facilities are eligible for education services in the district in which the facility is located. This does not include students in a DJJ Youth Development Center or in a Department of Corrections (DOC) facility, regardless of their custody status.

A child is considered to be in the physical or legal custody of DHS, DBHDD, or DJJ or any of its divisions if custody has been awarded either temporarily or permanently by court order or by voluntary agreement and the child has been admitted or placed according to an individualized treatment or service plan of DHS or DBHDD.

In the Savannah-Chatham Public School System (SCCPSS), Coastal Harbor Treatment Center is the approved residential treatment facility in Chatham County and receives support from the SCCPSS.

The Department for Specialized Instruction is responsible for monitoring the Individual Education Plans and for providing updated information regarding the implementation of Special Education rules and procedures. A Program Manager and a District Staffing Specialist are assigned to work with Coastal Harbor Treatment Center.

Students enrolled at Coastal Harbor Treatment Center by DJJ and who have an IEP in place are counted for FTE. The Treatment Center is responsible for providing the FTE information to the District.

For additional information regarding Agency Placed Students, visit the state website:

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Implementation-Manual.aspx>

For additional information regarding Residential Treatment Facilities, visit the state website:

<http://www.gadoe.org/External-Affairs-and-Policy/Policy/Pages/Residential-Treatment-Facilities.aspx>

# CHAPTER 14

## Dispute Resolution - Proposal

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It is recommended that the reader access the Georgia DOE Implementation Manual for a full description of the processes for registering and filing complaints. However, a brief summary of the procedures follows:

[http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Documents/Sp%20Ed%20Implementation%20Manual%20Part%201\\_8-12.pdf](http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Documents/Sp%20Ed%20Implementation%20Manual%20Part%201_8-12.pdf)

A resolution in a dispute with Savannah-Chatham Schools over the rights and services afforded to students with disabilities and their families can be accomplished several different ways. The quickest and most efficient method is to contact the special education administration in Savannah-Chatham Schools at 912-395-5583. The special education director can often assist a family in working out the differences with minimal time and conflict. When a resolution cannot be worked out locally, other processes are guaranteed to students with disabilities under the Individuals with Disabilities Education Act (IDEA). These include (1) formal complaints, (2) mediation, and/or (3) a due process hearing.

### **Formal Complaints**

Formal complaints are filed in writing and sent to the local district and the Georgia Department of Education (GaDOE), Division for Special Education. A formal complaint form, which may be used to submit a formal complaint, is located at the bottom of the Formal Complaint web page on the GaDOE website.

- Upon receipt of the written complaint, the Savannah-Chatham Schools will provide the parent with Prior Written Notice.
- The DOE will initiate an investigation of the allegations.
- Savannah-Chatham Schools may contact the person filing the complaint to propose a resolution to the complaint. If resolved successfully, the DOE will be notified and the investigation may be discontinued.
- During the investigation, data and information will be exchanged between Savannah-Chatham Schools, the DOE, and the parent that filed the complaint.
- If unable to resolve the issues during the investigation, Mediation may be recommended.
- If the DOE determines a violation of the law or regulations has occurred, a resolution will be required. The resolution may include technical assistance activities, compensatory services, reimbursement, and other corrective actions to achieve compliance.
- If the DOE determines there were no violations, the case will be dismissed.

## **Mediation**

- Either the parent and the student or Savannah-Chatham Schools may request mediation.
- The first step is to ask the other party if he/she/it is willing to mediate the disputed issues.
- If a family member is requesting mediation, contact Savannah-Chatham School's special education office, and district personnel will complete the request for mediation and submit it to the GaDOE. A mediation request form is located at the bottom of the Mediation Requests web page on the GaDOE website.
- The mediation request is faxed to the GaDOE Legal Services, 404-657-8376.
- Upon receipt, Legal Services assigns the request to a mediator.
- The mediator will contact both parties to develop the timeline, set up the meeting location, and begin preparation.
- Mediation will occur at a location and time convenient to both parties.
- Once parties have agreed to a date and location, participants should be prepared to spend most of the day in mediation.
- If a resolution is reached, the mediator will facilitate the agreement, and all parties will sign the mediation agreement.
- After mediation, both parties are expected to carry out the activities they agreed to during the mediation as outlined in the agreement, which is a legally binding document.
- If mediation is being requested as part of a due process hearing, the mediation will not delay nor deny the right to a due process hearing. However, discussions during mediation cannot be used as evidence in any due process hearing or civil proceeding.

## **Due Process Hearing**

- The initiating party should inform the other party and the Georgia Department of Education (GaDOE) of the request for a due process hearing.
- Savannah-Chatham Schools is responsible for relaying the hearing request to the GaDOE Legal Services on the day the request is received in Savannah-Chatham Schools.
- The request is required to contain the name of the student, the school, and the district in which the student is enrolled, contact information for the family, and school district contact information. The request must also contain a description of the problem and a proposed resolution. The form provided by GaDOE should be used. This form is located at the bottom of the Due Process Hearing Requests web page of the GaDOE website. A hearing may not occur until the party or the attorney representing the party files a request that meets all of the requirements.
- Savannah-Chatham Schools may assist the parent in completing the form as necessary in order to obtain a sufficient complaint notice.
- Once received by GaDOE, immediate contact will be made with the Office of State Administrative Hearings (OSAH) to assign the case to an ALJ.
- The ALJ will contact the parties and begin to set up the logistics of the hearing.

# CHAPTER 15

## SCCPSS General Procedures

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### Georgia Full-Time Equivalency (FTE) Data Reporting Form

FTE must be documented according to how the student services are reflected in the IEP and how regularly scheduled services are provided on the day of the count.

- FTE Cycle 1 – first Tuesday in October
- FTE Cycle 3 – first Thursday in March

### Procedures for Completing the Georgia FTE Reporting Information Form

There are 2 forms:

- FTE Form for ages 6 and up
- FTE Form for ages 5 and under

**At the beginning of the school year: Obtain a printed FTE form from the Information Specialist (IS) for all students with disabilities who are currently enrolled. Verify that all information is correct. Sign, obtain ECST's signature and return to the IS. Complete an FTE form for any primary student on your caseload. Secondary eligibilities should be reported on the same form. This might include students newly enrolled in the district or newly placed students that didn't have a printed form.**

- Locate the appropriate age level form in the PowerSchool SPED Help Menu.
- Complete and sign the FTE form and submit it to the ECST for approval Signature
- Provide a copy of the approved form to the Information Specialist for data entry.
- Check with the FTE Coordinator at your site for any additional follow up that may be appropriate.
- Seek assistance from the DSS or Program Manager for review if needed.
- Update the FTE form throughout the year when there is a change in services or a change in the student's schedule. This may include the following types of examples: increase or decrease in service hours; programs or related services being added or removed; dismissal from all services.
- Complete and submit an FTE form whenever a student is found eligible for services throughout the school year.
- **Remember** appropriate scheduling is the key factor to maximizing FTE.

**Procedures for Completing Georgia  
Full-Time Equivalency (FTE) Data Reporting Form**

1. **Complete the identifying data at the top of the form.** This form is used throughout the school year when a new student is added, to update a student's schedule and/or services or when a student is dismissed from any services.
2. **GAA:** Check either yes or no depending upon whether the student participates in Georgia Alternative Assessment.
3. **ESY:** Check either yes or no depending upon whether the student received ESY services during the previous summer.
4. **Babies Can't Wait:** Check either yes or no depending on whether the student has entered school from BCW services during the current school year.
5. **Sped Exit Code/Date:** This is only entered when a student is dismissed from special education services or reaches the maximum age for services (22). Enter the appropriate code, 3 or 4. Provide update to the IS and DSS.
6. **Sped Exit Event Code:** Enter the exit code of 9 or 10 for dismissal from special education services either by the school system or parent revocation of consent for services. This must be completed in addition to the sped exit code in number 5.
7. **Primary Exceptionality:** Enter primary exceptionality using program code from the chart on the FTE form (Note that AU, TBI, and SDD are reported as served through another program such as OHI for state counts).
8. **Primary Hours:** Enter Exc/Related Hours Code that reflects the number of hours served for primary exceptionality from the chart on the FTE form.
9. **Secondary Exceptionality:** Enter secondary exceptionality if there is one using the program code from the chart on the FTE form.
10. **Secondary Hours:** Enter Secondary/Related Hours Code that reflects the number of hours served for secondary exceptionality from the chart on the FTE form.
11. **Environment:** Check the appropriate environment code indicating the percentage of time the student receives services in the Least Restrictive Environment.
  - Form for 6 and up uses codes 1-9 and 0.
  - Form for 5 and under uses codes A-J.
12. **Related Services:** Enter the Exceptionality/Related Hours Code from the chart on the FTE form for each of the related services that the student receives per the IEP. Special Transportation in this section refers to transportation to and from school.
13. **Student Schedules:**
  - Fill in the **Course # and Title**. Course numbers are listed in the PowerSchool SPED Help Menu.
  - Complete the **Time/Days of Week** that the student receives services.

- **Supplemental Speech is marked “Y” or “N.”** Student can be marked “Y” only when the student is reported with at least 3 Program Codes in a single area of disability and supplemental speech must be received in one of the same segments for less than the major portion of the segment. No more than 2 segments can be marked “Y” for Supplemental Speech.
- **Inclusion** indicates whether or not a student is a special education student receiving instruction or supplemental aids or services in the least restrictive environment.
  - **Use codes “4-8” to indicate that the student received supportive instruction** from personnel such as “4” paraprofessionals, “5” Interpreters, “6” Job Coaches, “7” Assistive or Other Personnel (rarely used), “8” Certified Teacher (Not Special Education). These codes are used with general education course numbers.
  - **Use a “9” if an instructional model is used in which a special education teacher** works with identified students and the regular teacher within the regular classroom for at least one half of the segment. These codes are used with the .9 course numbers and pull a SPED code.
  - If the student is served in a pull-out setting, then the inclusion field is blank. These course numbers will be .8 and will pull a SPED code.
- **Special Transportation during the School Day:** indicates whether or not a student is transported during the school day from one instructional setting to another and is marked “Y” or “N.” “Y” indicates that the student is transported during the school day and should be noted during the segment that the student is transported off campus. Each segment reported as Transported indicates “round trip” when applicable. For example, if a student is transported from a home school to Goodwill during segment 3, then returns to the home school during segment 5, only segment 3 is marked “Y” to indicate Transported.
- **Put the actual Primary Exceptionality Program Code** in this area. This will include 6, 7, 8 Program Codes. You **do not report the “Served Through” code** that reflects the type of support provided to the student.
- **Put the “Served Through” Program Code “P-Z” or “1-4”.** You cannot use codes “6” Autism, “7” Traumatic Brain Injury and “8” Significant Developmental Delay. The “Served Through” Program Code on the IEP should be reported.

## **Fixed Asset (FA) Equipment Procedure**

Equipment purchased through the Department for Specialized Instruction is purchased with IDEIA funds. These funds are federal funds designated only for special education. This equipment must be designated for special education certified or licensed staff and students if the need is established in their Individual Educational Program. Assigning of this equipment to anyone else is a misappropriation of federal funds.

### **Procedures:**

#### **1. School FA Coordinator will:**

- Record any equipment received as purchased through IDEIA federal funds.
- Monitor that this equipment is assigned only to special education teachers and students with disabilities.
- Notify the Department for Specialized Instruction Fixed Asset Coordinator regarding any change or discrepancy in assigning site inventory for special education and whenever any additions or deletions regarding non-repairable equipment occur.
- Contact the Department for Specialized Instruction fixed asset coordinator regarding any questions or concerns about equipment transfer requests.
- Complete appropriate Fixed Asset Forms per the District Fixed Asset Coordinator.
- Process Equipment Transfers:  
Equipment may be transferred from one site to another for the following reasons only:
  - A program and position/s moves from one site to another.
  - Special Education positions are cut from the budget at one site and moved to another site.
  - Department for Specialized Instruction staff assigned to offices in the schools are moved to an office at another site (psychologists, DSS, BCBAs, Autism Specialists, RtI Specialists, related service providers: OTs, PTs, Ad PE, itinerant staff: VI, D/HOH, OI, audiologists).
  - A student with designated equipment per the IEP transfers from one site to another.
- Equipment should not be transferred when a special education teacher transfers from one site to another per their own transfer request. The position at the current school would be filled by another special education teacher, so the equipment remains at that site for the new teacher.

### **Purchases for Special Education Teachers/Staff**

Purchases for special education teachers for replacement of computers and printers are handled at each site the same as for general education teachers through technology funds for the site.

## Hospital Homebound Procedures

Hospital/Homebound (HHB) services are designed to provide continuity of educational services between the classroom and home or hospital for students in Georgia public schools whose medical needs, either physical or psychiatric, do not allow them to attend school for a limited period of time.

### **Procedures:**

All forms are found on the Help Menu in PowerSchool SPED.

1. Counselor/HHB coordinator is notified by a parent, school personnel, or community medical professional that the student may be eligible for HHB services.
2. Counselor/HHB Coordinator will review process with the parent and provide them with the HHB Request for Services, HIPAA and the Physician's Medical Referral forms to be completed by the treating physician.
3. Signed forms will be scanned and attached to the student's record in PowerSchool SPED.
4. Counselor/HHB Coordinator will send special education staff in The Department for Specialized Instruction a PowerSchool SPED message that the documents have been uploaded.
5. Special education staff will enter the information in the HHB profile in PowerSchool SPED and send a message to the Counselor/HHB Coordinator of approval or denial.
6. If approved, an Educational Service Plan (ESP) must be created in PowerSchool SPED if they are a general education student. An IEP Amendment must be held if they are special education student.

### **If Approved:**

7. General Ed Students – Create ESP in PowerSchool SPED, obtain signatures, scan in signature page and finalize.
8. E-mail special education staff to confirm completion of the ESP.
9. Special Ed Students – Hold an IEP Amendment and scan into PowerSchool SPED and finalize. E-mail special education staff to confirm completion.
10. The HHB teacher and parent must be in attendance at this meeting. Participation may be through a conference call.

### **If denied:**

Counselor/HHB Coordinator will be contacted with reason for denial.

## Section 504 Procedures

Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA) protects all qualified students with disabilities, defined as those persons having a physical or mental impairment which substantially limits one or more major life activities. Section 504 covers all students who meet this definition, even if they do not fall within the IDEIA categories and even if they do not need specially designed instruction.

### **Procedures for 504:**

1. Administrator, counselor or a 504 coordinator is notified by a parent, school personnel, or community medical professional that the student is suspected of being eligible for 504 services.
2. Go to blank documents and print out the Medical Impairment form to be filled out and signed by the health care provider AND the parent.
3. After Medical Impairment form is completed and returned, schedule and notify the parent/guardian of an eligibility meeting using the Notification of Section 504/ADA Meeting form.
4. Convene meeting in which the committee decides whether the student is eligible for a 504 plan using the 504/ADA Eligibility form and document the educational impact of the impairment.
5. Provide parent with a copy of Parental Rights under Section 504/ADA.
6. If student is eligible, the committee will complete the 504 Plan and Minutes page.
7. If the student will require special transportation or any instructional or assessment accommodations, then the committee will complete the Special Transportation and/or Assessment and Accommodations forms.
8. Have appropriate school staff sign off on the Verification of Receipt form and provide them with a copy of the 504 Plan for implementation.
9. Provide the parent with a copy of the plan.
10. Review the 504 Plan annually to determine its effectiveness and whether or not it should be continued or modified for the next school year.

### Section 504 Procedures for Students Covered Under IDEIA

While IDEIA-eligible students qualify as eligible under Section 504, any special education and related services should be provided under the auspices of the IDEIA, not Section 504. Any accommodations that would be otherwise provided through a Section 504 plan would be included in the IEP. Federal (29 USC 705(20) (A))

**For the student with articulation only services**, the 504 Coordinator would work with the SLP to add the appropriate accommodations to the IEP by following this procedure:

- The SLP would notify the parent and open an IEP amendment.
- On the cover page, indicate the Purpose for the Amendment is to consider what accommodations

could be put into place for the student because of their medical issues.

- Under Discussion, indicate the health issues the student is having and how it significantly limits a major life activity (memory issues and fatigue from cancer treatments).
- On the Classroom/Program Accommodations and Modifications page, indicate the appropriate accommodations.
- The Services page must be included with appropriate service hours however the accommodations should not change the service hours.
- All of the student's teachers would be responsible for implementing the accommodations, just as in 504 plans.

### **Procedure for Students Changing from a 504 Plan To an IEP Verification Form**

The following 504 paperwork will need to be completed in PowerSchool SPED and presented at the IEP meeting:

1. 504 plan and minutes:
  - Clearly document why the student is being dismissed from 504.
2. Meeting notice
3. Verification of receipt:
  - Teachers must receive information regarding the change of service.
4. Parental Rights.
5. Continue with the IEP meeting.

### **Guidelines for Grading Students with Disabilities**

To the greatest extent appropriate, a parent has the right to have his or her child placed in general education classrooms. Also, a parent has the right for his or her child to participate in all school programs and activities with other children without disabilities. To the greatest extent appropriate:

- School district personnel must make accommodations (supports) and modifications (changes) so the child can participate in all school programs and activities;
- The parent has the right for his or her child to participate in non-classroom and extracurricular activities (such as lunch, recess, counseling, sports and clubs) to the same extent as a non-disabled child;
- The parent has the right for the IEP team to consider a variety of different special education services to meet the needs of his or her child in the least restrictive environment;
- The parent has the right to have supplementary aides and services (extra support) provided to allow his or her child to remain in regular classes as much as appropriate before considering whether to remove the child from the general education classroom; and
- The parent has the right to have his or her child placed in the neighborhood school unless the IEP team determines otherwise.

- A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications or accommodations in the general education curriculum.

**A student's IEP must include measurable annual goals, including academic and functional goals designed to:**

- Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
- Meet each of the child's other educational needs that result from the child's disability.
- Be directly related to the present levels of performance and to deficits due to the student's disability. These goals should also be based upon assuring access to the grade-level content standards.

The most effective grading practices provide accurate, specific, and timely feedback designed to improve student performance. IDEIA requires that the Individualized Education Program (IEP) for a student with a disability include a description of (1) how the student's progress toward meeting the annual goals set forth in his or her IEP will be measured and (2) when periodic reports on the student's progress toward meeting the annual goals will be provided. IEP progress will be reported as often as general education progress (monthly).

In most cases, students will receive their grade from the regular classroom teacher in collaboration with the special education teacher with accommodations and/or modifications provided by the regular and special education teachers. Students on an alternate/adapted curriculum usually receive their grade from the special education teacher. **All students receive the grades they earn regardless of the amount of necessary accommodations/modifications required.**

### **For Students on Alternate/Adapted Curriculum – ULS**

All students on an alternate/adapted curriculum will receive direct instruction. Direct instruction allows the students to reach mastery at their individual level. The Unique Learning System (ULS) curriculum meets the criteria for a scientifically-based program. ULS aligns with Common-Core State Standards that represent the core knowledge, skills and competencies that all students should learn. The lessons are goal oriented and structured to meet the individualized needs of each student. Consequently, all students will be given numeric grades that reflect their achievement on this alternate/adapted curriculum. In addition, students will be assessed and graded on individualized goals and objectives as written in their IEPs. In summary, grades will be based on the following:

- ULS Curriculum Based Benchmarks and Checkpoints
- Goals/Objectives (Progress Monitoring)
- Informal Class Assessments/Probes
- Teacher-created Lessons/Work Samples

## What should you do if a student continues to make failing grades?

- Review and determine if goals/objectives, accommodations/modifications, and specialized instruction are observable, measurable, and appropriate.
- If goals/objectives are not observable, measurable, and appropriate, an IEP Amendment meeting must be scheduled to review the IEP.
- Complete amendment as necessary.

## PowerTeacher Requirements

- Grades will be given to all students and input into Power Teacher as often as students without disabilities. **Note:** If a student is performing below grade level, annotate by selecting appropriate teacher comment from dropdown menu on report card.

**Note:** Federal legislation requires each student to receive progress monitoring data for performance of goals/objectives.

## PowerSchool SPED Requirements

- Teachers of students on general education curriculum must complete progress monitoring.
- Teachers of students on an alternate/adapted curriculum must complete progress monitoring.
- All alternate/adaptive curriculum teachers must create/update their caseloads in PowerSchool SPED.
- Note: Caseloads in PowerSchool SPED must match the number of students profiled in ULS
- Progress monitoring data must be input into PowerSchool SPED on a monthly basis
- Grades will be given to all students and input into Power Teacher as often as students without disabilities. **Note:** If a student is performing below grade level, annotate by selecting appropriate teacher comment from dropdown menu on report card.

## **Guidelines and Procedures for the Use of Service Animals by Students with Disabilities**

On March 15, 2011, the U.S. Department of Justice (DOJ) finalized regulations under New Title II of the Americans with Disabilities Act (ADA) regarding the use of service animals in governmental settings, including public schools.

## Legal Sources and References

The information provided in these Guidelines relies on the legal standards as set forth in Title II of the ADA and its regulations. The ADA is a federal civil rights law prohibiting discrimination on the basis of disability. Thus, the primary legal references herein will be the ADA and its Title II regulations, as well as a Guidance and Analysis document issued by the DOJ on September 15, 2010.<sup>1</sup> Also relied

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<sup>1</sup> This document is entitled “Nondiscrimination on the Basis of Disability in State and Local Government Services” and can be found at the ADA.GOV website or by using the following link:

upon will be current court, Office of Civil Rights (OCR) and DOJ interpretations of the ADA's requirements as they relate to the use of service animals by students with disabilities.

## **Policy, Practice and Procedures**

The following document provides the required components of The Savannah Chatham County Public School System's (SCCPSS) policies, practices and procedures for the use of a service animal by students with disabilities.

### **I. Introduction**

The ADA regulatory mandate is a general mandate for public entities, like schools, to modify their policies, practices and procedures to permit an individual with a disability to use their service animal.<sup>2</sup> It does not mandate that schools provide service animals for use, pay for, care for or train them, or otherwise ensure that an individual with a disability has a service animal. Thus, this issue is not generally considered one related to the provision of a service or a free appropriate public education (FAPE) to a student either under the ADA, Section 504 of the Rehabilitation Act (Section 504) or the Individuals with Disabilities Education Act (IDEA). Rather, it affords a student with a disability who has a service animal the accommodation of being accompanied by the service animal at school. This overall concept should be emphasized in a school district's procedures and in training of school personnel to appropriately respond to requests related to service animals.

### **II. Overriding Principles**

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) Is the dog a service animal required because of a disability? (2) What work or task has the dog been trained to perform? Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- According to OCR and DOJ, whether a student with a disability may bring his or her service animal to school does not depend upon whether the animal is necessary to provide the student FAPE (e.g., it does not matter that the student's paraprofessional can provide the student the same assistance).
- The fact that other students or school staff have allergies to, or a fear of the animal, is not relevant to the inquiry, according to DOJ.
- Under the ADA, service animals must be harnessed, leashed or tethered, unless these devices interfere with the service animal's work, or the individual's disability prevents the use of these devices. In that case, the individual must maintain control of the animal through voice, signal or other effective controls.

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[http://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm](http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm). This document will be referenced herein as "DOJ Guidance and Analysis."

<sup>2</sup> 28 Code of Federal Regulations (C.F.R.) § 35.136(a).

- Individuals who have service animals are not exempt from local animal control or public health requirements.
- Service animals are subject to local dog licensing and registration requirements.
- Mandatory registration of service animals is not permissible under the ADA. However, as stated above, service animals are subject to the same licensing and vaccination rules that are applied to all dogs.
- The only allowable reasons for denying a proper request for a service animal to attend school with a student with a disability or asking that a service animal be removed from school premises are: 1) the animal is out of control and the animal’s handler does not take effective action to control it; 2) the animal is not housebroken; 3) the animal’s presence poses a “direct threat” to the health or safety of others, based upon an individualized assessment; or 4) the animal’s presence would constitute a “fundamental alteration” to the nature of the services, program or activity provided by the school.<sup>3</sup>

### III. Definitions and Examples

#### Definition of “disability”

**Disability** means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

(1)(i) The phrase **physical or mental impairment** means—

(A) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine;

(B) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(ii) The phrase **physical or mental impairment** includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

(iii) The phrase **physical or mental impairment** does not include homosexuality or bisexuality.

(2) The phrase **major life activities** means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

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<sup>3</sup> §§ 35.130(b)(7), 35.139; 28 C.F.R. pt.35, app. A, § 35.104 at 600, § 35.136 at 608 (July 1, 2014).

### Definition of “service animal”

The ADA regulations define a “service animal” as “**any dog** trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.”<sup>4</sup> It should be noted that there are no size or weight limitations as it relates to dogs as service animals, and DOJ has determined that “such limitations would not be appropriate.”<sup>5</sup>

### Definition and examples of “work or tasks”

“Work or tasks” performed by a service animal are not specifically defined under the ADA regulations, but examples are provided. First, the regulatory definition of “service animal” provides that whatever the “work or task” is, it must be “directly related to the individual’s disability.”<sup>6</sup> For example, a person with diabetes may have a dog that is trained to alert him when his blood sugar is too high or too low. A person suffering from depression may have a dog that is trained to remind her to take medication. A person with epilepsy may have a dog that is trained to detect a seizure and then help the person to remain safe during the seizure. In addition, the regulatory definition provides examples of “work or tasks” to include, “but not be limited to,”—

assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.<sup>7</sup>

Further examples provided by DOJ include tasks performed by “psychiatric service animals,” which “may include reminding the individual to take medicine, providing safety checks or room searches for persons with PTSD, interrupting self-mutilation, and removing disoriented individuals from dangerous situations.”<sup>8</sup>

DOJ has also provided the following “caution:”

Unless the animal is individually trained to do something that qualifies as work or a task, the animal is a pet or support animal and does not qualify for coverage as a service animal. A pet or support animal may be able to discern that the individual is in distress, but it is what the animal is trained to do in response to this awareness that distinguishes a service animal from an observant pet or support animal.<sup>9</sup>

4 C.F.R. § 35.104 (emphasis added).

5 DOH Guidance and Analysis, p.81.

6 28 C.F.R. § 35.104

7 28 C.F.R. § 35.104

8 DOJ Guidance and Analysis, p. 78.

9 DOJ Guidance and Analysis, p. 78.

#### IV. Guidelines for Addressing a Service Animal Request

The Savannah Chatham County Public School System acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a “service animal” in its school buildings, in classrooms, and at school functions, as required by the Americans with Disabilities Act, 28 CFR Part 35, subject to the following:

1. All requests for an individual with a disability to be accompanied by a service animal must be addressed **in writing** to Dr. Ann Levett, Superintendent of Schools at 208 Bull Street, Savannah, GA 31415, and must contain required documentation of vaccinations. This written request must be delivered to Dr. Ann Levett’s office **at least 15 business days** prior to bringing the service animal to school or a school function.
2. Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, parainfluenza, Parvovirus, and Coronavirus), Bordetella, and Rabies.
3. All service dogs must be spayed or neutered.
4. All service animals must be treated for, and kept free of, fleas and ticks.
5. All service animals must be kept clean and groomed to avoid shedding and dander.
6. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property. The animal must be “individually trained” to do work or a task for the individual with a disability.
7. Removal of a Service Animal: A school administrator may ask an individual with a disability or his parents to remove a service animal from a school building, a classroom, or from a school function if any one of the following circumstances occurs:
  - a. The animal is out of control and the animal’s handler does not take effective action to control it.
  - b. The animal is not housebroken.
  - c. The animal’s presence would “fundamentally alter” the nature of the service, program, or activity.
8. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control.
9. The school system is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal’s need to relieve itself.
  - a. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
  - b. Students with service animals are expected to care and supervise their animals. In the case of a young child or a student with disabilities who is unable to care for or supervise his service animal, the parent is responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis at the discretion of the building administrator.
10. The principal should send a letter to parents informing them about the service animal in the school building.
11. An evacuation plan must be developed; including participation in fire drills.

12. Approving or Denying a request for a student to bring a service animal to school **could** be decided by the IEP or Section 504 team.
13. The parent will be notified in writing if the service animal request has been approved or denied.
14. If an IEP or Section 504 team is the designated mechanism for making the decision, the accommodation would be listed as “allowing the student to bring his or her service animal to school” and not the provision of the animal itself, unless the team believes that a service animal is required to provide the student FAPE.
15. The following questions that should be asked when determining whether the animal is a service animal: (this information should be documented in an IEP or Section 504)
  - \* Identification of work or tasks directly related to the disability;
  - \* Whether the animal is housebroken;
  - \* Whether a direct threat to health or safety of others would be presented by the presence of the animal;
  - \* Whether any modifications or adjustments to the school environment or educational program of the student (or others) may be needed;
  - \* Whether a fundamental alteration in program, service or activity would occur if the animal were allowed to attend with the student. (In some cases where it may not be clear whether the animal is actually trained to or actually performs work or tasks for a student with a disability, the dog may be allowed to be used at school and collect data to determine whether the animal is actually a service animal.
16. The school is responsible for making any arrangements or adjustments that are needed within the school environment before the service animal comes to school, including any adjustments needed to accommodate other students or staff who have animal allergies or fears.
17. If it is determined that a service animal will be allowed, the school should have a process in place for properly dealing with the service animal while at school or at a school function. This should include components such as:
  - \* Training for staff/other students to properly respond to and address the service animal and to understand the work or tasks that it performs;
  - \* Consultation with service animal trainer(s) or other appropriate professionals with respect to issues that may arise;
  - \* Setting up a proper schedule and location for the handler to care for the animal’s needs during the school day;
  - \* Establishing criteria for determining whether proper circumstances exist for making a request that the animal be removed; and
  - \* Working with the transportation department to address transportation issues, if the service animal is going to be transported via the school district’s transportation system;
  - \* Removal of service animal if it becomes disruptive.

## **Service Animals Request Forms**

1. Service Animal Request Checklist\* - Completed by School & Parent
2. Service Animal Agreement Form

\*Please note the following: Although Department of Justice has indicated that a school district may not “require” such documentation regarding certification, training or licensing, ADA regulations are not specific to schools; nor does it prohibit schools districts from asking for that information. Failure

to provide such documentation cannot be the sole reason for denying a student the right to use the service animal at school.

## **Private Therapists**

Private therapists who are not employed by the District are not permitted to enter the educational setting, including the cafeteria or playground, unless they are escorted by the Program Manager (or his/her designee) from the Department for Specialized Instruction. When escorted by staff from the Department for Specialized Instruction, the private therapist is permitted to conduct an observation for a maximum duration of 60 minutes at a frequency of once per week. During this observation, the private therapist is not permitted to interact in any manner with other students. An appointment for the observation is required and must be requested through the Program Manager.

The Program Manager (or his/her designee) will contact the teacher to determine an appropriate day and time in order to limit disruptions in learning and maintain compliance with physical space requirements. The therapist must be supervised around students at all times.

In order to maintain the safety of students, any private therapist wishing to observe a student in the District will be required to complete the following prior to approval:

- Complete and be cleared through the Beacon screening process
- Have a parental release for the student they wish to observe on file with the District
- The therapist will submit a copy of their state issued credentials/license

## **Resources:**

Americans with Disabilities Act

<http://www.ADA.gov/>

U.S. Department of Education Office for Civil Rights

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

U.S. Department of Justice

Civil Rights Division, Disability Rights Section

[http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm)

Florida Department of Education

Bureau of Exceptional Education and Student Services (2015).

Updated Guidelines and Template for School District Policy, Practice and Procedures for the Use of Service Animals by Students with Disabilities.

<http://fldoe.org>

Melinda Jacobs, Esq. (2011). AS20: Making Sense of Service Animal Requests in Your School.

## APPENDICES

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### Program Manager Duties and Responsibilities

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- Coordinates delivery of services to identified students
- Implements procedures to ensure compliance with regulations
- Recommends and develops program budgets and grants
- Provides programming support to site administrators
- Provides programming support to special education teachers
- Completes assessments to determine program effectiveness and generates plans for program improvement
- Coordinates FTE verification procedures
- Develops and implements procedures for managing special education data required for trend analysis
- Assists in developing training and information material for dissemination to schools, parents and community agencies
- Coordinates and monitors psychological services at various sites
- Uses program evaluation data to provide information to the Director, Specialized Instruction
- Provides management oversight for program areas assigned by the Director, Specialized Instruction
- Performs other duties as necessary for the effectiveness of the organization

### DSS Duties and Responsibilities

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- Assist schools with recommendations for obtaining needed RtI or other information for student support/intervention/referrals
- Manage timelines by entering consent to evaluate in PowerSchool SPED and providing the form to the school for parental signature for initial referrals to programs not requiring a psychological (such as SI, PSI, OI, Blind/VI, D/HOH) and reevaluations including referrals to new programs
- Enter in PowerSchool SPED the date the school received the signed CTE for initial referrals noted above to begin the timeline
- Monitor timeline compliance through effective communication with psychologists, therapists and site personnel
- Assist with district level trainings and follow up
- Train site staff on writing eligibilities
- Review reevaluation eligibilities prior to the eligibility meeting to ensure appropriateness and work with the teacher to make any needed corrections
- Enter information in PowerSchool SPED profile regarding students new to the district
- Monitor/update special education data edits for accuracy in a timely manner
- Review PowerSchool SPED active students and work with Information Specialists and ECST's to ensure that the active student list in PowerSchool SPED and PowerSchool matches
- Review PowerSchool SPED reports for service schools and monitor timely completion of due process documents

- Train site staff on how to locate and review site reports to maintain up-to-date records in PowerSchool SPED
- Provide and/or assist with specified training for school staff
- Serve as a resource for special education teachers
- Assist with at least one IEP for new special education teachers
- Continue assistance/support to new special education teachers as needed
- Complete IEP Reviews for assigned teachers
- Follow-up with teachers needing to improve in focus areas per IEP Reviews
- Work with the Program Manager to assist with meeting any other site needs

## **Exceptional Child Support Teacher (ECST) Responsibilities**

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- Mentor new special education teachers
- Work with Program Manager and/or DSS when assistance is needed
- Schedule services for SWD according to the IEP
- Create a school calendar for annual reviews, reevaluations, special considerations and referrals out of SDD
  - **Note:** annual reviews should be scheduled one month prior to the due date
- Monitor the completion of and updating of FTE forms as appropriate
- Assist in maintaining current due process documentation by addressing IEP and Timeline Alert Reports in PowerSchool SPED within established time frame
  - Monitor the timely completion of IEPs
  - Monitor redetermination timelines to include special considerations and reevaluations
  - Create a school calendar reflecting this information
- Attend manifestation meetings for students having over 10 days of ISS and/or OSS and for any student being referred for LTS or expulsion
- Provide timely documentation of makeup services for any students having over 10 of OSS and/or ISS days and provide information to the department regarding these services through established process and forms
- Obtain, review, and scan/upload documentation for transfer students from out of district – update this information if needed – email DSS to enter data in PowerSchool SPED Student Profile
  - Schedule amendment to review information
  - Obtain consent to place
  - Email DSS that a consent to evaluate is needed when a reevaluation is determined necessary (inform DSS ahead of time when possible if the school intends to request reevaluation).
- Email the DSS that the signed Parental Consent for evaluation has been received.
- Attend scheduled ECST meetings at **Whitney in the Professional Learning Center.**