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ABSTRACT

This manual of recommended policies and procedures was developed to assist Ohio school districts in meeting the spirit and intent of the Individuals with Disabilities Education Act and related federal and state regulations. Section 1 presents information on requirements concerning provision of a free appropriate public education for children with disabilities. The continuum of program placements and support services is addressed. Section 2 focuses on child identification. In-school and out-of-school identification, transition from early intervention programs, and the child count are discussed. Section 3 reviews student confidentiality policies including access rights, safeguards, destruction of information, and children's rights. Section 4 describes procedural safeguards, with information on parental notifications and independent educational evaluations. Section 5 provides material on student assessment and multifactor evaluation, including information on the multidisciplinary team and its responsibilities, reevaluation, and eligibility criteria for all areas. Section 6 discusses the individualized education program and the requirement for children to be placed in the least restrictive environment. Section 7 reviews due process procedures. Each section includes copies of relevant forms. Among 10 appendices are sample forms, planning charts, sample policy statements, and definitions. Several appendices are attached. (CR)

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MODEL POLICIES AND PROCEDURES FOR THE EDUCATION OF CHILDREN WITH DISABILITIES

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Ohio Department of Education
 Columbus, Ohio
 1995



**MODEL
POLICIES AND PROCEDURES
FOR
THE EDUCATION
OF
CHILDREN WITH DISABILITIES**



**Ohio Department of Education
Columbus, Ohio
1995**

Model Policies and Procedures for the Education of Children with Disabilities

*Prepared by the
Ohio Department of Education
Division of Early Childhood Education and
Division of Special Education*

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JOHN M. GOFF
SUPERINTENDENT OF
PUBLIC INSTRUCTION

STATE OF OHIO
DEPARTMENT OF EDUCATION
COLUMBUS
43215-4183

September 11, 1995

Dear Colleagues:

The State Board of Education's Vision Statement opens with the belief that "**All Students Can Learn** and...that **All Students Will Learn** if the conditions for learning are right." That Vision is crucial to the success of building schools that include and support *all* children. Getting the conditions right — the attitudes, relationships, facilities, resources, skills, organization, methodology, equipment, and materials — is what good teaching is all about. And, it is the essence of special education.

The intent of the Individuals with Disabilities Education Act (IDEA, P.L. 101-476), originally enacted in 1975, is to ensure that all children with disabilities receive a free appropriate public education. Special education has always been defined as specially designed *instruction* to meet the unique needs of a child with a disability. However, in the highly categorical system that has been created nationwide, the disability label most often drives, not only the placement, which is often associated with a different "room" or location, but also the services that the child ultimately receives.

This manual — Ohio's *Model Policies and Procedures for the Education of Children with Disabilities* — has been developed and piloted in districts across the state in a sincere effort to help school personnel and parents implement both the letter and spirit of IDEA. Federal and state requirements, coupled with accompanying procedures and sample forms, are provided for all major areas of IDEA, including free appropriate public education, child identification, confidentiality, procedural safeguards, multifactor evaluation, individualized education program, and due process procedures. Additional resources, supportive material, and definitions of commonly used terms are also provided.

I express my sincere appreciation to members of Ohio's Policy and Procedures Task Force who have been working since 1993 to develop user-friendly model policies and procedures. Special thanks are extended to Dr. Ed Fox, former director of Cuyahoga Special Education Regional Resource Center (SERRC), Dr. David Roach, director of Southeastern Ohio SERRC, and Dr. Kristen Kask, assistant director in the Division of Special Education, for cochairing the Task Force, and to Betty Cannon, word processing specialist, for her many hours of work in arranging meetings and preparing the document.

It is our hope that all school districts in Ohio will adopt the *Model Policies and Procedures for the Education of Children with Disabilities*, and that school personnel and parents will work together to implement these policies and procedures, leading to improved educational opportunities and experiences for all Ohio students.

Sincerely,

John Goff
Superintendent of Public Instruction



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

MEMORANDUM

RECEIVED

AUG 16 1995

DIV. OF SPECIAL EDUCATION

TO: John Herner
Kristen Kask
Ohio Department of Education (ODE)

FROM: Helen Eano *HE*
Ohio State Contact
Office of Special Education Programs (OSEP)

SUBJECT: ODE'S MODEL POLICIES AND PROCEDURES FOR THE EDUCATION OF CHILDREN WITH DISABILITIES

Congratulations on the completion of a comprehensive and user friendly guide to the practice of special education in Ohio! Used along with the explanation of parents' rights, and the IEP "Tour Book" and "Road Map", the policies and procedures manual provides excellent guidance for programs that are legally compliant and that exemplify quality educational practice. You, the ODE staff members, and the many Ohio parents, educators, advocates and others who worked on this project are to be commended for your skill, tenacity, and diligence.

The policies and procedures manual satisfies the corrective action requirement in the Office of Special Education Programs Final Monitoring Report: 1991 Review of the Ohio Department of Education, issued January 14, 1993, that required ODE to develop a State model of administrative procedures for students with disabilities that school districts may adopt.

In addition, the policies and procedures in the manual that relate to the pending revisions to the Ohio Rules for the Education of Handicapped Children (Rules) are fully consistent with Part B of the Individuals with Disabilities Education Act (Part B), as required in OSEP's conditional approval of ODE's fiscal year (FY) 1996 grant award under Part B. These policies and procedures, or locally developed policies and procedures that are fully consistent with Part B, must be utilized as the basis for the operation and administration of the Part B program during the period of the FY 1994-96 State Plan. For your convenience, I have referenced the sections and pages in the manual that address the pending revisions to the Rules. (See attached page.)

Again, congratulations to all of the participants who developed the policy and procedures manual and the complementary materials. I believe that your work will enhance the ability of Ohio educators and parents to provide quality services to children with disabilities in Ohio.

cc: Carolyn Smith

ACKNOWLEDGEMENTS

We acknowledge John Herner, director of the Division of Special Education, and Jane Wiechel, director of the the Division of Early Childhood Education, and their respective staffs, for their vision, their dedication, and their commitment to improving educational opportunities for *all* children. The development of Ohio's *Model Policies and Procedures for the Education of Children with Disabilities*, including the parent notice of procedural safeguards, represents a truly collaborative effort involving many hours of work on the part of ODE and SERRC personnel, and parents, teachers, and school administrators across the state of Ohio.

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A special thanks to Jackie Seward and Martin Berkowitz, word processing specialists, for their many hours of work in preparing Whose IDEA is This? A Resource Guide for Parents.

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Pilot School Districts
Amherst Exempted Village Schools:
(Lorain County)

Shupe Elementary

Athens City Schools:

Chauncey Elementary
Athens High

Cincinnati Public Schools:

Rothenberg Elementary
Schwab Middle
Vine Elementary

Columbus Public Schools:

Ohio Avenue Elementary
Wedgewood Middle
Whetstone High

Granville Exempted Village:
(Licking County)

Granville Elementary

Lakewood City Schools:

Hayes Elementary
Harding Middle
Lakewood High

Perry Local Schools:
(Lake County)

Center Road Elementary

Strongsville City Schools:

Dexter Frank Drake Elementary
Center Junior High
Strongsville High

Vinton County Local Schools:

Allensville Elementary
Vinton County Junior High

Worthington City Schools:

Granby Elementary

HOW TO USE THIS MANUAL

PURPOSE

The *Model Policies and Procedures for the Education of Children with Disabilities*, hereafter referred to as the Manual, has been developed to assist districts to meet the spirit and intent of the Individuals with Disabilities Education Act (IDEA), and corresponding federal and state regulations.

All school districts are required to provide a free appropriate public education (FAPE) to all children with disabilities in accordance with IDEA.

In the provision of a free appropriate public education, children and their parents are afforded due process rights, requiring school districts to follow certain procedural safeguards. Individualized education programs (IEPs), for example, must be developed and reviewed for each child with a disability who receives special education and related services.

This Manual is intended to provide school district personnel with model policies and procedures which, when followed, will ensure compliance with IDEA.

SUGGESTIONS AND INSTRUCTIONS FOR DISTRICT ADOPTION OF MODEL POLICIES AND PROCEDURES

1. The **School Board Policy** is located in Section 1: Free Appropriate Public Education (FAPE) of the Manual, and it is recommended that local boards of education adopt Section 1. It is only necessary for the Board to adopt the policy statements. The remaining sections of the Manual outline the procedures that the district will follow to implement school board policy. Therefore, if changes provided by the Ohio Department of Education, Divisions of Special Education and Early Childhood Education are made to the procedures, the Manual need not be presented again to the Board for approval.
2. The "**Administrative Assignment**" form must be completed by the superintendent as a requirement for compliance. This form should be reviewed and updated annually or as school district administrative responsibilities change.

If the district should revise any procedure and/or form(s), such revisions will need to be submitted to the Ohio Department of Education, Division of Special Education, for approval prior to implementation and must be submitted on an annual basis.

FEATURES OF THE MANUAL

The Manual is divided into seven sections, labeled one (1) through seven (7), which address major areas of federal and state regulations. Ancillary information, including definitions, are included in the Appendices. Sections 1 through 7 include

- Section 1 Free Appropriate Public Education (FAPE)
- Section 2 Child Identification
- Section 3 Confidentiality
- Section 4 Procedural Safeguards
- Section 5 Assessment/Multifactor Evaluation (MFE)
- Section 6 Individualized Education Program (IEP)/Least Restrictive Environment (LRE)
- Section 7 Due Process Procedures

CONTENT

Table of contents, including a list of forms for each section, is organized to provide the following information:

- The **section** of the manual, and **topic**.
- The applicable **federal regulation(s)**. If a federal regulation is not quoted verbatim, the term "Abridged" is used to denote paraphrased language.
- The applicable **state standard(s)**.
 - Where the state standard is identical to the federal regulation, the phrase "federal regulation language and state standard language are the same" appears.
 - Where the state standard denotes a procedure, the words "refer to procedure" are used.
 - State standard language has been changed to reflect "children first" language. The words "child/children with disabilities" have replaced "handicapped child/children."
- The **procedure**, which indicates the action to be taken by district personnel to implement federal and state laws and regulations. Optional or suggested procedures are marked by the symbol "♦."
- The **documentation**, which indicates the sample form or other written material that may serve to facilitate the activity and/or serve as documentation.
- The **responsibility**, which indicates the primary person who may be responsible for this activity. The Administrative Assignment Form (FAPE-102) is provided in Section 1 for district use in determining primary responsibility for required tasks.
- The **time lines**, which are specified for required activities. If the time line is not specified, the activity is ongoing. All "days" are considered calendar days, unless otherwise specified.
- The **additional resources**, which provide references, as well as optional resources, for district use. Additional resources refer to resources not found in the Manual.
- **Appendices**, which include ancillary information and definitions of commonly used terms, are also provided and follow Section 7.

FORMS

Each section of the Manual also includes sample **forms** that may be duplicated for district use. The word **form** is used in this Manual to denote sample letters, memoranda, charts, supplementary information, survey instruments, and reports. The symbol "❖" is again used to indicate **forms** that are optional or suggested, rather than required.

Reference codes are included on the top right corner of each form. A key follows:

| | | |
|------------|------|--|
| Section 1: | FAPE | Free Appropriate Public Education |
| Section 2: | CI | Child Identification |
| Section 3: | CN | Confidentiality |
| Section 4: | PS | Procedural Safeguards |
| Section 5: | MFE | Assessment/Multifaceted Evaluation |
| Section 6: | IEP | Individualized Education Program (IEP)/ Least Restrictive Environment (LRE) |
| Section 7: | DP | Due Process Procedures |

A FINAL NOTE

Procedures are only as good as the user. Proper implementation of the procedures and related forms will not only assist in the provision of appropriate educational services for children with disabilities, but may also save time and expense and reduce frustration on the part of parents and school personnel in the event of an impartial hearing or litigation. The special education regional resource centers (SERRCs) are available to assist school districts in the implementation of these procedures.

COMPUTER COMPATIBILITY

This document has been developed on the Macintosh (Apple) computer, using the following program and settings listed below.

- Program: Microsoft Word 5.1
- Printer: Laser Writer II
- Settings: Left and right margins are set at .75
Top and bottom margins are set at .50

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| DP-704 | Parent Notification of Agency Request for Impartial Due Process Hearing |
| DP-705 | Due Process Mediation Case Conference Report |
| DP-706 | School Checklist for Parent-Initiated Impartial Hearings |
| DP-707 | School Checklist for School-Initiated Impartial Hearings |
| DP-708 | Parent Checklist for Impartial Hearings |
| DP-709 | Due Process Procedures Clarification |

SECTION 1: FREE APPROPRIATE PUBLIC EDUCATION

CONTENTS BY TOPIC

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| Continuum of Program Placements and Support Services | Page 3 |

FORMS

TOPIC

| | | |
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| FAPE-101 | Board Policy - Special Education..... | Board Policy |
| FAPE-102 | Administrative Assignment Form..... | Board Policy |

SECTION: Free Appropriate Public Education

TOPIC: District Plan

FEDERAL REGULATION: 34 CFR §§300.304(a) and 300.8

§300.304(a) Full educational opportunity goal.

Each SEA shall ensure that each public agency establishes and implements a goal of providing full educational opportunity to all children with disabilities in the area served by the public agency.

§300.8 Free Appropriate Public Education

As used in this part, the term "free appropriate public education" means special education and related services that—

- (a) Are provided at public expense, under public supervision and direction, and without charge;
- (b) Meet the standards of the SEA, including the requirements of this part;
- (c) Include preschool, elementary school, or secondary school education in the State involved; and
- (d) Are provided in conformity with an IEP that meets the requirements of §§300.340-300.350.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|-----------------------|--------------------------------|
| <p>1. Develop a plan for providing special education services to identified children residing within the district. In doing so,</p> <ul style="list-style-type: none"> a. Provide a comprehensive overview of service delivery options for the provision of special education services. b. Include a description of related and support services provided for identified children residing in the district (refer to pages 3 and 4). <p>Note: Additional services must be provided if required by an individual child.</p> <ul style="list-style-type: none"> c. Provide a continuum and/or service delivery option that reflects the following: <ul style="list-style-type: none"> (1) State-funded units for teachers and related services personnel; (2) Contracts with other LEAs and/or agencies to provide services; (3) Interagency agreements to collaborate in the provision of needed services, which should be updated annually; (4) Locally funded services necessary for the provision of FAPE to all identified children residing within the district; and (5) Services provided through other funding sources, such as grants. d. Include overview for provision of services in integrated settings. e. Include, if desired, information regarding differentiated referral/intervention options prior to identification. <p>Note: Experimental special education programs may waive State requirements that go beyond Part B, but they may not waive requirements of Part B.</p> | <ul style="list-style-type: none"> • Unit application(s) • Flow-Thru (TitleVI-B) application • Contract(s) • Copies of interagency agreement(s) <p style="text-align: center;">22</p> | <p>Superintendent</p> | <p>As needed and annually.</p> |

Continuum of Program Placements and Support Services

Educational Management Information System (EMIS) Reporting Codes

Disability Conditions

1. Multiple Disabilities
2. Deaf-Blindness
3. Hearing Impairments
4. Visual Impairments
5. Speech-Language Disabilities
6. Orthopedic Impairments
7. Other Health Impairments
8. Severe Behavior Handicaps
(Serious Emotional Disturbance)
9. Developmentally Handicapped
(Mental Retardation)
10. Specific Learning Disabled
11. Preschool Child with a Disability
12. Autism
13. Traumatic Brain Injury

Related & Support Services for Children with Disabilities

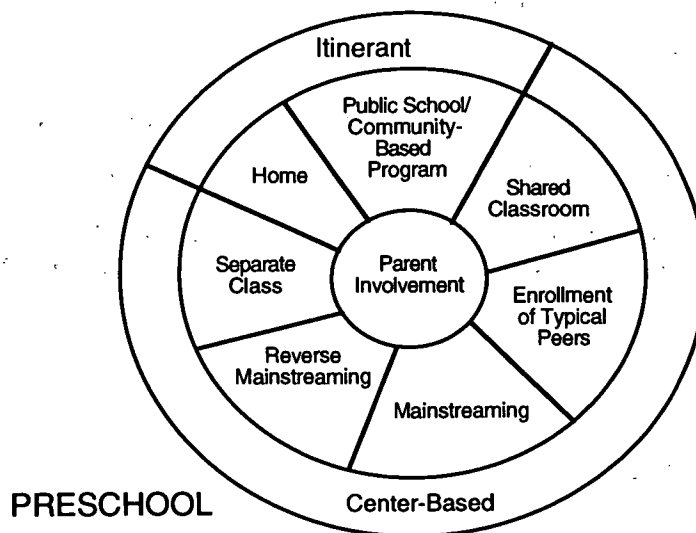
- | | |
|---|--|
| 215002 Aides | 215017 Parent Involvement |
| 215003 Attendant Services | 215018 Counseling/Guidance |
| 215004 Audiological Services | 215019 Adaptive Equipment & Services |
| 215005 Guide Services | 215020 Recreational Services |
| 215006 Interpreter Services | 215021 Special Transportation |
| 215007 Medical Services | 215022 Social Work Services |
| 215008 Occupational Therapy Services | 215023 Other (Identified by IEP Team) |
| 215009 Orientation & Mobility Services | 215024 Braille Services |
| 215010 Physical Therapy Services | 215025 Transitional Services |
| 215011 Reader Services | |
| 215012 School Psychological Services | |
| 215013 Speech and Language Services | |
| 215014 Supervisory Services | |
| 215015 Voc. Sp. Ed. Coordinator Services | |
| 215016 Work-Study Services | |

SCHOOL-AGE PROGRAM

1. Regular classes,
2. Learning center located in
 - a. A public school building,
 - b. A separate school in the school district, or
 - c. A separate facility, such as
 - (1) A county board of mental retardation and developmental disabilities facility;
 - (2) The Ohio State School for the Blind or Ohio School for the Deaf; or
 - (3) A state institution operated by the Ohio Department of Mental Health, the Ohio Department of Mental Retardation and Developmental Disabilities, the Department of Youth Services, or the Ohio Central School System;
3. Hospital/institution,
4. Home, or
5. Other appropriate environments.

PRESCHOOL PROGRAM

1. Itinerant services are defined as services provided by preschool special education teachers and/or related services personnel which occur in the setting where the child or the child and the parent(s) are located. This model includes two methods of service delivery: 1) services delivered in the home environment; and 2) services delivered to a child attending a public school/community-based program for typically developing children.
2. Center-based services are defined as classroom programs that provide group educational experiences to children of similar ages or developmental levels on a regularly scheduled basis and in a central location. This model includes several methods of service delivery:
 - a. Shared Classroom In this arrangement one class for children with disabilities and one class for typically developing children share the same classroom space. Teachers “team plan and teach.”
 - b. Enrollment of Typical Peers In this arrangement, up to six age-eligible typically developing children are enrolled in a special class for the purpose of establishing an integrated class setting.
 - c. Mainstreaming In this arrangement, children with disabilities are enrolled in a special class, and also participate in planned activities that take place within preschool programs for typically developing children.
 - d. Reverse Mainstreaming In this arrangement, children who are enrolled in programs for typically developing children participate in some of the activities that take place within the special class setting.
 - e. Separate Class In this arrangement, children with disabilities are enrolled in a special class with no planned interaction with typically developing peers. In this case the nature and degree of services that necessitate separate class placement must be well documented.
 - f. Separate Class/Separate Facility Same as definition above and no typically developing age-mate children are enrolled in the facility.
3. The strengths and needs of each child and family shall provide the basis for making decisions regarding placement in the Least Restrictive Environment.



Board Policy Special Education

The _____ Board of Education, as an expression of its commitment to provide a free appropriate public education for children with disabilities in accordance with state and federal laws, rules, and regulations, does hereby resolve to implement the following policies:

I. CHILD IDENTIFICATION

It shall be the policy of this school district that ongoing efforts will be made to identify, locate, and evaluate children below 22 years of age, who reside within the district and have a confirmed or suspected disability in accordance with all federal regulations and state standards.

II. PROCEDURAL SAFEGUARDS

It shall be the policy of this school district that the child with a disability and his/her parent shall be provided with safeguards, as required by law, throughout the identification, evaluation, and placement process, and the provision of a free appropriate public education to the child.

III. MULTIFACTORED EVALUATION

It shall be the policy of this school district to provide a multifactored evaluation for children with disabilities by ensuring that children are assessed in their native language or other mode of communication; tests are used for their validated purposes; children are evaluated in all areas related to their suspected disability; testing is conducted by a multidisciplinary team; testing materials and procedures are not racially or culturally biased; tests are administered by trained personnel qualified in accordance with all federal regulations and state standards; tests are administered in conformance with the instructions provided by the producer; and, that medical evaluation, when required as part of the multifactored evaluation, shall be provided at no cost to the parent by a licensed physician designated by the superintendent or his/her designee, when other no-cost resources are not available.

IV. INDIVIDUALIZED EDUCATION PROGRAM

It shall be the policy of this school district that an individualized education program (IEP) will be developed for each child with a disability who needs special education. The IEP shall be designed to meet the unique educational needs of the child and shall be developed in a planning conference. Parents of the child shall be strongly encouraged to participate in the planning conference. The IEP shall be reviewed and revised as often as necessary, but at least annually.

V. LEAST RESTRICTIVE ENVIRONMENT

It shall be the policy of this school district that the education of children with disabilities shall occur in the least restrictive environment; special education programs and services shall be appropriate and designed to meet the unique needs of each child with a disability; to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who do not have disabilities; special classes, separate schooling, or other removal of children with disabilities from the regular educational environment, shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

VI. CONFIDENTIALITY OF DATA

It shall be the policy of this school district that the confidentiality of personally identifiable data relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction, and that one official of this school district shall be assigned the responsibility for protecting the confidentiality of personally identifiable data. This school district follows all federal regulations and state standards related to the confidentiality of data.

VII. DUE PROCESS

It shall be the policy of this school district to utilize procedures that allow differences of opinion between parent(s) and this school district or between agencies and this school district, to be aired and resolved; and that the procedures shall provide for utilization of case conferences, administrative reviews, impartial due process hearing, and state level appeals and appeals to the courts that involve the district's proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. Furthermore, the rights of children with disabilities shall be protected when the parents cannot be identified or located, when the child is a ward of the state, or when the child is without a formally declared legal representative.

VIII. SURROGATE PARENT

It shall be the policy of this school district that whenever the parent(s) or guardian(s) of a child with a disability are not known or cannot be located, or when the child is a ward of the state, the child's rights shall be protected through the assignment of an individual (who shall not be an employee of the state education agency, local education agency, or intermediate educational unit involved in the education of the child) who will serve as the child's surrogate parent.

IX. TESTING PROGRAMS

It shall be the policy of this school district that students with disabilities shall participate in local and statewide testing programs to the maximum extent appropriate. Individual exemptions shall be determined only during an IEP conference.

Be it further resolved that the superintendent shall administer the local implementation of these state procedures, in accordance with state and federal laws, rules, and regulations, which will ensure fulfillment of the policies contained herein.

Adopted the _____ day of _____ 19 _____

Yeas: _____

Nays: _____

Signed: _____ President of Board

Signed: _____ Treasurer of Board

ADMINISTRATIVE ASSIGNMENT FORM

SCHOOL DISTRICT:

Please identify the person by name and/or job title assigned to fulfill each of the following responsibilities:

- A. The person assigned the responsibility for supervising the implementation of special education procedures at the district level is:

- B. The person assigned the responsibility for implementing special education procedures for students at the building level is:

- C. The person assigned the responsibility for planning and implementing the ongoing in-school and out-of-school identification system (Child Identification System Coordinator) is:

- D. The person assigned the responsibility for assuring the confidentiality of personally identifiable data (Records Control Officer) is:

- E. The person assigned the responsibility for implementing special education procedures for school-age children not yet enrolled in school is:

- F. The person assigned the responsibility for implementing special education procedures for school-age children who are residents of this school district, but who are attending a program provided by an agency or other school district is:

- G. The person assigned the responsibility for implementing special education procedures for preschool children is:

H. The person or persons specified below, by name and position, are authorized to function as the district representative at IEP meetings to assure the provision of special education programs and services, as specified on a child's individualized education program (IEP).

List the name(s) and position(s) of individual(s) authorized to serve as district representative, as defined below.

❖ I. **Case Manager:** The person or persons may be assigned the responsibility of acting as case manager for individual students. This person(s) would serve as an advocate for the child, tracking him/her through all phases of identification and service delivery to assure that his/her needs are being met. This person could be a building principal, school psychologist, regular education teacher, special education teacher, or other individuals, as assigned by the superintendent.

J. **Other**

The responsibilities specified herein are assigned as of _____, 19_____.

_____, Superintendent.

"District Representative" means

A person, other than the child's teacher, who is a representative of the school district and who is qualified to provide, or supervise the provision of, special education. Who can serve as the representative of the public agency at an IEP meeting? The representative of the public agency could be any member of the school staff, other than the child's teacher, who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities. (Section 602(a)(20) of the Act). Thus, the district representative could be (1) a qualified special education administrator, supervisor, or teacher (including a speech-language pathologist); or (2) a school principal or other administrator—if the person is qualified to provide, or supervise the provision of, special education. Each state or local agency may determine which specific staff member will serve as the agency representative. However, the representative should be able to ensure that those services specified in the IEP will actually be provided and that the IEP will not be vetoed at a higher administrative level within the agency. Thus, the person selected should have the authority to commit agency resources (i.e., to make decisions about the specific special education and related services that the agency will provide to a particular child). For a child with a disability who requires only a limited amount of special education services, the agency representative could be a special education teacher, other than the child's teacher, or a speech-language pathologist. For a child who requires extensive special education and related services, the agency representative might need to be a key administrator in the agency.

❖ Denotes optional procedure

SECTION 2: CHILD IDENTIFICATION

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| Child Information Management System - Child Count | Page 15 |

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| CI-201 | Sample Awareness Notice..... (Search for Children with Disabilities Underway) | General/Out-of-School ID Intensive Awareness Campaign |
| CI-202 | Identification Effort, Sample Letter, Superintendent to Staff..... | In/Out-of-School ID |
| CI-203 | Differentiated Referral System..... | In/Out-of-School ID |
| CI-204 ♦ | Permission for Review..... | In-School ID |
| CI-205 | School-Age Referral..... | In/Out-of-School ID |
| CI-206 | Preschool Referral..... | In/Out-of-School ID |
| CI-207 | Notification to School District of Residence of Student with a Suspected Disability..... | In-School ID |

RELATED APPENDICES

| | |
|---|-----------------------|
| Appendix A: Sample Building Team Forms..... | Intervention |
| Appendix B: Sample CIMS..... | CIMS/Out-of-School ID |

ADDITIONAL RESOURCES

- Ohio Department of Education. (1985). *Intervention assistance teams*. Columbus, OH: Author.
- Ohio Department of Education. (1988). *Intervention assistance team models: Sharing the responsibility for success*. Columbus, OH: Author.
- Ohio Department of Education. (1990). *Secondary level intervention assistance team models: Sharing the responsibility for success*. Columbus, OH: Author.
- Ohio Department of Education. (1991). *Ohio handbook for the identification, evaluation, and placement of children with language problems*. Columbus, OH: Author.

♦ Denotes optional procedure

SECTION: Child Identification

TOPIC: General

FEDERAL REGULATION: 34 CFR §300.220 Child Identification.

Each application must include procedures that ensure that all children residing within the jurisdiction of the LEA who have disabilities, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated, including a practical method for determining which children are currently receiving needed special education and related services and which children are not currently receiving needed special education and related services.

STATE STANDARD:

- a. Each school district shall establish and implement written procedures which insure that all children below twenty-two years of age residing within the district who have a disability, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated.
- b. In the implementation of these rules, school districts shall consult with county boards of mental retardation and developmental disabilities, county boards of mental health, other educational agencies, and other agencies having information concerning children with disabilities.
- c. Each school district shall make available to the general public written procedures for the identification of children with disabilities and the operation of a child information management system.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|--|-----------------|
| <p>Identification of Children with Disabilities</p> <p>1. General</p> <p>a. Each school district shall conduct a vigorous search to identify, locate, and evaluate, in accordance with the Ohio Department of Education's Rules for the Education of Handicapped Children and Rules for the Education of Preschool Children with Disabilities Served by Public Schools and County Boards of Mental Retardation and Developmental Disabilities, all children below 22 years of age residing within the school district who are disabled, regardless of the severity of their disability, and who are in need of special education and related services.</p> <p>b. The district shall consult with county boards of mental retardation and developmental disabilities, the county boards of mental health, other educational agencies, and other agencies having information concerning the identification of children with disabilities.</p> <p>c. The district's written policies and procedures for the identification of children with disabilities, and the operation of the child information management system shall be made available to the general public.</p> | <p>Options:</p> <ul style="list-style-type: none"> • Telephone calls, • Meetings • District-developed forms • Interagency agreements <p>Sample form CI-201</p> | <p>Superintendent or child identification system coordinator</p> <p>Superintendent or child identification system coordinator</p> <p>Superintendent or child identification system coordinator</p> | <p>Annually</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|---|---|
| <p>k. In the event that the team <u>suspects that the child has a disability</u>, the appropriate referral form must be completed and submitted to the person designated by the school.</p> <p>(1) In the event that the student does not reside within the district and a referral is made for a multifactor evaluation, the school district of residence must be notified.</p> <p>(2) The referral for multifactor evaluation will be reviewed by a multidisciplinary evaluation team.</p> <p>(3) The multifactor evaluation will be conducted in accordance with the Ohio's Model Policies and Procedures for the Education of Children with Disabilities.</p> <p><i>Refer to Section 4: Procedural Safeguards, for required procedures to be followed when a child is suspected of having a disability.</i></p> | <p>Form CI-205 or CI-206</p> <p>Form CI-207</p> <p>Form CI-205 or CI-206</p> <p>Form MFE-502 or MFE-503</p> | <p>Multidisciplinary team</p> <p>Superintendent or designee</p> <p>Multifactor evaluation team</p> <p>Multifactor evaluation team</p> | <p>Immediately</p> <p>After parental consent for evaluation and prior to IEP meeting.</p> |

^ Denotes optional procedure

SECTION: Child Identification
TOPIC: Out-of-School Identification

FEDERAL REGULATION: 34 CFR §300.220 Child Identification.

(Refer to page 1 of this section for the federal regulation)

STATE STANDARD:

- a. School district responsibilities for an ongoing identification system
- (i) Each school district shall be responsible for planning and implementing an ongoing system for the identification of all out-of-school children with disabilities under twenty-two years of age who reside within the school district and who may be in need of a special education program and related services as well as those children with disabilities currently not in public school but being served by private or other nonpublic agencies.
 - (ii) The system shall include the major features described in intensive awareness and child information management system, (i.e., public notice, awareness, data collection, and data reporting).
 - (iii) The school district may choose to cooperate with other school districts and other agencies in planning and/or implementing out-of-school child identification procedures.
 - (iv) The superintendent of the school district, or the superintendent's designated representative, shall be responsible for planning, implementing and coordinating the out-of-school child identification system.
 - (v) The system shall include forms and/or mechanisms and procedures for the ongoing referral of children with disabilities to the school district by any person or agency who may have information regarding children with disabilities.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|---|-----------------|
| <p>Out-of-School Identification</p> <p>1. The school district ensures that all activities of the out-of-school identification system are planned, coordinated and implemented.</p> <p>a. The school district will maintain a current listing of all relevant agencies within the district.</p> <p>b. A letter will be sent explaining the out-of-school identification system to listed agencies, requesting their assistance in locating children with disabilities.</p> <p>c. Persons or agencies making referrals shall follow in-school identification procedures as listed in this section.</p> | <p>List of agencies</p> <p>Form CI-202</p> <p>Form CI-203</p> | <p>Superintendent or child identification system coordinator</p> <p>Superintendent or child identification system coordinator</p> <p>Superintendent or child identification system coordinator</p> <p>Superintendent or child identification system coordinator</p> | <p>Annually</p> |

SECTION: Child Identification

TOPIC: Out-of-School Identification

FEDERAL REGULATION: 34 CFR §300.220 Child Identification.

(Refer to page 1 of this section for the federal regulation)

STATE STANDARD:

- (vi) All persons involved in the collection of data shall have received prior training and written information regarding the procedures to be followed in collecting the data.
- (vii) If the district should choose to conduct a door-to-door census, all census takers shall have proper credentials that clearly identify themselves as census takers representing the school district.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|-------------------------------|--|-----------------|
| <p>d. Notices in the native languages of the various population groups within the district will be placed in newspapers or other media having significant circulation within the district and geographic areas covered by the identification activities to inform the public of the out-of-school identification system. This notice will be adequate to inform the public of activities to identify children with disabilities and will include the following:</p> <ul style="list-style-type: none"> (1) Purpose of the identification activities and a description of children on whom data will be maintained. (2) Types of data sought, methods and sources to be used in gathering data, and the uses to be made of the data. (3) A summary of the policies and procedures to be followed regarding storage, disclosure, retention, and destruction of all personally identifiable data. (4) A description of the rights of parents and children regarding this data. (5) A statement that educational records will be forwarded upon request to a school district or other educational agency in which a student may intend to enroll. | <p>Sample form CI-201</p> | <p>Superintendent or child identification system coordinator</p> | <p>Annually</p> |
| <p>e. The district may choose to cooperate with other school districts and other agencies in planning and/or implementing out-of-school child identification procedures.</p> | <p>Interagency agreements</p> | <p>Superintendent or child identification system coordinator</p> | |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--------------------------|--|--------------------------------------|
| <p>(b) The notice shall</p> <p>(1) Be published in newspapers having significant circulation within the school districts and geographic area covered by the identification activities; and</p> <p>(2) Be given in the native languages of the various populations within the school district.</p> <p>4. Public awareness which includes procedures that each school district, individually or in cooperation with other school districts and other agencies, shall use in conducting a public awareness effort to inform the population of the purposes of the child identification activities and to urge their cooperation. This effort shall include each of the following elements of information dissemination:</p> <p>(a) Use of mass media such as television, radio, and newspapers;</p> <p>(b) Use of oral presentations to local organizations and agencies concerned with services to children with disabilities; and</p> <p>(c) Use of printed materials such as posters, fliers, brochures, and newsletters distributed to households within the district and for display in local business establishments.</p> | <p>Documents on file</p> | <p>Superintendent or child identification system coordinator</p> | <p>Jan. - Dec. of intensive year</p> |
| <p>5. The district shall maintain a file documenting all activities.</p> | <p>Documents on file</p> | <p>Superintendent or child identification system coordinator</p> | |

SECTION: Child Identification

TOPIC: Child Information Management System

FEDERAL REGULATION: 34 CFR §300.220 Child Identification.

(Refer to page 1 of this section for the federal regulation)

STATE STANDARD:

- a. The written child information management system procedures shall be implemented to assure a practical method of identifying which children are currently receiving special education and related services and which children are not currently receiving special education and related services.
- b. The child information management system procedures shall be designed to record data on each child and shall include at least the following types of data:
 - (i) Child's name, address and birthdate;
 - (ii) Child's parent's name and address;
 - (iii) Child's suspected disabilities;
 - (iv) Dates of referral, multifactored evaluation, IEP conference, actual placement, and periodic program reviews; and
 - (v) Physical location of where the child is currently receiving the educational program.
- c. The data shall be organized so that it can readily be determined whether the child is receiving an appropriate public education, a partial education, or no education at all.
- d. If the child is not receiving an appropriate public education, the reasons why shall be recorded.
- e. Data regarding each child with a suspected or confirmed disability shall be obtained in accordance with the following:
 - (i) Requirements for confidentiality of data shall be followed in the collection, retention, use and destruction of this data as outlined in paragraph b. of this rule.
 - (ii) The superintendent of the school district or state institution, or the superintendent's designated representative, shall be responsible for the collection and reporting of data.
 - (iii) The school district shall assure confidentiality and security of child data.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|-----------------------------------|-----------|
| <p>Child Information Management System</p> <p>1. In order to ensure a practical method of identifying which children are currently receiving special education and related services and which children are not receiving special education and related services, the district shall maintain a child information management system.</p> <p>2. The system shall provide for data to be organized so that it can readily be determined whether the child is receiving an appropriate public education, partial public education, or no education at all. This system may be maintained manually or electronically.</p> | <p>Refer to Appendix B: (Sample CIMS)</p> <p>District will adopt system</p> | <p>Superintendent or designee</p> | |

SECTION: Child Identification

TOPIC: Child Information Management System - Child Count

FEDERAL REGULATION: 34 CFR §300.754 Annual report of children served—other responsibilities of the state educational agency.

In addition to meeting the other requirements of §§300.750-300.753, the SEA shall

- (a) Establish procedures to be used by LEAs and other educational institutions in counting the number of children with disabilities receiving special education and related services;
- (b) Set dates by which those agencies and institutions must report to the SEA to ensure that the State complies with §300.750(a);
- (c) Obtain certification from each agency and institution that an unduplicated and accurate count has been made;
- (d) Aggregate the data from the count obtained from each agency and institution, and prepare the reports required under §§300.750 - 300.753; and
- (e) Ensure that documentation is maintained that enables the State and the Secretary to audit the accuracy of the count.

STATE STANDARD:

Data reporting

The reporting of child data shall be conducted in accordance with the following policies and procedures:

- (i) Each school district shall prepare a summary report of child data on forms provided by the Ohio Department of Education. Such summary reports shall be on file within the school district and shall be open to the public for inspection upon request.
- (ii) A summary of the child data shall be submitted by each school district to the Ohio Department of Education on prescribed forms and in the prescribed manner.
- (iii) Child data from state institutions operated under the Ohio Department of Mental Health, Ohio Department of Mental Retardation and Developmental Disabilities, Department of Youth Services, and the Ohio Central School System shall be reported by these agencies directly to the Ohio Department of Education on prescribed forms and in the prescribed manner.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|----------------------|----------------------------|-----------|
| 1. A summary report of the child data shall be prepared and submitted in a manner prescribed by the Ohio Department of Education. | Required state forms | Superintendent or designee | |
| 2. This summary report shall be on file within the district and may be opened to public inspection upon request. | Required state forms | Superintendent or designee | |
| 3. State Reporting The school district shall report a summary of the child data from the in-school child identification system to the Ohio Department of Education on the prescribed forms and in the prescribed manner. | Required state forms | Superintendent or designee | |

Additional Resources: Refer to Appendix B: Sample Child Information Management System (CIMS)

Sample Awareness Notice

To: Media

Search for Children with Disabilities Underway

School districts across the state of Ohio are participating in an effort to identify, locate and evaluate all children from birth through 21 years of age who may have disabilities. Disability, in this instance, means such conditions as hearing impairments, visual impairments, speech or language impairments, learning disabilities, behavioral disabilities, or multiple disabilities, mental retardation, other health impairments, physical impairments, autism, and traumatic brain injury. Public schools have responded vigorously to federal and state mandates requiring the provision of a free appropriate public education regardless of a child's disability. But before school districts can serve children, they must be found. Many children with disabilities are not visible because they do not function in the mainstream of the community. Also, many unidentified children with disabilities are preschoolers. Parents may not be aware their child has a disability or that there are programs and services available.

The school district will ask for information about the child, asking such questions as: What is the problem(s)? What has already been done about the problem? What background information is available? This information may be collected in several ways, including interviews, observations, screening, and testing. This information may be obtained from parents and the student, or from other agencies that have information about the student. This information will be used to decide whether the child has a disability and needs special services.

All information collected will be held in strict confidence and released to others only with parent permission or as allowed by law. For example, the school district will send records on request to a school district or other educational agency in which a student intends to enroll. The parents may have a copy of those records upon request.

The school district will keep a record of all persons who review the records with the exception of authorized school employees, or other educational agency personnel. The school will also maintain a list of those employees who are authorized to review records.

The school district or other educational agency shall inform the parents when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child. All personally identifiable data will be kept for at least five years or longer if required for audit purposes.

Parents and students have rights in this process. Parents have the right to

- Review their child's records;
- Refuse permission to release information (except as required by law to be released); and
- Request that information they believe to be inaccurate, misleading, or in violation of their child's privacy or other rights be changed. The district has a process to resolve disagreements about information collected.

The school district has appointed one person to make sure that information about students is kept confidential. Contact your school district board of education office for this person's name.

The school district's policies and procedures for special education are available. Contact the school district superintendent.

The school district operates a Child Information Management System (CIMS) that assures a practical method of identifying which children are currently receiving special education services and which children are not. Certain data regarding children are maintained within this system.

School districts are interested in meeting the needs of children with disabilities. If you have or know of a child who may have a disability, contact your local school for more information and help.

TO: Professional Staff
Agencies

**Identification Effort
(Sample Letter, Superintendent to Staff)**

TO: All Professional Staff of the _____ District
and Agencies _____

FROM: _____, Superintendent

DATE: _____

SUBJECT: **IDENTIFICATION SYSTEM**

The Individuals with Disabilities Education Act mandates that every school district in the country develop a system to identify children with disabilities, birth through age 21, who live in the district. The law requires each district to conduct a "vigorous" search for children with disabilities. The Rules for the Education of Handicapped Children, adopted by the Ohio Board of Education, direct that, in addition to a three-year intensive search, school districts must conduct an annual in-school effort to identify and provide services to children with disabilities.

Every year in September, the (District's Name) continues its effort to identify in-school children with disabilities. Since 1984, and every third year thereafter, the (District's Name) has conducted and will continue to conduct an intensive awareness campaign throughout the community every three years to locate and identify children with disabilities under the age of twenty-two. The assistance of all staff members and agency personnel is needed to accomplish this task.

Any child that you suspect has a disability should be referred to the child's building principal or [Name of person responsible for identification activities and their title] who can be reached at [Phone Number] within the school district. The person who is responsible for implementing the system or the student's building principal will provide additional information about the differentiated referral system.

Few legislative mandates of the federal government have such far-reaching implications for local school districts. The district is committed to working with the community in providing services that meet the individual needs of each child. We request your cooperation and assistance in meeting this challenge.

Thank you.

DIFFERENTIATED REFERRAL SYSTEM

What is a differentiated referral system?

1. The differentiated referral system is a process for determining or differentiating the type, extensiveness, and priority of services or interventions necessary to address identified concerns.

For whom should assistance be requested?

1. Students for whom additional information is needed to plan interventions that address identified concerns.
2. Students for whom documented interventions have been effective and, based on the nature and intensity of these interventions, may require specialized services.
3. Students who demonstrate characteristics associated with one or more areas of disability.

Who may request assistance?

1. Anyone who has direct knowledge of the child.

How is a request made?

1. The process may be initiated by a request for assistance form (refer to sample forms in Appendix A). This form may be completed individually or in collaboration with others.
 2. The completed form is submitted to the appropriate person in this school district.
(specify district procedure)
-
-

OR

3. When a disability is suspected the referral (Form CI-205 or CI-206) is made for a multifaceted evaluation.* The multifaceted evaluation will be conducted upon receipt of written parent permission. The form is submitted for a multifaceted evaluation as follows:
(specify district procedure)
-
-

What happens next?

1. The request for assistance is reviewed by a multidisciplinary team of professionals (e.g., intervention assistance team or building assistance team).
2. The team develops an intervention plan and designates the resources needed to implement identified interventions (refer to Appendix A for sample forms), which may include
 - Collection of additional information
 - Consultation
 - Observation
 - Interviews
 - Referral to other sources
 - Counseling
 - Assessment (such as curriculum-based, screening, or other appropriate measures to determine interventions)
 - Professional development
3. After this review, the activities of the multidisciplinary team may include any one or all of the following:
 - a. Monitor progress of the intervention plan;
 - b. Develop additional interventions, and monitor progress; or
 - c. Initiate referral for a multifaceted evaluation.*

OR

4. The referral for a multifaceted evaluation will be reviewed by a multidisciplinary team and the multifaceted evaluation will be conducted in accordance with Ohio's Model Policies and Procedures for the Education of Children with Disabilities.

***NOTE:** In the event that the student has a suspected disability, the IEP meeting shall be held not more than 90 days after parental consent for multifaceted evaluation has been received or within 120 days after the date that a student is determined to be suspected of having a disabling condition, unless a longer time span is mutually agreed upon in writing by the parent and the school district.

TO: Parent
Records Control Officer

PERMISSION FOR REVIEW

I, _____ hereby give my permission for the
Parent/Legal Guardian/Surrogate
_____ to respond to a request for assistance
School District
for _____
Name of Child

In giving my permission I understand that any or all of the following may occur:

- 1) Review of relevant records (releases of information will be included);
- 2) Interviews with myself or caregiver;
- 3) Observations(s) of my child; and/or
- 4) Assessment (such as curriculum-based, screening, and other appropriate measures to determine interventions).

I further understand and agree that the information collected by the school district will then be reviewed and the team will develop an intervention plan and designate the resources needed to implement these interventions.

A disability is not suspected at this time. However, if the team suspects that my child has a disability, my permission will be obtained for a multifaceted evaluation.

Name of Parent/Legal Guardian/Surrogate

Signature

Date

♦ Denotes optional form

Date Received by Multidisciplinary Team: _____

SCHOOL-AGE REFERRAL

Assistance Requested: Suspected disability
 Other (specify) _____

Referral Source (check): Teacher Parent Other (specify) _____

Reason for Referral _____

Identifying Data

| | |
|---------------------------------|-------------------------------------|
| Name _____ | Father _____ |
| Date of Birth _____ | Address _____ |
| Address _____ | Phone _____ |
| Phone _____ | Mother _____ |
| Legal Guardian _____ | Address _____ |
| Address _____ | Phone _____ |
| Phone _____ | School District of Residence _____ |
| Parent(s) Native Language _____ | School District of Attendance _____ |
| Student's Native Language _____ | _____ |

Does the student or parent need assistive technology, environmental adaptation, or other such accommodations in order to attend meetings or understand the content of written and/or verbal information?

Please specify/explain: _____

The following sections may be filled out by referral source or school district personnel:

Educational History

Building of Current Attendance _____ Grade _____
 Number of Schools Attended _____ Years at Present School _____
 Present Educational Program Placement _____
 Present Related Services Being Provided _____
 Grades Retained _____ Present Teacher(s) _____
 Attendance: Regular Irregular

| MOST RECENT STANDARDIZED TESTS | GRADES WHEN TESTED | RESULTS |
|--------------------------------|--------------------|---------|
| | | |
| | | |
| | | |
| | | |

Background Information

A. Health Data

Do you suspect problems with vision hearing
 wears glasses uses hearing aid

Does the student take medication? If so, what?

Does the student have any health/developmental/motor/physical problems of which you are aware?

Please explain: _____

B. Environmental Factors

Are there any specific home factors that might affect the student's performance in class?

Current Performance Deficits

Skill Areas: For each of the following domains, check areas of difficulty and describe the student's current performance in those areas.

A. Academic

Reading Written Language Math
 Content Areas Other Academic Area (specify) _____

Describe difficulties as indicated above: _____

B. Oral Communication

Articulation Memory
 Fluency Comprehension
 Voice Auditory Discrimination
 Expression Receptive Vocabulary
 Other (specify): _____

Describe difficulties as indicated above: _____

C. Motor

Fine Motor Coordination Visual Motor Coordination
 Large Motor Coordination Other (specify) _____

Describe difficulties as indicated above: _____

D. Behavior

- | | | |
|--|---|--|
| <input type="checkbox"/> Attention Span | <input type="checkbox"/> Activity Level | <input type="checkbox"/> Acting Out |
| <input type="checkbox"/> Withdrawal | <input type="checkbox"/> Peer Relationships | <input type="checkbox"/> Adult Relationships |
| <input type="checkbox"/> Other (specify) _____ | | |

Describe difficulties as indicated above: _____

E. Related Areas

- | | | |
|---|--|--|
| <input type="checkbox"/> Self-Help Skills | <input type="checkbox"/> Study Skills | <input type="checkbox"/> Organizational Skills |
| <input type="checkbox"/> Test-Taking Skills | <input type="checkbox"/> Other (specify) | |

Describe difficulties as indicated above: _____

Documentation of Educational Interventions

When a child is referred for an evaluation of his/her eligibility to receive special education services, evidence must accompany the referral form describing interventions that have been attempted in an effort to address the child's problem.

Describe interventions that have been implemented and the resources provided in the applicable areas below, or attach appropriate documentation.

A. Strategies used specifically to resolve the child's problem: _____

Result: _____

B. Curriculum modification: _____

Result: _____

C. Classroom arrangement and/or modification: _____

Result: _____

D. Modified or special materials: _____

Result: _____

E. Behavior management strategies: _____

Result: _____

F. Other: _____

Result: _____

G. Persons (by title) consulted: _____

Result: _____

General

Have the parent(s) been contacted regarding the concern(s)? Date: _____

What input did the parent provide?

What are the child's strengths and interests?

Is there any other pertinent information not previously described?

Signature of Person Initiating the Referral

Position or Relationship to Child

Date

Telephone Number

Signature of Person Receiving Referral

Date Completed

TO BE COMPLETED AFTER MEETING:

The team met on _____
(Date)

The following actions were recommended:

There is is not a suspected disability, which is

Referral Date for Suspected Disability

Referral Source

Date

Team Member Signature

Date

Team Member Signature

Date

Team Member Signature

Date Received by Multidisciplinary Team: _____

PRESCHOOL REFERRAL

Identifying Data

Name of Child: _____ Nickname: _____

Date of Birth: _____ Sex: _____

Parent(s) Name: Mother: _____ Father: _____

Parent(s) Address: Mother: _____

Father: _____

Parent(s) Phone No. Mother: _____ Father: _____

Legal Guardian and/or Surrogate Name: _____

Legal Guardian and/or Surrogate Address: _____

Legal Guardian and/or Surrogate Phone No.: _____

Directions to Child's Home: _____

Name of Person Completing Form: _____

Address of Person Completing Form: _____

Phone No. of Person Completing Form: _____

Parent(s) Native Language: _____

Student(s) Native Language: _____

Does the parent or child need assistive technology, environmental adaptation, or other such accommodations in order to attend meetings or understand the content of written and/or verbal information? Please specify/explain: _____

CHILD'S HISTORY

A. Medical History

1. Who is the child's regular physician? _____

2. When was the child's last physical examination? _____

3. Has the child attended any of the following?

a. Health Department Clinics Yes No

Specify name(s) of clinics and dates of attendance: _____

Is the child receiving benefits from the Bureau for Children with Medical Handicaps (BCMh)? Yes No

b. Health Check or Healthy Start Yes No

When was the last appointment? _____

c. WIC (Women's, Infants, Children) Physical Yes No

When was it done? _____

d. Hospital Clinics

Yes No

Specify names of hospital(s)/clinic(s) and dates of attendance: _____

4. Have any of the following types of evaluations or interventions been initiated/completed with the child?

a. Speech/Language Yes No

Where? _____ When? _____

b. Physical Therapy Yes No

Where? _____ When? _____

c. Occupational Therapy Yes No

Where? _____ When? _____

d. Vision Yes No

Where? _____ When? _____

e. Hearing Yes No

Where? _____ When? _____

f. Psychological Services Yes No

Where? _____ When? _____

g. Orientation and Mobility Yes No

Where? _____ When? _____

h. Infant Stimulation/Supportive Home Service(s) Yes No

Where? _____ When? _____

5. Were there any complications during pregnancy? Yes No

If yes, please describe: _____

Were there any complications during or immediately Yes No

following the child's birth?
If yes, please describe: _____

Where was the child born? _____

Who delivered the child? Name: _____

Address: _____

Phone Number: _____

B. Developmental History

1. Motor

- a. At what age did the child sit independently? _____
- b. At what age did the child crawl? _____
- c. At what age did the child take his/her first steps independently? _____

2. Language

- a. At what age did the child say words that were understood? _____

3. Toilet Training

- a. Is the child totally toilet trained? Yes No
If not, at what level of toilet training is the child? _____
- b. At what age did the child sleep through the night without diapers? _____

C. Family History

1. With whom does the child live? _____

2. Indicate siblings or any other individuals living with the child.

| <u>Names</u> | <u>Ages</u> | <u>Relationship to Child</u> |
|--------------|-------------|------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

3. With whom does the child stay during the day? _____

(Name of person and relationship to child, or care center)

4. Describe a typical day for the child.

What time does he/she wake up? _____

What are typical morning activities? _____

What are typical meal times? When and with whom does the child eat? _____

What does the child like to eat? _____

What are typical nap and bed times? _____

How many hours does the child nap? _____

How many hours does the child sleep at night? _____

How often does the child wake-up during the night and need attention? _____

Does the child play with other children during the day? Yes No

Does the child have special needs that require daily care or daily activities from the caretaker?

Yes

No

If yes, please describe _____

What does the child like to play with? _____

D. Preschool Experiences

1. List present or past preschools and dates attended.

Where? _____ When? _____

Where? _____ When? _____

Where? _____ When? _____

Where? _____ When? _____

2. Has the parent(s)/family ever received or participated in any of the following support services?
Please check (✓)

A parenting group or parent support group

Family counseling to assist with child's special needs

Respite care

Other (specify) _____

E. Present Levels of Performance

Please describe the child's present skills in the following areas by checking the box in each section that most closely describes the child's best current performance and make comments as needed.

Name and Title of Person Completing Form: _____
 Method Used: Check Observation Structured Interview

| | |
|---|---|
| <p>Eating</p> <p><input type="checkbox"/> Needs to be fed</p> <p><input type="checkbox"/> Partially self-feeds</p> <p><input type="checkbox"/> Eats and drinks independently</p> <p>Dressing</p> <p><input type="checkbox"/> Needs to be dressed</p> <p><input type="checkbox"/> Removes small articles of clothing</p> <p><input type="checkbox"/> Dresses self except shoes</p> <p>Toileting</p> <p><input type="checkbox"/> Wears diapers</p> <p><input type="checkbox"/> Uses potty with help</p> <p><input type="checkbox"/> Independent</p> <p>Attention</p> <p><input type="checkbox"/> Needs constant attention/supervision</p> <p><input type="checkbox"/> Occupies self with toys for 10 or more minutes</p> <p><input type="checkbox"/> Attends to small-group activity for 10 or more minutes</p> <p>Receptive</p> <p><input type="checkbox"/> Does not appear to understand words</p> <p><input type="checkbox"/> Shows understanding of several words (e.g., "mommy" or "pop")</p> <p><input type="checkbox"/> Can follow simple commands such as "Give Daddy the cookie"</p> <p>Expressive Language</p> <p><input type="checkbox"/> Uses gestures and/or sounds</p> <p><input type="checkbox"/> Says at least 10 words you can understand</p> <p><input type="checkbox"/> Says two or three words together</p> <p><input type="checkbox"/> Uses sentences</p> <p>Hearing</p> <p><input type="checkbox"/> Does not respond regularly to sounds</p> <p><input type="checkbox"/> Looks at or reacts correctly to sources of sounds (looks at phone when it rings, looks out the window when a truck passes, turns when name is called)</p> <p><input type="checkbox"/> Responds to simple directions given when back is turned</p> <p>Cognitive</p> <p><input type="checkbox"/> Looks for toy or person who is out of sight</p> <p><input type="checkbox"/> Shows understanding of how things work by</p> | <p>Cognitive (continued)</p> <p>turning things on/off, activating a variety of toys or directing adults to do so</p> <p><input type="checkbox"/> Sorts toys or objects by at least one feature (color, size, shape)</p> <p><input type="checkbox"/> Counts to four and names two or three colors</p> <p>Fine Motor</p> <p><input type="checkbox"/> Needs help to pick up small pieces of food or small toys</p> <p><input type="checkbox"/> Independently picks up small toys and transfers from hand to hand</p> <p>Play</p> <p><input type="checkbox"/> Needs stimulation to be provided by another person</p> <p><input type="checkbox"/> Holds and manipulates toys (e.g., shakes, chews, bangs)</p> <p><input type="checkbox"/> Uses some toys and objects appropriately (e.g., pushes truck, rocks baby, uses brush to brush hair)</p> <p><input type="checkbox"/> Uses imagination to play (e.g., pretends to cook dinner, pretends to be Mommy going to work, dresses like Daddy)</p> <p>Gross Motor</p> <p><input type="checkbox"/> Needs to be carried or moved by another person</p> <p><input type="checkbox"/> Crawls or runs on furniture</p> <p><input type="checkbox"/> Walks independently</p> <p>Vision</p> <p><input type="checkbox"/> Does not show recognition of people or objects by sight</p> <p><input type="checkbox"/> Recognizes familiar people and toys, locates familiar objects in the house (e.g., shoes, tooth brush, TV)</p> <p><input type="checkbox"/> Points to and names things and people in pictures</p> <p>Social</p> <p><input type="checkbox"/> Shows little response to other people</p> <p><input type="checkbox"/> Enjoys frolic play, peek-a-boo, pat-a-cake</p> <p><input type="checkbox"/> Will sometimes share toys and cooperate in play</p> <p><input type="checkbox"/> Takes turns in simple games (Duck, Duck, Goose, The Farmer in the Dell)</p> |
|---|---|

TO BE COMPLETED AFTER MEETING:

The team met on _____
(Date)

The following actions were recommended: _____

There is is not a suspected disability, which is: _____

Referral Date for Suspected Disability

Date

Date

Referral Source

Team Member Signature

Team Member Signature

NOTIFICATION TO SCHOOL DISTRICT OF RESIDENCE OF STUDENT WITH A SUSPECTED DISABILITY

Student's Name _____ DOB _____

Address _____ Telephone _____

Legal Guardian _____

Parent's Name _____

Parent's Address _____ Telephone _____

Date _____

Superintendent
School District of Residence
Address
City, State, Zip Code

Dear _____:

The above named student is a resident of your school district, but is presently attending this school district. It has been determined that the student is suspected of having a disability and requires a multifactored evaluation.

This school district is required to provide the multifactored evaluation and may bill your district for the costs involved in this evaluation. However, you have the option of conducting the evaluation.

If you wish to conduct the evaluation, please contact _____ by _____.
(Name of Contact Person) (Date)

If you have not contacted this district by the stated date, it will be assumed that you do not wish to conduct the evaluation. The date of referral was _____ and the multifactored evaluation must be completed and an IEP meeting held within 120 days of that date or 90 days from the date of parent permission, unless a greater time span is mutually agreed upon by the parent and school district in writing.

You will be contacted after the completion of the multifactored evaluation and invited to attend the IEP meeting.

Sincerely,

Superintendent or Designee

School District of Attendance

Title

Address

Telephone

City/State/Zip Code

SECTION 3: CONFIDENTIALITY

CONTENTS BY TOPIC

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FORMS

TOPIC

| | | |
|---------------|--|---|
| CN-301 | School Record of Persons Obtaining Access..... | <i>Record of Access and Prior Consent for Disclosure</i> |
| CN-302 | Employees Having Access to Confidential..... | <i>Record of Access and Safeguards</i> |
| CN-303 | Confidential Records and Their Locations..... | <i>Record of Access</i> |
| CN-304 | Parent Request for Amendment to Confidential..... | <i>Amendment of Record at Parent Request</i> |
| CN-305 | Notice to Parent on Action Regarding Requested... Amendment to Confidential Education Records | <i>Result of Record Hearing and Amendment of Record at Parent Request</i> |
| CN-306 | Notice of Records Hearing..... | <i>Amendment of Record at Parent's Request</i> |
| CN-307 | Records Hearing Summary Report..... | <i>Result of Record Hearing and Amendment of Record at Parent Request</i> |
| CN-308 | Parent/Guardian/Student Consent for Records..... | <i>Prior Consent for Disclosure Release</i> |
| CN-309 | Confidentiality Policies and Procedures..... | <i>Out-of-School ID and Safeguards</i> |
| CN-310 | Notice of Record Transfer..... | <i>Prior Consent for Disclosure and Out-of-School ID</i> |
| CN-311 | Notice of Records No Longer Needed..... | <i>Destruction of Information</i> |

ADDITIONAL RESOURCES

Family Educational Rights and Privacy Act: Final Regulations (34 CFR Part 99)

SECTION: Confidentiality

TOPIC: Access Rights

FEDERAL REGULATION: 34 CFR §§300.502, 300.562 (a)-(c), and 300.566

Federal regulation and state standard language are the same.

§300.502 Opportunity to examine records.

The parents of a child with a disability shall be afforded, in accordance with the procedures of §300.562-300.569, an opportunity to inspect and review all education records with respect to —

- (a) The identification, evaluation, and educational placement of the child; and
- (b) The provision of FAPE to the child.

§300.562(a)-(c) Access rights.

- (a) Each participating agency shall permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the agency under this part. The agency shall comply with a request without unnecessary delay and before any meeting regarding an IEP or any hearing relating to the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child, and in no case more than 45 days after the request has been made.
- (b) The right to inspect and review education records under this section includes —
 - (1) The right to a response from the participating agency to reasonable requests for explanations and interpretations of the records;
 - (2) The right to request that the agency provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
 - (3) The right to have a representative of the parent inspect and review the records.
- (c) An agency may presume that the parent has authority to inspect and review records relating to his or her child unless the agency has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

§300.566 Fees.

- (a) Each participating agency may charge a fee for copies of records that are made for parents under this part if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.
- (b) A participating agency may not charge a fee to search for or to retrieve information under this part.

BEST COPY AVAILABLE

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|-----------------------------------|----------------|
| <p>Access Rights</p> <ol style="list-style-type: none"> 1. The parent may inspect and review any educational records relating to his or her child that are collected, maintained, or used by the school district or other educational agency providing education and related services. Test protocols are part of the educational records if they include personally identifiable information. <ol style="list-style-type: none"> a. Upon receipt of a request by parents, either custodial or noncustodial, to inspect and review any educational records on their child, the school district shall comply without unnecessary delay, and before any meeting regarding an individualized education program or hearing related to the identification, evaluation, or educational placement of the child, and in no case more than 45 days after the request has been made. b. The school district or other educational agency may presume that the parent has authority to inspect and review records relating to his or her child unless the school district or other educational agency has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce. c. Parents are not entitled to copies of records, unless not providing copies would effectively prevent the parent from exercising his or her right to inspect and review those records, or unless the parents and district are involved in a due process hearing. d. A fee for the actual cost of reproduction may be assessed for copies of records that are made for parents, if the fee does not effectively prevent the parent from exercising his or her right to inspect and review those records. e. There shall be no charge to parents for searching for and retrieving personally identifiable information. | <p>PS-405 (Parent Notice of Procedural Safeguards)</p> <p>PS-405 (Parent Notice of Procedural Safeguards)</p> | <p>Superintendent or designee</p> | <p>45 days</p> |

Additional Resources:

Family Educational Rights and Privacy Act: Final Regulations (34 CFR Part 99)

SECTION: Confidentiality

TOPIC: Record of Access

FEDERAL REGULATION: 34 CFR §§300.563, 300.564, 300.565, and 300.572(d).

Federal regulation language and state standard language are the same.

§300.563 Record of access.

Each participating agency shall keep a record of parties obtaining access to education records collected, maintained, or used under this part (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

§300.564 Records on more than one child.

If any education record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

§300.565 List of types and locations of information.

Each participating agency shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the agency.

§300.572(d) Safeguards.

(d) Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|--|-----------------|
| <p>Record of Access</p> <ol style="list-style-type: none">1. Persons and school personnel other than parents and authorized employees of the school district or other educational agency shall document every access to educational data collected, maintained, and used.<ol style="list-style-type: none">a. This documentation shall include the<ol style="list-style-type: none">(1) Name of party;(2) Date access was given; and(3) Purpose for which the party is authorized to use data.b. The school district shall ensure that storage locations of personally identifiable data are posted in plain view including the names and titles of those authorized school employees who have access to child data. This list shall be updated.2. Where any education record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information. | <p>Form CN-301</p> <p>Form CN-302</p> | <p>Superintendent or records control officer</p> <p>Superintendent or records control officer</p> | <p>Annually</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|---|-----------|
| <p>3. The school district shall develop and maintain a list of the types and locations of educational records collected, maintained, or used by personnel. This list shall be provided to the parent upon request.</p> | Form CN-303 | Superintendent or records control officer | As needed |

Additional Resources:

Family Educational Rights and Privacy Act: Final Regulations (34 CFR 99)

SECTION: Confidentiality

TOPIC: Result of Records Hearing

FEDERAL REGULATION: 34 CFR §300.569 Result of hearing.

Federal regulation language and state standard language are the same.

- (a) If, as a result of the hearing, the agency decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parent in writing.
- (b) If, as a result of the hearing, the agency decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the agency.
- (c) Any explanation placed in the records of the child under this section must
 - (1) Be maintained by the agency as part of the records of the child as long as the record or contested portion is maintained by the agency; and
 - (2) If the records of the child or the contested portion is disclosed by the agency to any party, the explanation must also be disclosed to the party.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---|-----------|
| <p>Result of Records Hearing</p> <ol style="list-style-type: none">1. If, as a result of the records hearing, the school district or other educational agency decides that this information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and inform the parents in writing.2. If, as a result of the records hearing, the school district or other educational agency decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school district or other educational agency.3. Any explanation placed in the record of the child under this section shall be maintained by the school district or other educational agency as part of the records of the child as long as the records or contested portion is maintained. If the records of the child or the contested portions are disclosed to any party, the explanation must also be disclosed to the party. | <p>Form CN-307</p> <p>PS-405 (Parent Notice of Procedural Safeguards) Forms CN-305 and CN-307</p> <p>PS-405 (Parent Notice of Procedural Safeguards) and Form CN-307</p> | <p>Superintendent or designee</p> <p>Superintendent or designee</p> <p>Superintendent or designee</p> | |

Additional Resources:

Family Educational Rights and Privacy Act: Final Regulations (34 CFR Part 99)

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|----------------|-----------|
| <p>b. To officials of another school, school district, or other educational agency in which the student seeks or intends to enroll</p> <p>(1) When the transfer of records is initiated by the parent at the sending school district, joint vocational school, or other educational agency;</p> <p>(2) When the school district or other educational agency includes a notice in its policies and procedures that it forwards education records on request to a school district or other educational agency in which a student seeks or intends to enroll; or</p> <p>(3) After a reasonable attempt to notify the parent, at the parent's last known address, that the transfer of records has been made;</p> <p>c. To federal and state officials in connection with the audit and evaluation of federally supported education programs, or in connection with the enforcement of or compliance with the federal legal requirements that relate to these programs;</p> <p>d. In connection with financial aid for which a student has applied or that a student has received provided that personally identifiable information from the education records of the student may be disclosed only as may be necessary for such purposes as</p> <p>(1) The determination of the eligibility of the student for financial aid;</p> <p>(2) The determination of the amount of financial aid;</p> <p>(3) The determination of the conditions which will be imposed regarding the financial aid; or</p> <p>(4) The enforcement of the terms or conditions of the financial aid; or</p> <p>e. To others when specified but not limited to those outlined in 34 CFR §99.3.</p> | <p>Forms CN-301 PS-401</p> <p>Form CN-310</p> | | |

SECTION: Confidentiality

TOPIC: Safeguards

FEDERAL REGULATION: 34 CFR §300.572 Safeguards.

Federal regulation language and state standard language are the same.

- (a) Each participating agency shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
- (b) One official at each participating agency shall assume responsibility for ensuring the confidentiality of any personally identifiable information.
- (c) All persons collecting or using personally identifiable information must receive training or instruction regarding the State's policies and procedures under §300.129 and part 99 of this title.
- (d) Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---|----------------------------------|
| <p>Safeguards</p> <p>1. In order to protect the confidentiality of personally identifiable data at collection, storage, disclosure, and destruction stages, the school district shall</p> <ul style="list-style-type: none">a. Inform all school district or other educational agency personnel collecting, maintaining, using or otherwise having access to personally identifiable data, of the confidentiality policies and procedures of the school district or other educational agencies.b. Assign one administrator the responsibility for assuring confidentiality of any personally identifiable data.c. Direct that a current listing of the names and positions of those employees within the school district or other educational agency who may have access to personally identifiable data be maintained for public inspection. | <p>Form CN-309</p> <p>Form CN-309</p> <p>Form CN-302</p> | <p>Superintendent or designee</p> <p>Superintendent</p> <p>Superintendent</p> | <p>September</p> <p>Annually</p> |

Additional Resources:

Family Educational Rights and Privacy Act: Final Regulations (34 CFR Part 99)

SECTION: Confidentiality

TOPIC: Children's Rights

FEDERAL REGULATION: 34 CFR §300.574 Children's rights.

The SEA shall include policies and procedures in its State plan regarding the extent to which children are afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability.

34 CFR §99.5(a)

Note: Under the regulations for the Family Educational Rights and Privacy Act of 1974 [FERPA, 34 CFR 99.5(a)] the rights of parents regarding education records are transferred to the student at age 18.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|----------------|-----------|
| <p>1. Children's Rights</p> <p>a. This area is pending clarification from the United States Department of Education, Office of Special Education Programs.</p> | | | |

Additional Resources:

Family Educational Rights and Privacy Act: Final Regulations (34 CFR Part 99)

School District: _____

Employees Having Access to Confidential Education Records

This Access List Must Be Posted in Plain View Wherever Confidential Records are Maintained

I. Central Office Personnel (name and position)

- A. Superintendent of Schools _____
- B. _____
- C. _____
- D. _____
- E. _____
- F. Secretary(s) _____

II. Individual Building Personnel (name and position)

***A. Building Administrators**

***B. Teachers**

***C. Support and Related Service Personnel**

***D. Appropriate Classified Personnel**

Note: *Personnel who have legitimate educational interest in providing or planning for an appropriate education for the child. Attach additional lists as needed.

Records Control Officer

Date

CONFIDENTIAL RECORDS AND THEIR LOCATIONS

Types of Educational Records

Location(s)

Cumulative Folders

- history of grades, class assignments, group testing, teacher notes, and related information

Individual Buildings, Computer System (EMIS), _____

Evaluation Data

- MFE team reports, assessments, teacher evaluations, work samples, and related information

Procedural Safeguard Documentation

- surrogate assignment, custody determination, permission forms, parent notices, referrals, and related information

Individualized Education Programs

Child Information Management System

Medical Records

- medication records, prescriptions, health records, immunizations, and related information

Other (specify) _____

PARENT REQUEST FOR AMENDMENT TO CONFIDENTIAL EDUCATION RECORDS

Child _____ Address _____

Birthdate _____ Phone _____

Program _____ School _____ District _____

Dear _____:
(Superintendent's Name)

After reviewing the data collected, maintained, and used for educational decisions regarding my child, I believe that the information is :

- Check: Misleading Inaccurate
 Incomplete Other

Please explain: _____

I would like the following information added: _____

I would like the following information removed: _____

(Signature, Parent)

(Date)

**NOTICE TO PARENT ON ACTION REGARDING REQUESTED AMENDMENT
TO CONFIDENTIAL EDUCATION RECORDS**

Date _____

Dear _____:

We have investigated your complaint that certain data in our files regarding [Child's Name] is misleading, inaccurate, or incomplete, and your request to amend this data.

It is our decision that

We will make the following modifications as requested:

We will not make the following modifications since we believe that the data as presently recorded is correct/appropriate/complete for the following reason(s):

However, you have the right to request a records hearing during which the merits of your position and that of the school's will be examined. If this action does not resolve the disagreement you have the right to place in the records a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school district or other educational agency. This statement shall be maintained by the school district or other educational agency as part of the record of the child as long as the contested portion of the record is maintained. If the records of the child, or the contested portion, are disclosed to any party, the explanation shall also be disclosed.

If you elect to request the hearing, please indicate this in writing to me. If you have any questions about any aspects of this matter, please call me at [Phone Number] for further information or clarification.

Sincerely,

(Signature, Superintendent)

BEST COPY AVAILABLE

Notice of Records Hearing

Child _____ Date of Birth _____

Parent(s) _____ Telephone _____

Address _____ School District _____

Dear _____:
(Parent's Name)

The purpose of this letter is to inform you that a records hearing about your child's records is scheduled as follows:

Date: _____

Place: _____

Time: _____

Please return the form below to _____
(Superintendent)

(Address)

or call [_____] within ten (10) days so that we may know your intentions regarding
Telephone Number
your attendance at this hearing.

Name of Parent: _____

Name of Student: _____

- I/We: will attend the hearing as scheduled.
- will not attend the hearing and waive my/our right to do so.
- request that the hearing as scheduled be changed. Please contact me/us.

Parent's Signature

RECORDS HEARING SUMMARY REPORT

DATES:

- _____ Initial request for records amendment.
- _____ School district's written reply.
- _____ Parent or other party's request for records hearing.
- _____ Parent and/or other party notification of date, time, and place of records hearing.

Attached to this report are

- (1) Request for records amendment
- (2) Notice of school district's action

Summary of evidence presented by initiating party _____

Summary of additional relevant information _____

Summary of hearing decision based solely upon the evidence presented in this hearing

Records Hearing Officer

Attachments:

- Request for Records Amendments
- Notice of School District's Action
- Other: _____
- _____
- _____

Signature of Records Hearing Officer

Title

Date

PARENT/GUARDIAN/STUDENT CONSENT FOR RECORDS RELEASE

TO: _____ RE: _____

(Street Address) AGE: _____ BIRTHDATE: _____

(City, State, Zip Code)

FROM:

(Name)

(Street Address)

(Agency)

(City, State, Zip Code)

◆ We are requesting the following information/records for the above-named student:

- All personally identifiable data on file.
- The following records only: (please specify)

Reason for request: (please check)

- To aid in making present and future educational decisions.
- Other: (please specify)

With the understanding that the district cannot assume responsibility for the confidentiality of educational information disclosed, I authorize you to release educational information regarding the student named above in the manner indicated.

(Date)

(Signature of parent/guardian)

(Address)

(City, State, Zip Code)

| | |
|----------------------------|-----------------------------|
| FOR OFFICE USE ONLY | |
| Date Data Released _____ | by _____ (Name/Position) |
| Date Copies Mailed _____ | by _____ (Name/Position) |

◆ Denotes optional procedure

CONFIDENTIALITY POLICIES AND PROCEDURES

(Sample Letter, Superintendent to Staff)

TO: All Professional Staff of the _____ School District
and Agencies _____

FROM: _____, Superintendent

DATE: _____

RE: **Confidentiality Policies and Procedures**

In the interest of protecting the confidentiality of personally identifiable data collected or used regarding students with disabilities, _____ has been assigned to act as the records control officer.

_____ shall be responsible for ensuring the confidentiality of any personally identifiable data that are collected, maintained, or used by district staff in accordance with the Board-adopted policies and procedures.

A list of employees having access to personally identifiable data is posted in all locations where confidential records are kept. Personnel who have legitimate educational interests have access to these files. The records control officer maintains a list of such personnel. You may be asked to sign our *Record of Access to Confidential Educational Records* and to indicate the reason for requesting access.

Direct any questions regarding confidentiality issues to _____.

Attached: *School District Policies and Procedures Regarding Confidentiality*

School District Policies and Procedures Regarding Confidentiality

1. Access Rights

- a. The school district and other educational agency shall develop and implement written procedures that permit the parent to inspect and review any educational records relating to his or her child, which are collected, maintained, or used by the school district or other educational agency under this rule. The school district or other educational agency shall comply with the parent's request without unnecessary delay and before any meeting regarding an individualized education program or hearing related to the identification, evaluation, or placement of the child and, in no case, more than forty-five (45) days after the request has been made.
- b. The school district or other educational agency may presume that the parent has authority to inspect and review records relating to his or her child unless the school district or other educational agency has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.
- c. The school district or other educational agency may charge a fee for copies of records that are made for the parent under this rule if the fee does not effectively prevent the parent from exercising the right to inspect and review those records.
- d. The school district or other educational agency may not charge a fee to search for or retrieve information.

2. Record Access

- a. Each school district and other educational agency shall develop a list of the types and locations of education records collected, maintained, or used by them and shall provide this list to parents on request.
- b. Each school district and other educational agency shall develop and implement written procedures to keep a record of parties maintaining access to educational records collected, maintained, or used (except access by parents and authorized employees of the school district or other educational agency) including the
 - (1) Name of party;
 - (2) Date access was given; and
 - (3) Purpose for which the party is authorized to use data.
- c. If any education record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

3. Amendment of Records at Parent's Request

- a. Each school district and other educational agency shall develop and implement written procedures so that a parent who believes that information in education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of their child, may request the school district or other educational agency that maintains the information to amend that information.
- b. The school district or other educational agency shall decide whether or not to amend the information in accordance with the request within a reasonable period of time after receipt of the request.
- c. Each school district and other educational agency shall develop and implement written procedures so that if either decides to refuse to amend the information in accordance with the request, it shall inform the parent of the refusal and advise the parent of the right to a records hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

- d. Each school district and other educational agency shall develop and implement written procedures regarding the records hearing which shall include at least the following elements:
- (1) The records hearing shall be held within a reasonable period of time after the school district or other educational agency has received the request, and the parents shall be given notice of the date, place, and time reasonably in advance of the hearing.
 - (2) The records hearing may be conducted by any party, including an official of the school district or educational agency, that does not have a direct interest in the outcome of the hearing.
 - (3) The parents shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
 - (4) The school district or other educational agency shall make its decision in writing within a reasonable period of time after the conclusion of the hearing.
 - (5) The decision of the school district or other educational agency shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

4. Result of Records Hearing

Each school district and other educational agency shall develop and implement written procedures regarding the results of the records hearing. The procedures shall include the following:

- a. If, as a result of the records hearing, the school district or other educational agency decides that this information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parents in writing.
- b. If, as a result of the records hearing, the school district or other educational agency decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school district or other educational agency.
- c. Any explanation placed in the record of the child under this section shall be maintained by the school district or other educational agency as part of the records of the child as long as the records or contested portion is maintained. If the records of the child, or the contested portions are disclosed to any party, the explanation must also be disclosed to the party.

5. Safeguards

Each participating school district and other educational agency shall have written policies and procedures to protect the confidentiality of personally identifiable data at collection, storage, disclosure, and destruction stages. These procedures must include the following provisions:

- a. All school district or other educational agency personnel collecting, maintaining, using, or otherwise having access to personally identifiable data shall be informed of the confidentiality policies and procedures of the school district or other educational agency.
- b. One administrator shall be assigned the responsibility for assuring confidentiality of any personally identifiable data.
- c. The agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the school district or other educational agency who may have access to the personally identifiable data.

6. Prior Consent for Disclosure

- a. Each school district and other educational agency shall have written policies and procedures for disclosing personally identifiable information from the education records of a student without the written consent of the parent if the disclosure is made
 - (1) To other officials including teachers within the school district or other educational agency who have been determined by the school district or other educational agency to have a legitimate educational interest;
 - (2) To officials of another school, school district, or other educational agency in which the student seeks or intends to enroll
 - (a) When the transfer of records is initiated by the parent at the sending school district, joint vocational school, or other educational agency,
 - (b) When the school district or other educational agency includes a notice in its policies and procedures that it forwards education records on request to a school district or other educational agency in which a student seeks or intends to enroll, or
 - (c) After a reasonable attempt to notify the parent, at the parent's last known address, that the transfer of records has been made;
 - (3) To federal and state officials in connection with the audit and evaluation of federally supported education programs, or in connection with the enforcement of or compliance with the federal legal requirements that relate to these programs.
 - (4) In connection with financial aid for which a student has applied or which a student has received, provided that personally identifiable information from the education records of the student may be disclosed only as may be necessary for such purposes as
 - (a) The determination of the eligibility of the student for financial aid,
 - (b) The determination of the amount of financial aid,
 - (c) The determination of the conditions which will be imposed regarding the financial aid, or
 - (d) The enforcement of the terms or conditions of the financial aid; or
 - (5) To others when specified, but not limited to those outlined in 34 CFR §99.3.
- b. Each school district and other educational agency shall develop and implement written procedures for obtaining the written consent of the parent before disclosing personally identifiable information from the educational records of a student, other than directory information, except as provided in the above. The written consent required by the above must be signed and dated by the parent giving the consent and shall include
 - (1) A specification of the records to be disclosed.
 - (2) The purpose or purposes of the disclosure.
 - (3) The party or class of parties to whom the disclosure may be made.
- c. When a disclosure is made pursuant to the above, the school district or other educational agency shall, upon request, provide a copy of the record that is disclosed to the parent and to the student, if so requested by the student's parent.

7. Destruction of Information

Each school district and other educational agency shall develop and implement written procedures which provide that

- a. The school district or other educational agency shall inform the parent when personally identifiable information collected, maintained, or used under this paragraph is no longer needed to provide educational services to the child.
- b. The personally identifiable information on a child with a disability may be retained permanently unless the parent requests that it be destroyed. The school district and other educational agency should remind them that the records may be needed by the child or the parent for social security benefits or other purposes.
- c. The information shall be destroyed at the request of the parent. However, a permanent record of a student's name, address, phone number, grades, attendance records, classes attended, grade level completed, and year completed may be maintained without time limitation.

Copies: Parent
Student File

NOTICE OF RECORD TRANSFER

DATE: _____

TO: _____

ADDRESS: _____

This notice is to inform you that _____ has requested the educational records of your child. The transfer of these records is in accordance with the Ohio Rules for the Education of Handicapped Children governing the confidentiality of student records, as well as district policies and procedures.
(Name of Educational Agency)

The district has been unable to contact you regarding the release of this information. Therefore,

- The district has released the educational records to the above-named educational agency in accordance with the policies and procedures of the district.
- The district will transfer the educational records to the above-named educational agency on or immediately after _____, unless you respond to this notice.
(Date)

Should you have any questions regarding this notice, please contact the school district at the address and/or telephone number listed below.

Designated Person

Title

School District

Address

City, State, Zip Code

Telephone Number

NOTICE OF RECORDS NO LONGER NEEDED

Date: _____

To: _____

Address: _____

Student Name: _____

Birthdate: _____

At this time, we are notifying you that the special education records regarding the above-named student are no longer needed to provide educational services.

A. _____ We are not planning to destroy the records. If you wish to have the records destroyed, we will do so; however, please note that information contained in the records may be needed to establish eligibility for social security and other benefits to your child.

B. _____ We are planning to destroy the records with the exceptions listed below. It may be to your benefit for the reasons specified in item A above to review the records or request copies.

Records to be maintained:

Time period:

If you have questions, please contact the individual listed below.

Please complete by checking either or both of the blanks and return within 15 days as indicated below.

.....
_____ I wish the educational records of my child named above to be destroyed.

_____ Contact me by phone to arrange a time when I may inspect the records or have copies made.

Return To: _____

Parent Signature

Date

Phone

RETAIN WITH DIRECTORY OR REMAINING INFORMATION

SECTION 4: PROCEDURAL SAFEGUARDS

CONTENTS BY TOPIC

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| Providing Notice to Parents | Page 1 |
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| Surrogate Parent | Page 14 |

FORMS

TOPIC

| | | |
|--------|--|---|
| PS-401 | Request For Parent Permission for..... Multifaceted Evaluation | Parent Consent and Providing Notice to Parents |
| PS-402 | Request for an Interpreter/Translator..... | Providing Notice to Parents and MFE |
| PS-403 | Request for Assignment of a Surrogate..... Parent | Surrogate Parent |
| PS-404 | Appointment of a Surrogate Parent..... | Surrogate Parent |
| PS-405 | Parent Notice of Procedural Safeguards..... <i>Whose IDEA Is This?</i> <i>A Resource Guide for Parents</i> | All Procedural Safeguards |

ADDITIONAL RESOURCES

- Questions and Answers on Surrogate Parents, A Resource Guide for Special Education Administrators
- Protecting the Rights of Handicapped Children, A Resource Manual for Surrogate Parents
- Parent Surrogate Trainer's Guide, IRC Manual

The above-named resources are available through special education regional resource centers (SERRCs).

SECTION: Procedural Safeguards

TOPIC: Providing Notice to Parents

FEDERAL REGULATION: 34 CFR §§300.504(a) and 300.505(b) and (c)

Federal regulation language and state standard language are the same.

§300.504 Prior notice; parent consent.

- (a) *Notice.* Written notice that meets the requirements of §300.505 must be given to the parents of a child with a disability a reasonable time before the public agency
- (1) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or
 - (2) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.

§300.505 Content of notice.

- (b) The notice must be—
- (1) Written in language understandable to the general public; and
 - (2) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.
- (c) If the native language or other mode of communication of the parent is not a written language, the SEA or LEA shall take steps to ensure—
- (1) That the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;
 - (2) That the parent understands the content of the notice; and
 - (3) That there is written evidence that the requirements in paragraphs (c)(1) and (2) of this section have been met.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---------------------------------------|--|
| <p>1. The school district shall provide a written notice of procedural safeguards to the parent of a child with a suspected or confirmed disability</p> <p>a. Within 30 days of the date of referral, or</p> <p>b. Within a reasonable time before the school district</p> <ol style="list-style-type: none"> (1) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child; or (2) Refuses to initiate or change the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education to the child. | <p>Form PS-401 and PS-405 (Parent Notice of Procedural Safeguards)</p> | <p>Building principal or designee</p> | <p>Within 30 days of referral or within a reasonable time before district proposes to initiate or refuses to initiate a change in the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---|-----------|
| <p>2. This notice must be provided in language understandable to the general public and in the native language of the parent or other mode of communication used by the parent, unless it is clearly not possible to do so.</p> <p>3. If the native language or other mode of communication of the parent is not a written language, the school district shall take steps to ensure that</p> <p>a. The notice is translated orally or by other means to the parent in his or her native language or other mode of communication. This may involve</p> <p>(1) Arranging for an interpreter if the referral form indicates that English is not the native language of the home or if the parent may have a hearing impairment.</p> <p>(2) Providing notice orally if the written language is not a native language; and</p> <p>(3) Ensuring the accessibility of the meeting location for parents if a conference is held.</p> <p>b. There is written documentation of reasonable attempts to explain this information so that the parent understands the content of the notice.</p> <p>4. The written notice shall contain a full explanation of procedural safeguards.</p> | <p>Form PS-401 and PS-405 (Parent Notice of Procedural Safeguards)</p> <p>Form PS-401 and PS-405 (Parent Notice of Procedural Safeguards)</p> <p>PS-402</p> <p>PS-405 (Parent Notice of Procedural Safeguards)</p> | <p>Building principal or designee</p> <p>Building principal or designee</p> <p>Building principal or designee</p> | |
| | 92 | | |

SECTION: Procedural Safeguards

TOPIC: Content of Notice

FEDERAL REGULATION: 34 CFR §300.500, §§300.502-300.515, §300.505(a), §§300.562-300.569, §300.660

Federal regulation language and state standards language are the same.

§300.505 Content of notice.

(a) The notice under §300.504 must include—

- (1) A full explanation of all of the procedural safeguards available to the parents under §300.500, §§300.502-300.515, and §§300.562-300.569;
- (2) A description of the action proposed or refused by the agency, an explanation of why the agency proposes or refuses to take the action, and a description of any options the agency considered and the reasons why those options were rejected;
- (3) A description of each evaluation procedure, test, record, or report the agency uses as a basis for the proposal or refusal; and
- (4) A description of any other factors that are relevant to the agency's proposal or refusal.

(b) The notice must be—

- (1) Written in language understandable to the general public; and
- (2) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

(c) If the native language or other mode of communication of the parent is not a written language, the SEA or LEA shall take steps to ensure—

- (1) That the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;
- (2) That the parent understands the content of the notice; and
- (3) That there is written evidence that the requirements in paragraphs (c)(1) and (2) of this section have been met.

§300.500 Definitions of "consent," "evaluation," and "personally identifiable."

(a) As used in this part: "Consent means that—

- (1) The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;
- (2) The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
- (3) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time.

(b) "Evaluation" means procedures used in accordance with §§300.530-300.534 to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively with an individual child and does not include basic tests administered to or procedures used with all children in a school, grade, or class.

(c) "Personally identifiable" means that information includes—

- (1) The name of the child, the child's parent, or other family member;
- (2) The address of the child;
- (3) A personal identifier, such as the child's social security number or student number; or
- (4) A list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

FEDERAL REGULATION (Continued)

§300.502 Opportunity to examine records.

The parents of a child with a disability shall be afforded, in accordance with the procedures of §§300.562-300.569, an opportunity to inspect and review all education records with respect to—

- (a) The identification, evaluation, and educational placement of the child; and
- (b) The provision of FAPE to the child.

§300.503 Independent educational evaluation.

(a) General.

- (1) The parents of a child with a disability have the right under this part to obtain an independent educational evaluation of the child, subject to paragraphs (b) through (e) of this section.
 - (2) Each public agency shall provide to parents, on request, information about where an independent educational evaluation may be obtained.
 - (3) For purposes of this part:
 - (i) "Independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question.
 - (ii) "Public expense" means that the public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with §300.301.
- (b) *Parent right to evaluation at public expense.* A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency. However, the public agency may initiate a hearing under §300.506 to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.
- (c) *Parent initiated evaluations.* If the parent obtains an independent educational evaluation at private expense, the results of the evaluation—
- (1) Must be considered by the public agency in any decision made with respect to the provision of FAPE to the child; and
 - (2) May be presented as evidence at a hearing under this subpart regarding that child.
- (d) *Requests for evaluations by hearing officers.* If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.
- (e) *Agency criteria.* Whenever an independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria which the public agency uses when it initiates an evaluation.

§300.504 Prior notice; parent consent.

- (a) *Notice.* Written notice that meets the requirements of §300.505 must be given to the parents of a child with a disability a reasonable time before the public agency—
- (1) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or
 - (2) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.
- (b) *Consent: procedures if a parent refuses consent.*
- (1) Parental consent must be obtained before—
 - (i) Conducting a preplacement evaluation; and
 - (ii) Initial placement of a child with a disability in a program providing special education and related services.
 - (2) If State law requires parental consent before a child with a disability is evaluated or initially provided special education and related services, State procedures govern the public agency in overriding a parent's refusal to consent.

FEDERAL REGULATION (Continued)

- (3) If there is no State law requiring consent before a child with a disability is evaluated or initially provided special education and related services, the public agency may use the hearing procedures in §§300.506-300.508 to determine if the child may be evaluated or initially provided special education and related services without parental consent. If it does so and the hearing officer upholds the agency, the agency may evaluate or initially provide special education and related services to the child without the parent's consent, subject to the parent's rights under §§300.510-300.513.

(c) *Additional State consent requirements.*

In addition to the parental consent requirements described in paragraph (b) of this section, a State may require parental consent for other services and activities under this part if it ensures that each public agency in the State establishes and implements effective procedures to ensure that a parent's refusal to consent does not result in a failure to provide the child with FAPE.

(d) *Limitation.*

A public agency may not require parental consent as a condition of any benefit to the parent or the child except for the service or activity for which consent is required under paragraphs (b) or (c) of this section.

Note 1: Any changes in a child's special education program after the initial placement are not subject to the parental consent requirements in paragraph (b)(i) of this section, but are subject to the prior notice requirement in paragraph (a) of this section and the IEP requirements of §§300.340-300.350

Note 2: Paragraph (b)(2) of this section means that if State law requires parental consent before evaluation or before special education and related services are initially provided, and the parent refuses (or otherwise withholds) consent, State procedures, such as obtaining a court order authorizing the public agency to conduct the evaluation or provide the education and related services, must be followed.

If however, there is no legal requirement for consent outside of these regulations, the public agency may use the due process procedures of §§300.506-300.508 to obtain a decision to allow the evaluation or services without parental consent. The agency must notify the parent of its actions, and the parent has appeal rights as well as rights at the hearing itself.

Note 3: If a State adopts a consent requirement in addition to those described in paragraph (b) of this section and consent is refused, paragraph (d) of this section requires that the public agency must nevertheless provide the services and activities that are not in dispute. For example, if a State requires parental consent to the provision of all services identified in an IEP and the parent refuses to consent to physical therapy services included in the IEP, the agency is not relieved of its obligation to implement those portions of the IEP to which the parent consents.

If the parent refuses to consent and the public agency determines that the service or activity in dispute is necessary to provide FAPE to the child, paragraph (c) of this section requires that the agency must implement its procedures to override the refusal. This section does not preclude the agency from reconsidering its proposal if it believes that circumstances warrant.

§300.506 Impartial due process hearing.

- (a) A parent or a public educational agency may initiate a hearing on any of the matters described in §300.504 (a) (1) and (2).
- (b) The hearing must be conducted by the SEA or the public agency directly responsible for the education of the child, as determined under State statute, State regulation, or a written policy of the SEA.
- (c) The public agency shall inform the parent of any free or low-cost legal and other relevant services available in the area if—
- (1) The parent requests the information; or
 - (2) The parent or the agency initiates a hearing under this section.

Note: Many States have pointed to the success of using mediation as an intervening step prior to conducting a formal due process hearing. Although the process of mediation is not required by the statute or these regulations, an agency may wish to suggest mediation in disputes concerning the identification, evaluation, and educational placement of children with disabilities, and the provision of FAPE to those children. Mediations have been conducted by members of SEAs or LEA personnel who were not previously involved in the particular case. In many cases, mediation leads to resolution of differences between parents and agencies without the development of an adversarial relationship and with minimal emotional stress. However, mediation may not be used to deny or delay a parent's rights under §§300.500-300.515.

FEDERAL REGULATION (Continued)

§300.507 Impartial hearing officer.

- (a) A hearing may not be conducted—
- (1) By a person who is an employee of a public agency that is involved in the education or care of the child; or
 - (2) By any person having a personal or professional interest that would conflict with his or her objectivity in the hearing.
- (b) A person who otherwise qualifies to conduct a hearing under paragraph (a) of this section is not an employee of the agency solely because he or she is paid by the agency to serve as a hearing officer.
- (c) Each public agency shall keep a list of the persons who serve as hearing officers. The list must include a statement of the qualifications of each of those persons.

§300.508 Hearing rights.

- (a) Any party to a hearing has the right to:
- (1) Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities.
 - (2) Present evidence and confront, cross-examine, and compel the attendance of witnesses.
 - (3) Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five days before the hearing.
 - (4) Obtain a written or electronic verbatim record of the hearing.
 - (5) Obtain written findings of fact and decisions. The public agency, after deleting any personally identifiable information, shall—
 - (i) Transmit those findings and decisions to the State advisory panel established under §300.650; and
 - (ii) Make those findings and decisions available to the public.
- (b) Parents involved in hearings must be given the right to—
- (1) Have the child who is the subject of the hearings present; and
 - (2) Open the hearing to the public.

§300.509 Hearing decisions; appeal.

A decision made in a hearing conducted under §300.508 is final, unless a party to the hearing appeals the decision under §300.510 or §300.511.

§300.510 Administrative appeal; impartial review.

- (a) If the hearing is conducted by a public agency other than the SEA, any party aggrieved by the findings and decision in the hearing may appeal to the SEA.
- (b) If there is an appeal, the SEA shall conduct an impartial review of the hearing. The official conducting the review shall:
- (1) Examine the entire hearing record.
 - (2) Ensure that the procedures at the hearing were consistent with the requirements of due process.
 - (3) Seek additional evidence if necessary. If a hearing is held to receive additional evidence, the rights in §300.508 apply.
 - (4) Afford the parties an opportunity for oral or written argument, or both, at the discretion of the reviewing official.
 - (5) Make an independent decision on completion of the review.
 - (6) Give a copy of written findings and the decision to the parties.
- (c) The SEA, after deleting any personally identifiable information, shall—
- (1) Transmit the findings and decisions referred to in paragraph (b)(6) of this section to the State advisory panel established under §300.650; and
 - (2) Make those findings and decisions available to the public.
- (d) The decision made by the reviewing official is final unless a party brings a civil action under §300.511.

FEDERAL REGULATION (Continued)

Note 1: The SEA may conduct its review either directly or through another State agency acting on its behalf. However, the SEA remains responsible for the final decision on review.

Note 2: All parties have the right to continue to be represented by counsel at the State administrative review level, whether or not the reviewing official determines that a further hearing is necessary. If the reviewing official decides to hold a hearing to receive additional evidence, the other rights in §300.508 relating to hearings also apply.

§300.511 Civil action.

Any party aggrieved by the findings and decision made in a hearing who does not have the right to appeal under §300.510, and any party aggrieved by the decision of a reviewing officer under §300.510, has the right to bring a civil action under section 615(e)(2) of the Act.

§300.512 Time lines and convenience of hearings and reviews.

- (a) The public agency shall ensure that not later than 45 days after the receipt of a request for a hearing—
 - (1) A final decision is reached in the hearing; and
 - (2) A copy of the decision is mailed to each of the parties.
- (b) The SEA shall ensure that not later than 30 days after the receipt of a request for a review—
 - (1) A final decision is reached in the review; and
 - (2) A copy of the decision is mailed to each of the parties.
- (c) A hearing or reviewing officer may grant specific extensions of time beyond the periods set out in paragraphs (a) and (b) of this section at the request of either party.
- (d) Each hearing and each review involving oral arguments must be conducted at a time and place that is reasonably convenient to the parents and child involved.

§300.513 Child's status during proceedings.

- (a) During the pendency of any administrative or judicial proceedings regarding a complaint, unless the public agency and the parents of the child agree otherwise, the child involved in the complaint must remain in his or her present educational placement.
- (b) If the complaint involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in the public school program until the completion of all the proceedings.

NOTE: Section 300.513 does not permit a child's placement to be changed during a complaint proceeding, unless the parents and agency agree otherwise. While the placement may not be changed, this does not preclude the agency from using its normal procedures for dealing with children who are endangering themselves or others.

§300.514 Surrogate parents.

- (a) *General.* Each public agency shall ensure that the rights of a child are protected when—
 - (1) No parent (as defined in §300.13) can be identified;
 - (2) The public agency, after reasonable efforts, cannot discover the whereabouts of a parent; or
 - (3) The child is a ward of the State under the laws of that State.
- (b) *Duty of the public agency.* The duty of the public agency under paragraph (a) of this section includes the assignment of an individual to act as a surrogate for the parents. This must include a method:
 - (1) For determining whether a child needs a surrogate parent, and
 - (2) For assigning a surrogate parent to the child.

FEDERAL REGULATION (Continued)

(c) *Criteria for selection of surrogates.*

- (1) The public agency may select a surrogate parent in any way permitted under State law.
- (2) Public agencies shall ensure that a person selected as a surrogate—
 - (i) Has no interest that conflicts with the interest of the child he or she represents; and
 - (ii) Has knowledge and skills that ensure adequate representation of the child.

(d) *Non-employee requirement; compensation.*

- (1) A person assigned as a surrogate may not be an employee of a public agency that is involved in the education or care of the child.
- (2) A person who otherwise qualifies to be a surrogate parent under paragraphs (c) and (d) (1) of this section, is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent.

(e) *Responsibilities.* The surrogate parent may represent the child in all matters relating to—

- (1) The identification, evaluation, and educational placement of the child; and
- (2) The provision of FAPE to the child.

§300.515 Attorneys' fees.

Each public agency shall inform parents that in any action or proceeding under section 615 of the Act, courts may award parents reasonable attorneys' fees under the circumstances described in section 615(e)(4) of the Act.

§300.562 Access rights.

- (a) Each participating agency shall permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the agency under this part. The agency shall comply with a request without unnecessary delay and before any meeting regarding an IEP or any hearing relating to the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child, and in no case more than 45 days after the request has been made.
- (b) The right to review and inspect education records under this section includes—
 - (1) The right to a response from the participating agency to reasonable requests for explanations and interpretations of the records;
 - (2) The right to a request that the agency provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
 - (3) The right to have a representative of the parent inspect and review the records.
- (c) An agency may presume that the parent has authority to inspect and review records relating to his or her child unless the agency has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

§300.563 Record of access.

Each participating agency shall keep a record of parties obtaining access to education records collected, maintained, or used under this part (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

§300.564 Records on more than one child.

If any education record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

§300.565 List of types and locations of information.

Each participating agency shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the agency.

FEDERAL REGULATION (Continued)

§300.566 Fees.

- (a) Each participating agency may charge a fee for copies of records that are made for parents under this part if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.
- (b) A participating agency may not charge a fee to search for or to retrieve information under this part.

§300.567 Amendment of records at parent's request.

- (a) A parent who believes that information in the education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of the child may request the participating agency that maintains the information to amend the information.
- (b) The agency shall decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.
- (c) If the agency decides to refuse to amend the information in accordance with the request, it shall inform the parent of the refusal, and advise the parent of the right to a hearing under §300.568.

§300.568 Opportunity for a hearing.

The agency shall, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

§300.569 Result of hearing.

- (a) If, as a result of the hearing, the agency decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parent in writing.
- (b) If, as a result of the hearing, the agency decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the agency.
- (c) Any explanation placed in the records of the child under this section must—
 - (1) Be maintained by the agency as part of the records of the child as long as the record or contested portion is maintained by the agency; and
 - (2) If the records of the child or the contested portion is disclosed by the agency to any party, the explanation must also be disclosed to the party.

§300.660 Adoption of State complaint procedures.

Each SEA shall adopt written procedures for:

- (a) Resolving any complaint that meets the requirements of §300.662 by—
 - (1) Providing for the filing of a complaint with the SEA; and
 - (2) At the SEA's discretion, providing for the filing of a complaint with a public agency and the right to have the SEA review the public agency's decision on the complaint.
- (b) Informing parents and other interested individuals about the procedures in §§300.660-300.662.

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Note: The following is the State procedure.

- (a) Ensure that prior written notice includes a description of the state's complaint procedure, which provides for the filing of a complaint by any individual, group of individuals, agency, or organization filing a complaint alleging violations of federal or state laws that apply to special education services.
 - (1) The complaint shall
 - (a) Be in writing;
 - (b) Indicate the allegations and the circumstances on which the allegations are based;
 - (c) Be signed by the complainant(s); and
 - (d) Be submitted to the Ohio Department of Education, Division of Special Education, or Division of Early Childhood.
 - (2) Ensure that the complaint is resolved or investigated. If the investigation of the complaint involves off-site and on-site investigation procedures, the time lines for the public agency to submit a corrective action plan and to achieve compliance shall be included in the complaint investigator's report. The complaint investigator shall have the following responsibilities:
 - (a) Filing a written response with the complainant, and the superintendent or chief executive officer of the public agency involved;
 - (b) Facilitating, or providing for negotiations between the parties, if necessary;
 - (c) Providing technical assistance to assist in achieving compliance; and
 - (d) Filing the final written response within 60 calendar days of the date the written complaint is received. An extension of time may be granted by the Director of the Division of Special Education or Division of Early Childhood only if exceptional circumstances exist with respect to a specific complaint. All parties shall be notified in writing of an extension and the reasons for it.
 - (3) Ensure that prior written notice contains early complaint resolution (ECR)
 - (a) Upon receipt of a written complaint, the Division staff may contact both the school district and complainant to seek an early complaint resolution by giving the parties the opportunity to resolve the issues with assistance from Division staff before an investigation is begun; and
 - (b) Division of Early Childhood is not a substitute for the Ohio Department of Education's (ODE) compliance activities. It in no way limits ODE's right or responsibility to review institutional policies and practices or to investigate complaints when the parties do not wish to attempt early resolution, or when resolution is not achieved. The time lines will be extended if both parties agree.
 - (4) Ensure that prior written notice contains information on procedures for withdrawal and extension of complaints
 - (a) In the event the complainant wishes to withdraw the complaint, a written statement of withdrawal from the complainant must be placed in the complaint file;
 - (b) Due to the complexity of the issues, the need for additional documentation, or the lack of availability/access to appropriate individuals, it may become necessary to extend the complaint investigation time line.
 - (i) An extension may be granted by the Director of the Division of Special Education.
 - (ii) Time lines of extensions for investigations will vary depending upon the circumstances, and the necessity to provide a thorough investigation of the issues; or
 - (iii) Division of Early Childhood Education, if the child is of preschool age.

| PROCEDURES | DOCUMEN- TATION | RESPONSI- BILITY | TIME LINE |
|--|--------------------|---------------------|-----------|
| 1. Refer to "Providing Parents Notice" and procedures as provided under federal regulations §§300.504 and 300.505. 2. Refer to Section 4: Procedural Safeguards, pages 1 and 2. | | | |

Additional Resources:

Ohio Department of Education. (1990). *The early childhood identification process: A manual for screening and assessment*. Columbus, OH: Author.

SECTION: Procedural Safeguards

TOPIC: Parent Consent

FEDERAL REGULATION: 34 CFR §300.504 (b)(1) and (2)

Federal regulation language and state standards language are the same.

§300.504 Prior notice; parent consent.

(b) *Consent: procedures if a parent refuses consent*

(1) Parental consent must be obtained before—

- (i) conducting a preplacement evaluation; and
- (ii) initial placement of a child with a disability in a program providing special education and related services.

(2) If State law requires parental consent before a child with a disability is evaluated or initially provided special education and related services, State procedures govern the public agency in overriding a parent's refusal to consent.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---|---|
| <p>Parent Consent</p> <p>1. The school district shall obtain written parent consent prior to</p> <ul style="list-style-type: none"> a. Conducting the evaluation for the initial placement of a child with a disability or a child suspected of having a disability; and b. Making an initial placement of a child with a disability in a program providing special education and related services. <p>2. If parental consent is not obtained for conducting the evaluation for initial evaluation or for initial placement, the school district shall initiate an impartial due process hearing to determine if the child may be evaluated or placed (refer to Section 7: Due Process).</p> <p>Note: The team may reconvene the IEP or MFE conference to determine the need for services or evaluation.</p> <p>3. Permission may not be required as a condition of any benefit to the parent or child, except when permission is necessary for evaluation or service delivery.</p> | <p>Form PS-401</p> <p>Form IEP-608</p> | <p>Principal or designee</p> <p>IEP district representative</p> <p>Superintendent or designee</p> | <p>Ninety days from parental permission or 120 days from referral, whichever comes first.</p> |

SECTION: Procedural Safeguards

TOPIC: Independent Educational Evaluation

FEDERAL REGULATION: 34 CFR §300.503 Independent educational evaluation.

Federal regulation language and state standard language are the same.

(a) *General.*

- (1) The parents of a child with a disability have the right under this part to obtain an independent educational evaluation of the child, subject to paragraphs (b) through (e) of this section.
- (2) Each public agency shall provide to parents, on request, information about where an independent educational evaluation may be obtained.
- (3) For purposes of this part:
 - (i) "Independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question.
 - (ii) "Public expense" means that the public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with paragraph §300.301.

(b) *Parent right to evaluation at public expense.* A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency. However, the public agency may initiate a hearing under §300.506 to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

(c) *Parent initiated evaluations.* If the parent obtains an independent educational evaluation at private expense, the results of the evaluation—

- (1) Must be considered by the public agency in any decision made with respect to the provision of FAPE to the child; and
- (2) May be presented as evidence at a hearing under this subpart regarding that child.

(d) *Requests for evaluations by hearing officers.* If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.

(e) *Agency criteria.* Whenever an independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria which the public agency uses when it initiates an evaluation.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|----------------------------|-----------|
| 1. The district will provide parents, upon request, with information about where an independent educational evaluation (IEE) may be obtained. | PS-405 (Parent Notice of Procedural Safeguards) and list provided by district | Superintendent or designee | |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|--|-----------|
| <p>2. However, the district may initiate a hearing to show that its evaluation is appropriate.</p> <p>a. If the district evaluation is found to be appropriate, parents still have the right to an IEE, but not at public expense.</p> <p>b. Parents may obtain an IEE at private expense. The results of the evaluation must be considered by the district in any decision made with respect to providing FAPE to the child and may be presented as evidence in any hearing.</p> <p>3. Hearing officers may request an IEE as part of a hearing. The cost must be at public expense.</p> <p>4. An IEE conducted at public expense must meet the same criteria, including the location and qualifications of the examiner(s) that the district uses when it initiates an evaluation.</p> <p>Note: It is not necessary for the parents to obtain prior approval from the district before obtaining an independent educational evaluation at public expense. However, at some point, the parents must notify the district that they disagree with the evaluation.</p> | <p>Form DP-702</p> <p>PS-405 (Parent Notice of Procedural Safeguards)</p> <p>Independent educational evaluation report</p> <p>IHO order</p> <p>Evaluation team report</p> | <p>Superintendent or designee</p> <p>Superintendent or designee</p> <p>Superintendent or designee</p> <p>Hearing officer</p> <p>Superintendent, designee, or hearing officer</p> | |

Additional Resources: Section 5: Assessment/Multifactor Evaluation (MFE) of this Manual.

SECTION: Procedural Safeguards

TOPIC: Surrogate Parent

FEDERAL REGULATION: 34 CFR §300.514 Surrogate parents.

- (a) *General.* Each public agency shall ensure that the rights of a child are protected when—
 - (1) No parent (as defined in §300.13) can be identified;
 - (2) The public agency, after reasonable efforts, cannot discover the whereabouts of a parent; or
 - (3) The child is a ward of the State under the laws of that State.
- (b) *Duty of the public agency.* The duty of a public agency under paragraph (a) of this section includes the assignment of an individual to act as a surrogate for the parents. This must include a method:
 - (1) For determining whether a child needs a surrogate parent, and
 - (2) For assigning a surrogate parent to the child.
- (c) *Criteria for selection of surrogates.*
 - (1) The public agency may select a surrogate parent in any way permitted under State law.
 - (2) Public agencies shall ensure that a person selected as a surrogate—
 - (i) Has no interest that conflicts with the interest of the child he or she represents; and
 - (ii) Has knowledge and skills that ensure adequate representation of the child.
- (d) *Non-employee requirement; compensation.*
 - (1) A person assigned as a surrogate may not be an employee of a public agency that is involved in the education or care of the child.
 - (2) A person who otherwise qualifies to be a surrogate parent under paragraphs (c) and (d) (1) of this section, is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent.
- (e) *Responsibilities.* The surrogate parent may represent the child in all matters relating to—
 - (1) The identification, evaluation, and educational placement of the child; and
 - (2) The provision of FAPE to the child.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|---|---|
| 1. When written permission is not forthcoming from the child's parent or legal guardian to begin any of the evaluation processes, reasonable inquiry including, but not necessarily limited to, a written inquiry shall be sent to the adult in charge of the child's place of residence, as well as to the parent or legal guardian at the last known address. If these efforts determine that the child is without a parent or guardian, or if it is otherwise known that they cannot be identified or located, the superintendent of the parent(s) district of residence or the superintendent's designated representative shall, within 30 days, utilize all available information to determine if the child is in need of a surrogate and shall assign one if such study so indicates. The district where the parent resides maintains the ultimate responsibility for this. However, if mutually agreed upon, the district of attendance may appoint the surrogate. It is recommended that a trained surrogate be appointed within 15 days. | Form PS-403 | Superintendent or designee of district of residence | Within 30 days of request for parent surrogate. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---|--|
| <p>2. The parent surrogate will be responsible for protecting the rights of the child through the complete decision-making process as described in these procedures.</p> <p>3. The parent surrogate shall be appointed in accordance with section 3323.05 of the Ohio Revised Code.</p> <p>4. A child who has reached the age of majority may request a parent surrogate when no parent is available.</p> <p>5. To the extent possible, the parent surrogate should match the child's cultural and linguistic background.</p> <p>6. A parent surrogate shall have no interest that conflicts with the interests of the child represented.</p> <p>7. The parent surrogate shall be appointed in accordance with section 3323.05 of the Ohio Revised Code. A person assigned as a surrogate parent shall not be an employee of any state, intermediate, or local educational agency, or any public agency responsible for providing education to the child in need of a parent surrogate. A foster parent would not be excluded by this requirement unless the person was otherwise an employee of such a public agency. A person who otherwise qualifies to be a surrogate parent under these procedures is not an employee of the agency solely because of being paid by the school district to serve as a surrogate parent.</p> | <p>Form PS-404</p> <p>Form PS-404</p> | <p>Superintendent</p> <p>Child</p> | <p>Upon completion of study.</p> |
| <p>8. Surrogate parents shall successfully complete training prescribed by the Ohio Department of Education prior to acting on behalf of the child.</p> <p>9. The school district will contact the area special education regional resource center and arrange for training sessions.</p> | <p>SERRC certification of training completion</p> | <p>Special education director or designee</p> | <p>Upon completion of appointment.</p> |
| <p>10. The school district will, following completion of training of the surrogate parent, implement all the procedures pertaining to the identification, evaluation, and educational placement of the child.</p> | <p>Follow all appropriate procedures and forms in this Manual.</p> | <p>Superintendent</p> | <p>As needed</p> |

Additional Resources:

- Ohio Department of Education. (1985). *Questions and answers on surrogate parents: A resource guide for special education administrators*. Columbus, OH: Author.
- Ohio Department of Education. (1985). *Protecting the rights of handicapped children: A resource manual for surrogate parents*. Columbus, OH: Author.
- Ohio Department of Education. (1985). *Parent surrogate trainer's guide: IRC manual*. Columbus, OH: Author.

Copies: Parent
Student File

Request for Parent Permission for Multifacored Evaluation

Dear Parent:

On ___/___/___ a group of multidisciplinary professionals met to review concerns regarding your child. The initial referral concerns were as follows:

These other options were considered prior to the decision to evaluate a child with a suspected disability.

| <u>Option</u> | <u>Reason(s) for Rejection of Option</u> |
|---------------|--|
| <hr/> | <hr/> |
| <hr/> | <hr/> |
| <hr/> | <hr/> |

Based on a review of information, a multifacored evaluation was recommended to determine if your child is eligible to receive special education services.

In order for a multifacored evaluation to be conducted, your permission is required.

The following evaluation components will be addressed:

| <u>Evaluation</u> | <u>Description</u> |
|-------------------|--------------------|
| <hr/> | <hr/> |
| <hr/> | <hr/> |
| <hr/> | <hr/> |
| <hr/> | <hr/> |
| <hr/> | <hr/> |
| <hr/> | <hr/> |

In addition, your rights and responsibilities under state and federal laws and regulations are enclosed. Please contact the person listed below if you have any questions or concerns, or do not understand your rights. If you wish to provide permission for the proposed multifacored evaluation, please sign and date the permission page on the appropriate lines, keep the copy, and return the original to the person at the address provided below.

| | |
|-----------------------|------------------|
| Name | Title |
| Address | Telephone Number |
| City, State, Zip Code | |

Enclosure: *Whose IDEA Is This? A Resource Guide for Parents*
PS-405 (Parent Notice of Procedural Safeguards)

Either Part I or Part II Must Be Completed

Part I: To Grant Consent

I have received copies of the Parent Notice of Procedural Safeguards and I understand the information provided.

I HEREBY GIVE MY PERMISSION FOR _____ to receive a multifactored evaluation by designated school personnel. I understand the evaluation information will be shared by teachers, principals, and other appropriate school personnel, and that the school district will forward educational records upon request to another school district or educational agency in which my child seeks or intends to enroll. I further understand that my granting of consent is voluntary on my part and I may revoke my consent at any time.

Signature of (parent, legal guardian, or custodian) Relationship to Child Date

Part II: Refusal to Consent

(Do NOT complete Part II if you completed Part I)

I have received copies of the Parent Notice of Procedural Safeguards and I understand the information provided.

I DO NOT GIVE MY PERMISSION for a multifactored evaluation for _____.

Reasons: It would be helpful to school personnel who are designing an educational program to meet your child's unique needs if you would share with us your reasons for not giving your permission for a multifactored evaluation.

Signature of (parent, legal guardian, or custodian) Relationship to Child Date

Part III: (To be completed by school)

The above information and the Parent Notice of Procedural Safeguards were presented/sent in writing to:

(Parent, Legal Guardian, or Custodian) (Date(s))

The parents' native language is _____. If not English, was the information provided in the native language or other mode of communication? Yes No

If no, explain why it was not feasible to do so:

If not a written language or other mode of communication, attach documentation of steps taken to ensure that the notice was translated and that the parent understands the content of the notice.

Sincerely,

(Signature) (Address)

(Name) (City, State, Zip Code)

(Position) (Telephone Number)

Copies: Student File

REQUEST FOR INTERPRETER/TRANSLATOR

All communication with parents of students referred for, or currently receiving, special education and related services should be conducted in the primary language or other mode of communication of the home. Submit completed request to:

Student's Name: _____

Parent's Name: _____

Address: _____

Number Street

City State Zip Code

The primary language or other mode of communication of the home is: _____

An interpreter/translator will be needed for the following:

- _____ Presentation of parent notice of procedural safeguards and consent
- _____ Development of individualized education program
- _____ Review of the written individualized education program
- _____ Review of student records (written)
- _____ Hearing procedure
- _____ Identification of a surrogate parent
- _____ Other

An interpreter/translator is needed on the following date(s):

Signature of Person Submitting Request

Date

REQUEST FOR ASSIGNMENT OF A SURROGATE PARENT

Purpose

This form should be completed by any person who knows of a child who may need special education services, and who is a ward of the state, or whose parents or guardian are not known, or are not available.

Student's name _____

Date of birth _____ Age _____

School _____ Grade _____

Address _____ Telephone _____

With whom child is residing _____

Telephone _____ Relationship _____

Other pertinent information _____

Name of person making request _____

Position/title _____

Employer/agency _____

Business address _____

Telephone _____

Why has this request been made? _____

Signature

Date

APPOINTMENT OF A SURROGATE PARENT

Date: _____

Please be informed that _____
(name)

is appointed as surrogate parent for _____
(student name)

(date of birth). It is my understanding that this appointee has completed the necessary training, and is qualified to serve in this capacity, and should be involved in all aspects of the child's education in accordance with the district's special education policies and procedures.

Superintendent's Signature

School District

Address

City, State, Zip Code



**WHOSE *IDEA*
IS THIS?**

A Resource Guide for Parents

**State of Ohio
Parent Notice of
Procedural Safeguards**

WHOSE *IDEA* IS THIS?

A RESOURCE GUIDE FOR PARENTS

IDEA is the Individuals with Disabilities Education Act, a federal law that assures children with disabilities a free appropriate public education in the least restrictive environment. An important part of this law supports parent participation in their children's education.

This resource guide has been written for you as the parent of a child with a suspected disability by experienced parents of children with disabilities. It will provide you with a description of the laws and regulations affecting the provision of special education to help you understand each step in the special education process. With this knowledge, you will be prepared to take an active role in your child's education, one that involves close collaboration with school district personnel in the development of an appropriate educational program.

We hope that the content and suggestions included in this guide will help your child benefit from a cooperative support system that is characterized by a partnership between home and school.

Developed by the

Ohio Department of Education

in cooperation with the

**Ohio Coalition for the Education of
Children with Disabilities**



Columbus, Ohio
1995

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STEPS TO GETTING SERVICES

WHAT HAPPENS IF MY CHILD IS HAVING TROUBLE LEARNING IN SCHOOL?

| | PARENT | SCHOOL DISTRICT |
|-------------------------------|---|---|
| PREREFERRAL | <ul style="list-style-type: none"> ❖ Contacts teacher to discuss any concerns ❖ Provides information that might be helpful ❖ Requests intervention assistance team review, if desired • Makes written referral for a multifaceted evaluation for a suspected disability, if needed | <ul style="list-style-type: none"> ❖ Contacts parent for information ❖ Attempts different strategies and documents results ❖ Uses intervention assistance team to generate additional ideas, if needed ❖ Intervention assistance team suggests new interventions and documents results in writing, if needed • Makes referral for multifaceted evaluation if child is suspected of having a disability |
| REFERRAL | <ul style="list-style-type: none"> • Receives copy of parent's rights information • Has questions answered ❖ Asks for information about area parent support groups, if desired • Gives permission for evaluation | <ul style="list-style-type: none"> • Contacts parent, explains referral process, and provides copy of <i>Whose IDEA Is This?</i> • Asks parent for consent to evaluate |
| EVALUATION | <ul style="list-style-type: none"> ❖ Provides information for evaluation process (e.g., medical, family, and educational history; perceptions of child's strengths and needs) | <ul style="list-style-type: none"> • Notifies parent of who will evaluate and what types of tests will be used • Collects information from parent and teacher, and others • Completes evaluation • Summarizes and interprets evaluation results • Determines eligibility for special education services ❖ Holds evaluation team meeting that includes parent |
| BEFORE THE IEP MEETING | <ul style="list-style-type: none"> ❖ Requests draft copy of suggested goals, if desired ❖ Reviews parent's rights information ❖ Seeks support, if needed ❖ Brings support person(s) to IEP meeting, if needed ❖ Brings concerns and questions to IEP meeting, as well as suggested goals | <ul style="list-style-type: none"> • Notifies parent of IEP meeting and participants • Determines mutually agreed on time and place for the meeting ❖ Sends draft copy of suggested goals to parent |
| DURING THE IEP MEETING | <ul style="list-style-type: none"> ❖ Asks questions about evaluation results ❖ Shares information about child's strengths and needs ❖ Assists in development of goals and objectives | <ul style="list-style-type: none"> • Explains evaluation results and eligibility for special education |

❖ Denotes optional practice

| | PARENT | SCHOOL DISTRICT |
|------------------------------------|---|--|
| DURING THE IEP MEETING (continued) | <ul style="list-style-type: none"> ❖ Determines jointly the appropriate special education and related services to be provided ◦ Gives permission for child to receive special education and related services | <p>If child is eligible for special education services</p> <ul style="list-style-type: none"> ◦ Jointly develops IEP, which includes <ul style="list-style-type: none"> ◦ <i>Child's strengths and needs</i> ◦ <i>Annual goals and short-term instructional objectives</i> ◦ <i>Appropriate special education and related services</i> <p style="text-align: center;">OR</p> <p>If child is not eligible for special education services</p> <ul style="list-style-type: none"> ❖ <i>Determines appropriate modifications and/or interventions</i> ❖ <i>Considers eligibility for services under Section 504</i> ◦ <i>Notifies parents of their right to an independent evaluation, if there is a disagreement about the evaluation results</i> |
| ANNUAL REVIEW | <ul style="list-style-type: none"> ❖ Gathers school papers and other information that may be helpful at the meeting ❖ Reviews parent's rights information ❖ Brings support person(s) to meeting, if desired ❖ Reviews current IEP goals and objectives ❖ Writes ideas for new goals and objectives | <ul style="list-style-type: none"> ◦ Invites parent to the annual review in the same manner as the IEP meeting ◦ Gathers information on child's progress ❖ Sends home copy of proposed goals and objectives ◦ Reviews current IEP ◦ Discusses extended school year services, if appropriate |
| REEVALUATION | <ul style="list-style-type: none"> ❖ Reviews parent's rights information ❖ Provides information on the child's skills at home ❖ Provides information from doctors or other professionals that might be helpful ❖ Requests an evaluation sooner than three years if desired, especially if there is a change in child's skills | <ul style="list-style-type: none"> ◦ Notifies parent that a three-year reevaluation needs to be done ◦ Provides copy of <i>Whose IDEA Is This?</i> to parent ◦ Informs parent of the right to an independent evaluation if parent disagrees with the district's evaluation ◦ Asks for parent input in evaluation process ◦ Gives parent information about who will evaluate and the kinds of tests to be used in the evaluation ◦ Explains reevaluation process |
| INDEPENDENT EDUCATIONAL EVALUATION | <ul style="list-style-type: none"> ❖ Informs school in writing of any disagreement with their evaluation ❖ Assists in the identification of the evaluator(s) ❖ Obtains independent educational evaluation | <ul style="list-style-type: none"> ◦ Informs parent of his/her right to an independent evaluation if there is disagreement over the evaluation ◦ Provides information about where an independent evaluation may be obtained ◦ Pays for the independent educational evaluation or determines need for due process hearing if the evaluation team feels that the school's evaluation is fair and accurate |

❖ Denotes optional practice

ANSWERS TO FREQUENTLY ASKED QUESTIONS

Referral

Who can make a referral?

If a child is suspected of having a disability and might need special education services, a referral for evaluation may be made by

- Parents;
- School personnel; and/or
- Community agency personnel.

If the referral is made by

- a. The parent — It should be made in writing to the school district stating that you suspect that your child has a disability, and that you are asking for a multifaceted evaluation.
- b. School personnel — You will be contacted by someone from the school district.

After a referral is made and before the evaluation begins

- You must be given prior notice within 10 days of the date of referral.
- Remember the school district must have **your consent in writing** to evaluate your child.
- If you refuse to give your consent to evaluate, the school district may request a due process hearing.

Prior Notice to Parents

What must happen before there is any involvement in special education?

If your child is suspected of having a disability and is referred for an evaluation, you must be informed, in writing, before your child

- Is tested;
- Is identified as eligible to receive special education services;
- Receives special education services (placement);
- Has any change in services; and/or
- Is refused services.

This written notice must include.

1. Your rights under special education law.
2. What the school district
 - Plans to do;
 - Could do (options); and/or
 - Chooses not to do, and why.
3. An explanation of
 - Steps to testing;
 - Types of tests;
 - Results of tests;
 - School records;
 - Other reports and information that relate to your child; and
 - The school district's written criteria for determining eligibility for special education services.

Eligibility criteria have been established for each of the disability conditions recognized in federal and state law. These disability conditions are defined, beginning on page 16.

Prior notice to parents must be written in language understandable to the general public, and must be provided in your native language or given to you in other ways of communication, so that you understand your rights. The school district must keep a written record that this has been done.

Surrogate Parents

What is a surrogate parent?

A surrogate parent is someone who acts in the place of a child's parent when

- The parent cannot be identified;
- The school district cannot locate the parent after reasonable efforts; or
- The child is a ward of the state.

The school district must have a process for

- Identifying the need for a surrogate parent; and
- Appointing a surrogate parent.

A surrogate parent can represent the child in all educational matters, including

- Identification;
- Evaluation;

- Educational placement of the child; and
- The provision of a free appropriate public education to the child, including participation in the IEP process.

A surrogate parent must be someone who

- Has received state-approved training to represent the child adequately;
- Is not an employee of the school district or of a public agency involved in the education or care of the child;
- Has no conflict of interest with the child he or she represents; and
- Has the knowledge and skills to adequately represent the child.

Consent

What does consent mean?

Consent means that

- You have been given all the information necessary to make an informed decision about the proposed activity. This information must be given in your native language or other mode of communication.
- You understand and agree in writing to the proposed activity. The document(s) you sign must describe the activity and list any records that will be released. It must also list who will receive these records.
- You will be informed in writing that your consent is voluntary and that you may withdraw your consent at any time.

When must the school obtain my consent?

Your school district must have your written consent before

- An evaluation is done for the first time; or
- Special education and related services (FAPE) are provided for the first time.

If you do not give your consent, or if you withdraw your consent, the school district may request a due process hearing to obtain permission to evaluate and/or provide special education and related services to your child.

Evaluation

What does evaluation mean?

Evaluation means procedures used to determine whether your child has a disability, and the type and

amount of special education and related services your child may need. These procedures are selected for each child, and do not generally include basic tests or procedures used with all children in a school.

When does my child need an evaluation?

Your child needs an initial evaluation when you or the school district suspects that your child has a disability. If your child is already receiving special education services, a reevaluation must be conducted at least every three years. This reevaluation is done to ensure that your child is still eligible to receive special education services, and to determine if the services are appropriate.

The purpose of evaluating your child is to

- Determine eligibility for special education services;
- Make recommendations about ways to meet your child's educational needs; and
- Get a complete picture of your child's abilities as a starting point for planning educational services.

The evaluation of your child must

- Be multifaceted, or assess more than one area of your child's functioning;
- Be multidisciplinary, or performed by a group of professionals;
- Be administered in your child's native language or other mode of communication; and
- Be unbiased, or given in such a way so as not to discriminate against your child, regardless of his or her cultural background, race, or disability.

The evaluation must address all of the following areas, and assess those specific areas related to the suspected disability and the design of effective interventions:

- Health
- Vision
- Hearing
- Social and emotional status
- General intelligence
- School performance (achievement)
- Communication status (listening, speaking, and writing)
- Movement/use of muscles (motor abilities)
- Ability to do (aptitudes)
- Interests
- Preferences (likes and dislikes)
- Ability to get and keep a job (employability)
- The child's surroundings (environments) and their effect upon learning
- Adaptive behavior

- Background information, including developmental, family, medical, and educational histories, when appropriate
- Preacademic skills

You may request that other areas be assessed as part of your child's evaluation.

All required evaluation components, including medical, are provided by the school district at no cost to you. When the school district's evaluation is complete, you may

- Request a copy of the evaluation report; and
- Discuss the evaluation results with a member of the evaluation team.

The school district must arrange a meeting with you to

- Review evaluation results and discuss your child's eligibility to receive special education services;
- Discuss your child's strengths and needs; and
- Write an IEP, if necessary.

The school district must complete your child's evaluation and the IEP not more than 90 days after your consent for the evaluation has been received. You and the school district may agree to an extension of time. This must be done in writing.

What if you disagree with the school district's evaluation?

You may obtain an independent educational evaluation if you disagree with the school district's evaluation results.

that the school district either pays for the full cost of the educational evaluation or ensures that the evaluation is provided at no cost to you. Whenever an independent educational evaluation is at public expense, the standards under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must meet the same standards that the school district uses.

In addition, an independent educational evaluation may be requested by a hearing officer. In this case, the independent educational evaluation *must* be at public expense.

What if the school district believes its evaluation is valid?

It is the school district's responsibility to request a due process hearing to show that its evaluation is valid. However, if the final decision is that the district's evaluation is appropriate, you still have the right to an independent educational evaluation at *your* expense.

Where can you get an independent educational evaluation?

You may ask the school district to provide you with information about where to get an independent educational evaluation or you can locate an evaluator on your own.

If you have an independent educational evaluation completed at your expense, the school district must consider those results in planning your child's program.

Independent Educational Evaluation

What is an independent educational evaluation?

An independent educational evaluation (IEE) is an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the education of your child.

Under what circumstances can an independent educational evaluation be obtained?

If you disagree with your school district's evaluation, you have the right to an independent educational evaluation at public expense. *Public expense* means

Individualized Education Program (IEP)

What is an individualized education program?

An individualized education program (IEP) is a written statement for a child with a disability that is developed and implemented according to federal and state regulations. This statement includes

- A description of your child's strengths and needs (present levels of performance);
- Annual goals and short-term instructional objectives;
- Criteria and evaluation procedures linked to short-term objectives;

- Statements of specific special education and related services that will be provided, and the extent to which your child will participate in regular education classes;
- When these services will start (initiation), how long the services will last (anticipated duration) and the amount of services (frequency);
- A transition services statement for students who are 16 years old or as young as 14 years, if appropriate.

The IEP meeting should be held at a mutually agreed on time and place. School districts are required to invite parents to attend this meeting. The school district must document all attempts to contact the child's parents. If parents choose not to attend, an IEP meeting may be conducted without them.

Who should attend the IEP meeting?

The school district is required to invite the following people to attend the IEP meeting as equal, valued members of the decision-making process:

- Parents;
- The child's teacher;
- A representative of the school district who is able to provide or supervise the provision of special education services;
- The child, when appropriate, but always at the age of 16 and older;
- Additional individuals at the invitation of the parents or the school district;
- A member of the evaluation team or some other person who is knowledgeable about the evaluation procedures used with the child, and is familiar with the results of the evaluation (for the first IEP and after a reevaluation).

What is the responsibility of the IEP team?

During an IEP meeting, team members must follow this sequence of steps:

1. Review the results of the evaluation, or the current IEP if the meeting is an annual review;
2. Determine your child's areas of strengths and needs;
3. Write annual goals and short-term instructional objectives in the areas of need and determine how progress will be measured, including when and by whom;
4. Determine the special education and related services needed to implement each goal and objective; and
5. Determine where special education services will be delivered (least restrictive environment).

Federal and state law require, to the maximum extent appropriate, that special education and related services be provided in the **least restrictive environment (LRE)**, or the environment(s) that provides for the most interaction between youngsters with and without disabilities. Selected LRE requirements, including the continuum of alternative placements or program options that must be made available to meet the unique needs of each child with a disability, are provided on page 8.

The following issues should be discussed during the IEP meeting, as part of the sequential steps listed above, when they apply to your child:

- Your child's participation in the various testing programs (e.g., proficiency tests);
- Whether or not your child should receive extended school year services;
- The transition of your child from early childhood special education services to school-age services;
- Transition activities, beginning no later than age 16, or as young as age 14, if appropriate, based on your child's needs, preferences, and interests;
- A positive behavior support plan if your child's behavior significantly interferes with his or her opportunity to learn;
- Physical education programs that address your child's individual needs; and
- The need for Braille instruction if your child has a visual impairment.

Your child's IEP must be reviewed at least annually.

However, your child's IEP may be reviewed at any time during the school year at your request, or at the school district's request. It is important to understand that your signature on your child's IEP at an annual review is **not** required as a condition for the district to provide your child with a free appropriate public education.

What are extended school year services?

Extended school year services are special education and related services that are provided outside the normal 180-day school year. You and the other participants in the IEP meeting may consider your child's need for extended school year services. The provision of extended school year services is determined on an individual basis. The IEP meeting participants shall consider whether or not your child is failing, or is likely to fail, to achieve short-term instructional objectives on the IEP, due to the interruption of instruction between school years.

Least Restrictive Environment

Selected Requirements

Taken from 34 CFR §§300.550 and 300.551

General Requirements

Each state shall ensure that each public agency establishes and implements procedures that meet the requirements of §§300.550-300.556.

Each public agency shall ensure —

- (1) That to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
- (2) That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Continuum of Alternative Placements

Each public agency shall ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

This continuum must —

- (1) Include the alternative placements listed in the definition of special education under 34 CFR §300.17, including
 - Instruction in regular classes;
 - Special classes;
 - Special schools;
 - Home instruction; and
 - Instruction in hospitals and institutions.
- (2) Make provision for supplementary services — such as resource room or itinerant instruction — to be provided in conjunction with regular class placement.

Preschool Programs

- a. Itinerant services are defined as services provided by preschool special education teachers and/or related services personnel which occur in the setting where the child or the child and the parent(s) are located. This model includes two methods of service delivery:

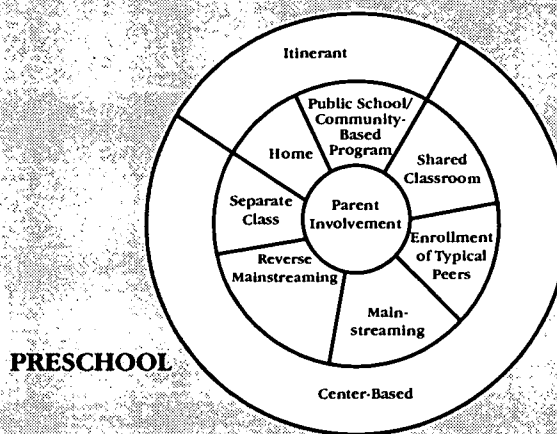
- 1) Services delivered in the home environment; and
- 2) Services delivered to a child attending a public school/community-based program for typically developing children.

- b. Center-based services are defined as classroom programs that provide group educational experiences to children of similar ages or developmental levels on a regularly scheduled basis and in a central location. This model includes several methods of service delivery:

- i. **Shared Classroom:** In this arrangement, one class for children with disabilities and one class for typically developing children share the same classroom space. Teachers “team plan and teach.”
- ii. **Enrollment of Typical Peers:** In this arrangement, up to six age-eligible, typically developing children are enrolled in a special class for the purpose of establishing an integrated class setting.
- iii. **Mainstreaming:** In this arrangement, children with disabilities are enrolled in a special class, and also participate in planned activities that take place within preschool programs for typically developing children.
- iv. **Reverse Mainstreaming:** In this arrangement, children who are enrolled in pro-

grams for typically developing children participate in some of the activities that take place within the special class setting.

- v. **Separate Class:** In this arrangement, children with disabilities are enrolled in a special class with no planned interaction with



typically developing age-mates. In this case, the nature and degree of services that necessitate separate class placement must be well documented.

- vi. **Separate Class/Separate Facility:** Same as definition above and no typically developing age-mate children are enrolled in the facility.
- c. The strengths and needs of each child and family shall provide the basis for making decisions regarding placement in the least restrictive environment.

Transitions

What does "transition" mean?

Transition is the process of planned activities that may result in changes in services and the personnel who provide those services. There are at least three times in a child's educational career when transition activities should occur. These include

- The move from early intervention services to preschool special education services;
- The move from preschool special education services to school-age services;
- The move from school-age special education services to community life.

Moving from early intervention to preschool special education

If your child is receiving early intervention services (available for children, ages birth to three) and it is suspected that your child might have a disability and may be eligible for preschool special education, the following activities should occur:

- One hundred twenty (120)** days prior to your child's third birthday, the early intervention coordinator should schedule a meeting with you to discuss preschool special education. Your consent is required to share information with the school district.
- If you consent to sharing information with the school district, you and the other participants at the meeting (early intervention service providers and school district personnel) will review records and determine whether or not your child is suspected of having a disability.

If your child is suspected of having a disability, the school district will

- Inform you of your education rights and procedural safeguards;
- Share information about preschool special education services;
- Obtain your consent for evaluation;
- Determine the need for additional evaluation information; and
- Plan your child's assessment.

The evaluation and IEP process must be completed within **90** days from your consent unless you and the school district agree to an extension of time. If your child is eligible for preschool special education services, the services stated on the IEP must be in place by your child's third birthday.

If your child is not eligible for preschool special education services, with your consent, referrals to other community services and programs may be made.

Moving from preschool special education to school-age special education

If your child has been receiving preschool special education services, and is approaching school age, the IEP team will

- Meet to determine appropriate school-age educational services;
- Review current information from your child's educational program; and
- Recommend instructional strategies that will support your child's success without special education services.

If the IEP team determines that your child needs school-age special education services, the IEP team will

- Review current assessment data (i.e., data that are less than one year old);
- Determine and recommend additional assessment information necessary according to school-age special education rules; and
- Develop the IEP.

Moving from school-age special education to community life

If your child has been receiving school-age special education services, transition activities must be included in the IEP at age 16, or at a younger age, if appropriate. These activities could include

- The responsibilities of the school district and other participating agencies;
- Activities in the areas of instruction and community experiences;
- Integrated employment and adult living objectives (such as where your child will live, and recreation and leisure opportunities); and
- Acquisition of daily living skills and a functional vocational evaluation, if appropriate.

Your child must be invited to be a member of the IEP team that determines his or her transition services. A representative of any other agency that is likely to be responsible for providing transition services should participate on the transition IEP team in addition to the previously mentioned participants.

Records

Can you see your child's records?

Your school district must permit you to inspect and review any educational records relating to your child. This includes records regarding the identification, evaluation, and educational placement of your child,

as well as the provision of a free appropriate public education. You have the right to see all the records that are collected, maintained, or used by the district under Part B of IDEA. The school district shall comply with your request without unnecessary delay (no more than 45 days). If you request them, records must be provided before any IEP meeting or hearing related to your child's identification, evaluation, or educational placement.

What are your rights concerning records?

Your rights to inspect and review educational records include the following:

- The right to get an explanation and interpretation from your school district or any agency performing a required school service;
- The right to have your representative inspect and review the records; and
- The right to receive copies of the records if not having copies would prevent you from exercising your right to inspect and review the records (for example, if you lived in a different state and could not physically get to the school).

Personally identifiable information may be released to individuals who have legitimate educational interests.

Your written consent must be obtained before the release of any personally identifiable data to individuals other than officials.

Personally identifiable data includes

- The name of your child, your name, or the name of another family member;
- Your child's address;
- A personal identifier, such as your child's social security number or student number; and
- A list of personal characteristics, or other information that would make it possible to identify your child.

The school district shall presume that you have the authority to inspect and review records relating to your child, unless the school district has been advised that you do not have the authority under Ohio law governing such matters as guardianship, separation, and divorce.

If a record includes information on more than one child, you have the right to inspect and review only the information relating to your child, or to be informed of any information relating to your child.

At your request, the school district must provide you with a list of the types and locations of all records collected, maintained, or used by the district.

Who can see your child's records?

The school district must keep a record of the people obtaining access to educational records, with the exception of

- Parents;
- Authorized employees of the school district; and
- Representatives of any participating agency providing the school program.

This record must include the name of the person, the access date, and the purpose for which the person is authorized to use the records.

How do I get my child's record changed?

If you believe that any information in your child's record is inaccurate, misleading, or violates the privacy or other rights of your child, you may ask the school district to change the information. The school district must decide whether or not to change the information within a reasonable amount of time.

If the school district refuses to change the information as you requested, you must be informed of the refusal, and of your right to a records hearing. The records hearing gives you a chance to challenge the information in the education records to ensure that it is not inaccurate, misleading, or in violation of the privacy or other rights of your child.

After the records hearing, if the school district agrees with you, it must change the information and let you know in writing. If the school district disagrees with you, you will be able to write a statement about your concerns. This statement will be placed in your child's records, and must be kept by the school district as long as the records are kept. Any time your child's records are shared, your statement must be included.

What are the costs for reviewing your child's records?

- The school district may not charge a fee to search for or to retrieve information.
- A fee for copies of records may be charged to you as long as the fee does not prevent you from inspecting your child's records.

Resolving Disagreements

What happens when you disagree over identification, evaluation, placement, or the provision of a free appropriate public education?

There may be a time when you and the school district disagree. Many disagreements can be resolved by communication with your child's teacher, principal, or other school district personnel. There are also procedures established by state and federal rules and regulations to address your concerns. They include

1. Case conference
2. Administrative review
3. Prehearing conference (mediation)
4. Impartial due process hearing
5. State-level review
6. Appeal to the courts
7. State complaint procedures

However, you may skip any of the first three steps listed above and go directly to an impartial due process hearing. The school district also has this option.

Case Conference

A case conference is an informal procedure used to provide you and the school district with an opportunity to discuss and resolve issues related to the provision of appropriate educational services to your child. If you wish to have a conference with your child's teacher or other school staff members, call the principal of the building in which your child is enrolled.

Administrative Review

You have the right to present complaints to the superintendent regarding your child's evaluation and placement, and the provision of appropriate educational services to your child. The administrative review process is as follows:

- When the superintendent receives your written request, you will be contacted to set up a meeting without undue delay, and at a convenient time and place (not necessarily at the school building).
- You and the school district have the right to invite others to participate in the administrative review, including legal counsel.
- Every effort should be made to resolve any disagreements at the administrative review.
- The superintendent shall notify all parties, in writing, of his or her decision within 20 days after the review.

Prehearing Conference (Mediation)

After all efforts have been exhausted at the school district level, and ordinarily after an impartial due process hearing has been requested, a representative of the Ohio Department of Education may be asked to mediate a dispute. Both you and the school district must agree to this process. The school district will arrange a mutually agreed on time and place for the prehearing conference.

The following points are important to know about the prehearing conference:

- Discussions occurring during the prehearing conference session shall be confidential.
- No part of the prehearing conference shall be electronically recorded.
- The school district or designated agency involved in the disagreement shall send a representative who has the authority to commit resources.
- If the prehearing conference requires a change(s) in your child's IEP, an IEP meeting shall be held following the prehearing conference.
- If the dispute is resolved, each party shall receive a signed copy of the prehearing conference agreement at the end of the meeting.
- If agreement is reached during the prehearing conference, you will agree to submit a letter to the school district withdrawing your request for the due process hearing.

Due Process

What is an impartial due process hearing?

An impartial due process hearing is a formal, administrative procedure that is held to resolve disagreements. Disagreements may be about the identification, evaluation, and placement of your child, or the provision of a free appropriate public education to your child. A hearing may be requested by parents, the school district, or other public agencies (such as county boards of MR/DD, developmental centers, the Department of Youth Services, and other agencies).

How do you request a hearing?

When you request a hearing, you must send a letter to the superintendent, which

- States that you are requesting an impartial due process hearing;
- Includes your child's name and the school he or she is attending;

- Indicates your relationship to the child; and
- Indicates the specific issues or reasons why the request is being made.

If the school district requests a hearing, you will receive written notice.

After a hearing is requested

- The school district must send you a list of hearing officers. The qualifications of each hearing officer are available upon request.
- You and the school district must agree upon a hearing officer. If you and the school district can't agree within **10** days, the school district must ask the Ohio Department of Education to appoint a hearing officer.
- If the school district or a public agency requests a hearing, the Ohio Department of Education will appoint a hearing officer.
- Arrangements for the location, date, and time of the hearing will be made by school district personnel;
- A hearing will be held and a decision will be sent to all parties. The school district must ensure that this happens within **45** days.
- An extension for a specific amount of time may be requested by you or the school district.
- The decision made at a hearing is final, unless an appeal is filed by you or the school district.

A hearing officer cannot be an employee of the school district or any public agency involved in the education or care of your child, or a person having a personal or professional interest that may interfere with his or her objectivity.

In Ohio, a hearing officer must be an attorney. Hearing officers are required to complete periodic training provided through the Ohio Department of Education.

If you are involved in a hearing, you have the right to

- Have your child present;
- Request that the hearing be open to the public;
- Be accompanied and advised by legal counsel and/or by individuals with special knowledge or training with respect to children with disabilities;
- Present evidence and confront, cross-examine, and compel the attendance of witnesses;
- Prohibit the introduction of any evidence at the hearing that has not been disclosed at least five days before the hearing;
- Obtain a word-for-word copy of the hearing in written or recorded form at no charge to you; and

- Have the hearing conducted at a time and place that is reasonably convenient to you and your child.

What is your child's status during proceedings?

- While waiting for the decision of any hearing, review, or judicial proceeding, your child must remain in his or her present educational placement unless you and the school district decide on an alternative placement. This is referred to as "stay-put."
- If you and your district cannot agree to an educational placement, then the hearing officer will make this decision.
- If the hearing involves initial admission to public school, and your child is of school age, then your child (with your consent) will be placed in the public school program until the completion of all proceedings.

What if you disagree with the decision?

If you disagree with the decision, you may appeal. A letter must be sent to the state Superintendent of Public Instruction asking for an appeal within **45** days of the hearing officer's decision. If there is an appeal, the state education agency shall conduct an impartial review of the hearing. The state-level review officer (SLRO) will

- Examine the entire hearing record;
- Ensure that the procedures at the hearing were consistent with the requirements of due process;
- See additional evidence, if necessary. If a hearing is held to receive additional evidence, the hearing rights described above apply;
- Give you and the school district an opportunity for oral and/or written arguments. Each review involving oral arguments must be conducted at a time and place that is reasonably convenient to you and your child; and
- Grant specific extensions of time if you or the school district make a request.

The state education agency shall ensure that a final decision is reached in a state-level review, and that a written copy of the decision is mailed to the parties within **30** days after the receipt of a request for a review. However, the SLRO may grant a specific extension at the request of you or the school district. The decision made by the SLRO is final, unless you or the school brings civil action under the procedures described on page 13.

What if you disagree with the decision of the state education agency?

If you are still not satisfied with the findings and decision made in a state-level review, you have the right to bring a civil action in state or federal court.

Do you pay for your own attorneys' fees?

You are responsible for paying your own attorney and any expert witness costs. However, **if you prevail in any action or proceeding with respect to a due process hearing, you have the right to request that the court grant reasonable attorneys' fees as part of the decision.**

What are the complaint procedures to be followed if you have other questions or concerns about your child's education?

Anyone who has a question or concern about the education of a child with identified or suspected disabilities is urged to first contact the appropriate personnel at the local school district where the child attends. These personnel would probably include the child's teacher and building principal, followed by the person in charge of special education. Other organizations that may be helpful in resolving a complaint are

- Special education regional resource centers (SERRC);
- The Child Advocacy Center;
- The Ohio Coalition for the Education of Children with Disabilities; and
- Ohio Legal Rights Services.

In addition, inquiries or complaints about the public education of a child with a disability may be submitted to the Ohio Department of Education (ODE) at the following addresses:

School Age (5-22)

**Division of Special Education
Assistant Director
Procedural Safeguards & Support Services
933 High Street
Worthington, Ohio 43085
(614) 466-2650**

Early Childhood (3-5)

**Division of Early Childhood Education
65 South Front Street, Room 309
Columbus, Ohio 43215-4183
(614) 466-0224**

Such inquiries or complaints may refer to matters relating to a local school district or to the Ohio Department of Education.

A complaint

- Must be in writing;
- Should be addressed to the Division of Special Education or the Division of Early Childhood Education (see addresses listed above);
- Must be signed by the complainant. Anonymous complaints will not be processed. However, under particular circumstances, confidentiality can be maintained;
- Should clearly identify the concern or the alleged violation; and
- Need not identify the specific law or regulation involved.

Assistance will be provided to anyone who needs help in filing a complaint. If the complainant is unable to put the complaint in written form and/or if his or her native language is other than English, he or she should contact the Division of Special Education or the Division of Early Childhood Education for assistance.

If the complainant has filed for a due process hearing on the same issue(s), the investigation will be held in abeyance until a decision in the due process hearing has been made.

The following procedures will be followed by ODE in processing complaints:

- The complaint will be date-stamped upon receipt.
- A letter of acknowledgment will be sent, within 5 working days, to the complainant and school district. This letter will inform the complainant of the general procedures that will be followed and the time lines for the investigation.
- A consultant will be assigned by ODE and an investigation conducted. This will include con-

Inquiry

A request for information about procedures, copies of rules and regulations, clarification, or a referral to the appropriate person should be addressed to your local school district, area SERRC, or the Ohio Divisions of Special Education or Early Childhood Education.

Complaint

A complaint involves an official allegation that a rule or regulation is not being complied with by a local school district. Individuals or organizations may file a complaint on any issue. However, the Ohio Department of Education will only investigate allegations of violations of the Individuals with Disabilities Education Act, as well as Ohio's rules that apply to children with disabilities.

The complaint may be based upon an alleged violation affecting a single child or a group of children, or may be related to systemic problems alleged to exist in the school district.

tact with the complainant and may also include an on-site investigation, if the complaint cannot be resolved based upon available written documentation, or through telephone interviews with both parties. The complainant will be informed that they can submit additional information.

- The investigation will be based on fact and findings specific to the allegations stated in the letter of complaint. The reason for the decision will be outlined in the letter of findings.
- Once the investigation has been completed, the Ohio Department of Education will issue a letter of findings to the complainant and to the school district within 60 calendar days of the receipt of the complaint.
- If areas of noncompliance are found, corrective action will be required and time lines for completion indicated. All parties will be informed of the areas of noncompliance and the required corrective actions.
- The 60-day time line may be extended by the Ohio Department of Education if exceptional circumstances exist, such as
 - The complexity of the issues;
 - The need for additional information;
 - The unavailability of any of the necessary parties;
 - The request and agreement of both parties, for reasons such as illness, administrative need, or early complaint resolution; and/or
 - Additional complaint issues submitted by the same complainant if the issues are different.The district administrator will be notified if

additional issues are to be added. All parties shall be notified in writing of an extension and the reasons for it.

- Documentation that corrective action has been completed will be reviewed and placed in the complaint file maintained by the Division of Special Education or the Division of Early Childhood Education. Technical assistance will be offered if deemed appropriate.
- If a complainant wishes to withdraw a complaint, the assigned consultant shall send a letter of confirmation to the complainant and the school district. A copy of the letter will be placed in the complaint file.
- The complainant and/or school district may request that the Ohio Department of Education review all of the findings based on additional written documentation within 30 days.
- All parties will be informed of the right to request a review of the final decision to the

Secretary of Education
US Department of Education
600 Independence Avenue, S.W.
Washington, D.C. 20202

The Ohio Department of Education is responsible for ensuring that children with disabilities receive a free appropriate public education in the least restrictive environment as defined in IDEA and corresponding state rules.

Complaints that are not covered by IDEA and state rules governing the delivery of services to children with disabilities will not be investigated, but will be acknowledged. Information about other methods for resolving concerns will be provided.

COMMONLY USED TERMS

Administrative Review

Is a meeting where you may present complaints to the superintendent of your school district regarding your child's evaluation, educational placement, or the provision of special education.

Annual Goals

Are statements on your child's IEP that describe what he or she can be expected to accomplish in one year in the area of need.

Annual Review

Is a meeting held each year to review the previous school year's IEP and to write a new IEP for the upcoming school year.

Case Conference

Is an informal meeting that allows you and/or your school district to review and interpret in-

formation regarding your child and his or her IEP in order to resolve problems.

Consent

Means that you have been given all the information necessary to make an informed decision about the proposed activity. This information must be given in your native language or other mode of communication. It also means that you understand and agree in writing to the proposed activity. The document(s) you sign must describe the activity and list any records that will be released. It must also list who will receive these records. Giving your consent is voluntary and you may withdraw your consent at any time.

Developmentally Appropriate Curriculum

Means a curriculum that is designed to be appropriate for your child's age and exceptionality.

Developmental Domains

Refers to the following areas of development:

- (1) ***Adaptive Domain*** — Means the area of the curriculum that addresses self-help, independent functioning, and personal and social responsibility.
- (2) ***Aesthetic Domain*** — Means the area of the curriculum that addresses opportunities for creativity through such activities as art, music, and movement.
- (3) ***Cognitive Domain*** — Means the area of the curriculum that addresses the understanding of time, area, volume, number, and classes.
- (4) ***Communication Domain*** — Means the area of the curriculum that addresses the form, content, and use of language.
- (5) ***Sensorimotor Domain*** — Means the area of the curriculum that addresses sensory awareness, exploration, and differentiation based on sensory input, and small- and large-muscle development.
- (6) ***Social-Emotional Domain*** — Means the area of the curriculum that addresses management of self, as well as relationships with peers and adults.

Differentiated Referral Procedures

Means the planning, implementation, and evaluation of interventions conducted prior to referral for a multifactored evaluation.

District of Residence

Is the school district where the parents of a child with a disability live.

Documented Deficit

Means an area of development or functioning that has been determined to be deficient based on data obtained through structured interview, structured observation, and norm-referenced and criterion-referenced curriculum-based assessments.

Due Process

Is a series of steps safeguarded by law (IDEA) that protect the rights of parents and their children with disabilities.

Early Intervention Services

Are services provided to children with developmental delays from birth through age two.

Evaluation

Means procedures used to determine whether your child has a disability and the nature and extent of special education and related services needed.

Extended School Year Services

Are special education and related services that are provided outside the normal 180-day school year.

Free Appropriate Public Education (FAPE)

Means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet rules for special education adopted by the State Board of Education; include preschool, elementary, or secondary education; are provided in conformity with an IEP; and provide a free appropriate education to all children with disabilities, three through twenty-one years of age, unless the child has completed the twelfth grade and has been issued a diploma.

Independent Educational Evaluation (IEE)

Is an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the education of your child.

Individualized Education Program (IEP)

Is a written statement for a child with a disability developed and implemented according to federal and state regulations.

Intervention Assistance Team (IAT)

Is a team of educators from your child's school that meets to design interventions for children who are experiencing difficulty.

Least Restrictive Environment (LRE)

Means, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Prehearing Conference (Mediation)

Is a meeting that may be held after a due process hearing has been requested. A representative of the Ohio Department of Education may be asked to mediate the dispute.

Preschool Special Education

Is specially designed instruction that meets the needs of a child with a disability between the ages of three and five years.

Present Levels of Educational Performance

Are statements that should accurately describe the effect of your child's disability on his or her performance in any area of education that is affected, including academic areas and non-academic activities.

Public Expense

Means that the school district either pays for the full cost of the evaluation, or ensures that the evaluation is otherwise provided at no cost to you.

Related Services

Are support services needed to help your child with a disability benefit from special education.

Short-Term Objectives

Are intermediate steps leading to each goal. These objectives must be measurable and understandable to all IEP participants.

Special Education

Is specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability.

State-Level Review

Is a review of an appeal of a due process hearing conducted by a state-level review officer appointed by the State Board of Education.

Stay-Put

Describes your child's educational status during a due process hearing. Usually, your child must remain in his or her present educational placement unless the impartial hearing officer rules otherwise.

Surrogate Parent

Is someone who is appointed by the school district to act in the place of a child's parent, representing the child in all areas of educational matters, if the child's parent cannot be located.

Transition Services

Means a coordinated set of activities for your child at age 16, or earlier, that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment, continuing and adult education, adult services, and independent living or community participation.

Disability Conditions Defined

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

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

"Deafness" means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a child's educational performance.

"Hearing Impairment" means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance, but that is not included under the definition of deafness.

"Mental Retardation" (developmental handicap) means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

"Multiple Disabilities" means concomitant impairments (such as mental retardation-blindness, mental retardation-orthopedic impairment, etc.), the combination of which causes such severe educational problems that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

"Orthopedic Impairment" means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member); impairments caused by disease (e.g., poliomyelitis, bone tuberculosis); and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

"Other Health Impairment" means having limited strength, vitality, or alertness, due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes that adversely affects a child's educational performance.

"Preschool Children with a Disability" means children

1. Who are experiencing developmental delays, as defined by the state and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and
2. Who, for that reason, need special education and related services

"Serious Emotional Disburbance" means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- (1) An inability to learn that cannot be explained by intellectual, sensory, or health factors;
- (2) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- (3) Inappropriate types of behavior or feelings under normal circumstances;
- (4) A general pervasive mood of unhappiness or depression; or
- (5) A tendency to develop physical symptoms or fears associated with personal or school problems.

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

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

"Speech or Language Impairment" means a communication disorder such as stuttering, impaired articulation, a language impairment, or a voice impairment that adversely affects a child's educational performance.

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

"Visual Impairment Including Blindness" means an impairment in vision determined through an eye examination, including assessment of low vision, by an appropriate vision specialist, that has an adverse effect upon the child's educational performance and is evidenced through one of the following:

- (1) The child has a visual acuity of 20/200 or less in the better eye with correcting lenses or has a limited field of vision in the better eye such that the widest diameter subtends an angular distance of no greater than twenty degrees; or
- (2) The child has a medically indicated expectation of meeting the requirements of (1) of this paragraph over a period of time; or
- (3) The child has a medically diagnosed and medically uncorrectable limitation in visual functioning that adversely affects the child's ability to read and write standard print at levels expected of the child's peers of comparable ability and grade level.

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SECTION 5: ASSESSMENT/MULTIFACTORED EVALUATION (MFE)

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❖ Denotes optional forms

RELATED APPENDICES

Appendix C

Appendix D

ADDITIONAL RESOURCES

- Ohio Department of Education. (1983). *Ohio guidelines for the identification of children with specific learning disabilities (including differentiated referral procedures)*. Columbus, OH: Author.
- Ohio Department of Education. (1990). *The early childhood identification process: A manual for screening and assessment*. Columbus, OH: Author.

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Multidisciplinary Team

FEDERAL REGULATION: 34 CFR §§300.531 and 300.532(e)

§300.531 Preplacement evaluation.

Before any action is taken with respect to the initial placement of a child with a disability in a program providing special education and related services, a full and individual evaluation of the child's educational needs must be conducted in accordance with the requirements of §300.532.

§300.532 Evaluation procedures.

(e) The evaluation is made by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of suspected disability.

STATE STANDARD: 3301-51-02 D.1. and 4. and 3301-31-02 C.

3301-51-02 D.1. and 4. MULTIFACTORED EVALUATION ACTIVITIES

1. Each school district shall develop and implement written procedures which require that a multifactor evaluation of any child suspected of having a disability be conducted by a multidisciplinary group of qualified professionals. The procedures shall provide for the designation of an evaluation team and a team chairperson for each child to be evaluated. The team chairperson will be responsible for preparing a written report which summarizes and interprets the results of the multifactor evaluation for the IEP conference.
4. Each school district shall develop and implement written procedures to assure that the school district of residence shall consult with the proposed school district of placement, or other educational agency, when it is suspected that the school district of residence will require the special education services of another school district or educational agency to serve a child. This consultation shall occur as early as possible in the referral and multifactor evaluation processes and prior to the IEP conference.

3301-31-02 C.

C. In the case of a suspected disability, a multifactor and multidisciplinary evaluation shall be conducted.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|---|-------------------------------|
| <p>Multifactor Evaluation Activities</p> <ol style="list-style-type: none"> 1. Prior to the provision of special education and related services, the school district shall conduct a multifactor evaluation of any child suspected of having a disability by a multidisciplinary team of qualified professionals at no expense to the parent. This team shall include <ol style="list-style-type: none"> a. The child's teacher and/or the person most knowledgeable about the child's development/functioning if the child is below school age; b. At least one person qualified to conduct individual diagnostic assessment of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher; | <p>Form MFE-501 ♦ and Form MFE-502 or MFE-503</p> | <p>Superintendent and/or designee, or building principal, or case manager</p> | <p>After parental consent</p> |

♦ Denotes optional procedure

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|-----------------------|-----------------------------------|---|
| <p>4. When it is suspected that a child will require the special education services of another school district or other educational agency, the superintendent or designee shall consult with the proposed school district of placement or other educational agency as early as possible in the referral and multifactored evaluation process and prior to the IEP conference.</p> <p>Contact may be made by phone or in writing with the proposed school district of placement or other educational agency.</p> | <p>Form MFE-504 ♦</p> | <p>Superintendent or designee</p> | <p>As early as possible in the referral and multifactored evaluation process, and prior to the IEP meeting.</p> |

♦ Denotes optional procedure

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Assessment Areas

FEDERAL REGULATION: 34 CFR §300.532(f)

§300.532 Evaluation procedures.

State educational agencies and LEAs shall ensure, at a minimum, that:

- (f) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

STATE STANDARD: 3301-31-02 C. and 3301-51-02 D.2. and 3.

3301-31-02 C.

In the case of a suspected disability, a multifactor and multidisciplinary evaluation shall be conducted as follows:

1. Assessments in the following areas:
 - a. adaptive behavior,
 - b. background information, including developmental, family, medical, and educational histories when appropriate,
 - c. cognitive ability,
 - d. communicative skills,
 - e. hearing,
 - f. preacademic skills,
 - g. sensorimotor functioning,
 - h. social-emotional/behavior functioning, and
 - i. vision.
2. The following specialized evaluations:
 - a. a physical examination completed by a licensed doctor of medicine or doctor of osteopathy in cases where the disability is primarily the result of a congenital or acquired physical disability,
 - b. a visual examination conducted by an eye care specialist in cases where the disability is primarily the result of a visual impairment, and
 - c. an audiological examination completed by a certified or licensed audiologist in cases where the disability is primarily the result of a hearing impairment.

3301-51-02 D.2. and 3.

2. Each school district shall develop and implement written procedures which require descriptive evaluation data in all areas related to the suspected disability including, where appropriate, health, vision, hearing, social and emotional status, adaptive behavior, vocational/occupational needs, general intelligence, academic performance, communicative status, and motor abilities.
3. The evaluation shall include current data required by each special education program's eligibility rules. This evaluation must have been conducted no more than one year prior to the IEP conference.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|------------------------------|---|
| <p>1. The multifactor evaluation team shall assess those specific areas related to the suspected disability and provide a summary and interpretation for the evaluation team report. This may include information for potential interventions, and should include, when appropriate, information regarding the child's status in each of the following areas:</p> <ol style="list-style-type: none">a. Health;b. Vision;c. Hearing;d. Social and emotional status and behavioral functioning;e. Cognitive functioning; | <p>Form MFE -502 or MFE-503</p> <p>136</p> | <p>Evaluation team chair</p> | <p>After parental consent and prior to IEP meeting.</p> |

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Methods

FEDERAL REGULATION: 34 CFR §§300.532 (a)-(d) and 300.530 (b)

§300.532 Evaluation procedures.

State educational agencies and LEAs shall ensure, at a minimum, that:

(a) Tests and other evaluation materials—

- (1) Are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so;
- (2) Have been validated for the specific purpose for which they are used; and
- (3) Are administered by trained personnel in conformance with the instructions provided by their producer.

(b) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

(c) Tests are selected and administered so as best to ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

(d) No single procedure is used as the sole criterion for determining an appropriate educational program for a child.

§300.530 General.

(b) Testing and evaluation materials and procedures used for the purposes of evaluation and placement of children with disabilities must be selected and administered so as not to be racially or culturally discriminatory.

STATE STANDARD: 3301-31-02 C.1. and 3301-51-02 D.5.

3301-31-02 C.1.

(1) Use of all of the following assessment procedures to confirm a documented deficit as required in paragraphs (E)(1) to (E)(3) of this rule, and use of any of the following procedures to assess the areas outlined in paragraph (C)(2) of this rule:

- (a) structured interview with persons knowledgeable about the child's functioning including the parent or primary caregiver;
- (b) structured observations over multiple settings and activities;
- (c) standardized norm-referenced tests (where published); and
- (d) criterion-referenced/curriculum-based assessment.

3301-51-02 D.5.

Each school district shall develop and implement written procedures to ensure that any evaluation conducted with children who are suspected of having a disability include:

- a. An evaluation designed to ensure that children are not labeled as having a disability because of inappropriate selection, administration or interpretation of evaluation materials;
- b. The use of evaluation instruments which:
 - (i) Are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so;
 - (ii) Have been validated for the specific purpose for which they are used; and
 - (iii) Are administered by trained personnel in conformance with the instructions provided by their producer.
- c. Tests are selected and administered so as to best ensure that when a test is administered to a child with impaired sensory, manual or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills except where those skills are factors which the test purports to measure.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|---|---|
| <p>1. The evaluation shall be designed so that children are not labeled as being disabled because of inappropriate selection, administration, or interpretation of evaluation materials.</p> <p>2. Evaluation instruments shall be used that:</p> <ul style="list-style-type: none"> a. Are provided and administered in the child's native language or other mode of communication unless it is clearly not feasible to do so; b. Have been validated for the specific purpose for which they are used; c. Are administered by trained personnel in conformance with the instructions provided by their producer or author; d. Are selected and administered so as to best ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills except where those skills are factors which the test purports to measure; and e. Are selected and administered so as not to be racially or culturally discriminatory. | <p>Forms MFE-502 and MFE-503</p> <p>Forms MFE-502 and MFE-503</p> | <p>Evaluation team chair or case manager</p> <p>Evaluation team chair or case manager</p> | <p>After parental consent for evaluation and prior to the IEP meeting.</p> |
| <p>3. Assessment procedures shall include evaluation materials/methods tailored to assess specific areas of educational need and not those designed to assess a single factor or provide a single score.</p> | <p>Forms MFE-502 and MFE-503</p> | <p>Evaluation team chair or case manager</p> | <p>After parental consent for evaluation and prior to the IEP meeting.</p> |
| <p>4. Standardized norm-referenced assessment procedures shall be used in the following circumstances:</p> <ul style="list-style-type: none"> a. Assessment of cognitive functioning for school-age children; b. Assessment of reading comprehension, basic reading skills, mathematics calculation, and mathematics reasoning for determining a specific learning disability, as well as listening comprehension, oral expression, or written expression when any of these three are the specific area of disability; c. Assessment of adaptive behavior for determining a developmental disability; and d. Assessment of behavior or personality when determining a severe behavior disability. | <p>Form MFE-502</p> <p>Refer to Appendix C: (School-Age Multifactorred Evaluation Requirements)</p> | <p>Evaluation team chair or case manager</p> | <p>After parental consent for evaluation and prior to the IEP conference.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|------------------------------|--|
| <p>5. For preschool students suspected of having a disability, multiple assessment procedures shall be used for determining appropriate educational services for a preschool child and include the use of the following:</p> <ul style="list-style-type: none"> a. Structured interview with persons knowledgeable about the child's functioning, including the parent or primary caregiver; b. Structured observations over multiple settings and activities; c. Standardized norm-referenced, when available; and d. Criterion-referenced curriculum-based. | <p>Form MFE-503</p> <p>Refer to Appendix D: (Preschool Multifactor Evaluation Planning Chart)</p> | <p>Evaluation team chair</p> | <p>After parental consent for evaluation and prior to the IEP meeting.</p> |
| <p>6. Standardized norm-referenced tests, structured interview, structured observations, and criterion-referenced curriculum-based assessment shall be used to document a specific deficit for a preschool child with a disability.</p> | <p>Form MFE-503</p> | <p>Evaluation team chair</p> | <p>After parental consent for evaluation and prior to the IEP meeting.</p> |
| <p>7. At least one structured observation by a team member in an environment appropriate for a child of that age during an activity when the identified problem has been observed shall be used for a preschool child.</p> | <p>Form MFE-503</p> | <p>Evaluation team chair</p> | <p>After parental consent for evaluation and prior to the IEP meeting.</p> |

Additional Resources:

Appendix D: Preschool Multifactor Evaluation Planning Chart

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--------------------------------|------------------------------|---|
| <p>❖c. Signatures of each team member certifying that the written report reflects his/her conclusions or that, when the evaluation conclusions do not reflect the view of an individual team member, a separate statement submitted by that team member presenting his/her conclusions;</p> <p>d. A statement of whether the school-aged child has a disability, and, if so, which one; or a statement of whether the preschool child has a documented deficit;</p> <p>e. An explanation of the team's determination that the disability has an adverse affect upon the child's educational performance and normal development and functioning; and</p> <p>f. A statement of the child's eligibility for special education and an explanation of the team's determination based on MFE eligibility outlined in this section.</p> <p>g. For children suspected of having learning disabilities, the report should include a statement indicating</p> <ol style="list-style-type: none"> (1) Whether or not there is a severe discrepancy between ability and achievement that is not correctable without special education services; (2) Whether or not the discrepancy is primarily the result of a visual, hearing, or motor disability; mental retardation; emotional disturbance, or environmental, cultural, or economic disadvantage; and (3) The relationship of behavior observed in the classroom or other setting where the concern is being demonstrated to have an adverse effect upon the child's academic functioning. | <p>Form MFE-502 or MFE-503</p> | <p>Evaluation team chair</p> | <p>After completion of assessment and prior to the IEP meeting.</p> |

❖ Denotes optional procedure

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|-----------------------|---|
| <p>h. For children suspected of having a severe behavior disability, this section of the report should include a description of the relevant behavior noted during the informal behavior observations of the child, including</p> <ul style="list-style-type: none"> (1) A clear description of the behavior patterns of concern; (2) A measure of frequency of occurrence of the behavior in terms of times per minute, hour, day, or other time limit; and (3) An indication of the intensity of the behavior pattern (i.e., how extreme the behavior is relative to the peer group) including, the relationship of the observations to the norm-referenced tests of personality and/or behavior, and a statement indicating whether or not the behavior is a result of a social maladjustment. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |
| <p>i. For preschool children suspected of having a disability, the report should include</p> <ul style="list-style-type: none"> (1) A description of a documented deficit, as determined by a score of two standard deviations below the mean in one area, or scores of one and one-half standard deviations below the mean in two areas outlined on page 38 of this section as measured by norm-referenced tests, data obtained through structured interviews, structured observation, and criterion-referenced/curriculum-based assessment confirming the reliability of standard scores and the existence of an adverse effect on normal development or functioning. (2) Whether or not there is a documented deficit in one or more of the following areas: communication (form, content, and use of language), hearing abilities, motor functioning, social-emotional/behavioral functioning, or vision abilities. | Form MFE-503 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|-----------------------|---|
| <p>(3) Whether or not there is documented deficit in cognitive ability as determined through a measure of cognitive functioning administered by a licensed psychologist, licensed school psychologist, or certificated school psychologist, and also a documented deficit in one or more of the areas listed in item i. (2) on page 11 or a documented deficit in adaptive behavior; or</p> <p>(4) An indication that there is documented deficit in adaptive behavior and a documented deficit in one or more of the areas listed in item i.(3) above.</p> <p>(5) A description of observable behavior in the area(s) of deficit, as compared to typical behavior of same-aged children.</p> | Form MFE-503 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |
| <p>4. The team report may also include a</p> <p>a. Description and analysis of the concerns that led to the referral for a multifactored evaluation;</p> <p>b. Description of the nature and results of interventions implemented;</p> <p>c. Description, interpretation and integration of assessment data gathered throughout the evaluation process related to the child's needs; and</p> <p>d. Discussion of the types and nature of instructional strategies/interventions that have been or are likely to be successful in meeting the child's needs and should be considered when developing the child's IEP.</p> | <p>Forms MFE-502 and MFE-503</p> <p>♦Information from the teacher(s); building assistance team; and others.</p> | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

♦Denotes optional procedure

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: SLD Team Membership

FEDERAL REGULATION: 34 CFR §300.540 Additional team members.

Federal regulation language and state standard language are the same.

In evaluating a child suspected of having a specific learning disability, in addition to the requirements of §300.532, each public agency shall include on the multidisciplinary evaluation team—

- (a)(1) The child's regular teacher; or
- (2) If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or
- (3) For a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and
- (b) At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|------------------------------|--|
| <p>1. In evaluating a child suspected of having a specific learning disability, the school district shall include on the multidisciplinary evaluation team</p> <ul style="list-style-type: none"> a. The child's regular teacher, or <ul style="list-style-type: none"> (1) If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or (2) For a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and b. At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher. | <p>Form MFE-501 ♦</p> <p>Signature on Form MFE-502</p> | <p>Evaluation team chair</p> | <p>After parental consent for evaluation and prior to the IEP meeting.</p> |

Additional Resources:

- Ohio Department of Education. (1983). *Ohio guidelines for the identification of children with specific learning disabilities (including differentiated referral procedures)*. Columbus, OH: Author.

♦ Denotes optional procedure

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Eligibility Criteria: Autism

FEDERAL REGULATION: 34 CFR §300.7(b)(1)

§300.7 Children with disabilities.

(b) The terms in this definition are defined as follows:

(1) "Autism" means a developmental disability significantly affecting verbal and nonverbal communication and social interactions, generally evident before age 3, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has a serious emotional disturbance, as defined in paragraph (b)(9) of this section.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|-----------------------|---|
| The evaluation team shall determine if the child meets the definition of autism as stated above. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Eligibility Criteria: Deaf-blindness

FEDERAL REGULATION: 34 CFR §300.7(b)(2)

§300.7 Children with disabilities.

(b) The terms in this definition are defined as follows:

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

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|-----------------------|---|
| The evaluation team shall determine if the child meets the definition of deaf-blindness by referring to the definitions of "deafness" and "visual impairment" as stated in this section. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|---|---|
| <p>(2) An average pure tone hearing loss of 25 decibels or greater (ANSI) for the frequencies 500, 1,000 and 2,000 Hertz in the better ear, which has an adverse effect upon his or her educational performance related to documented evidence of</p> <p>(a) A more severe hearing loss during the developmental years than is currently measured;</p> <p>(b) A history of chronic medical problems that have resulted in fluctuating hearing, presently or in the past;</p> <p>(c) A delay in diagnosis, provision of amplification, and/or initiation of special programming; or</p> <p>(3) A hearing loss in excess of 25 decibels (ANSI) for the frequencies 1,000 Hertz through 8,000 Hertz in the better ear, resulting in such poor auditory discrimination that it has an adverse effect upon his or her educational performance.</p> <p>c. Medical consultation shall be encouraged on a continuing basis, especially when the school authorities feel that there has been a change in the child's behavior or educational functioning or when new symptoms are detected.</p> | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to IEP meeting. |
| <p>d. The required reevaluation includes, but is not necessarily limited to, areas listed in item 2.a.(3)-(7) on page 17.</p> | Form MFE-502 | School personnel and parents Evaluation team chair | Every three years or more frequently if conditions warrant, or if requested by child's parent or teacher. |

Additional Resources:

Appendix C: School-Age Multifactorial Evaluation Requirements

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Eligibility Criteria: Mental Retardation (Developmental Handicap)

FEDERAL REGULATION: 34 CFR §300.7(b)(5)

§300.7 Children with disabilities.

(b) The terms in this definition are defined as follows:

(5) "Mental retardation" means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

Note: "Mental retardation" means substantial limitations in present functioning as characterized by significantly subaverage general intellectual functioning existing concurrently with related limitations in two or more of the following applicable skill areas: communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure, and work. Mental retardation manifests itself before age 18 and has an adverse effect upon the child's educational performance.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|---|---|
| <ol style="list-style-type: none"> 1. The evaluation team chairperson shall ensure that all areas are assessed for students suspected of having mental retardation. 2. A child who meets the definition of mental retardation as stated above and as defined through the following procedures shall be eligible for special education and related services. <ol style="list-style-type: none"> a. Each child shall have a multifactor evaluation for initial placement that includes, but is not necessarily limited to, evaluations in the following areas: <ol style="list-style-type: none"> (1) General intelligence as determined through a measure of cognitive functioning administered by a qualified psychologist using a test designed for individual administration; (2) Academic performance; (3) Vision, hearing, and motor abilities; (4) Communicative status; and (5) Adaptive behavior. b. In addition to the requirements for eligibility listed above, personnel shall also draw upon information from a variety of sources, including teacher recommendations, physical condition, and social or cultural background. c. Each child shall have a measured intelligence quotient of 80 or below. | <p>Appendix C: (School-Age Multifactor Evaluation Requirements)</p> <p>Form MFE-502</p> <p>Form MFE-502</p> <p>Form MFE-502</p> | <p>Evaluation team chair</p> <p>Evaluation team chair</p> <p>Evaluation team chair</p> <p>Evaluation team chair</p> | <p>After parental consent for evaluation and prior to IEP meeting.</p> <p>After parental consent for evaluation and prior to IEP meeting.</p> <p>After parental consent for evaluation and prior to IEP meeting.</p> <p>After parental consent for evaluation and prior to IEP meeting.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|-----------------------------|---|
| <p>d. Each child shall exhibit deficits in academic performance.</p> | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to IEP meeting. |
| <p>e. Each child shall exhibit deficits in adaptive behavior that adversely affect the child's educational performance and independent daily living skills. Evidence of deficits in a minimum of two areas of adaptive behavior must be documented through the use of individually administered standardized instruments which have been validated for the specific purpose of measuring adaptive behavior.</p> | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to IEP meeting. |
| <p>f. Medical consultation shall be encouraged especially when school authorities feel that there has been a change in a child's behavior or educational functioning, or when new symptoms are detected.</p> | | School personnel and parent | |
| <p>g. The required reevaluation includes, but is not necessarily limited to, the areas listed in item 2.a. and b. on page 19.</p> | Form MFE-502 | Evaluation team chair | Every three years or more frequently if conditions warrant, or if requested by child's parent or teacher. |

Additional Resources:

Appendix C: School-Age Multifactorial Evaluation Requirements

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Eligibility Criteria: Multiple Disabilities

FEDERAL REGULATION: 34 CFR §300.7(b)(6)

§300.7 Children with disabilities.

(b) The terms in this definition are defined as follows:

(6) "Multiple disabilities" means concomitant impairments (such as mental retardation-blindness, mental retardation-orthopedic impairment, etc.), the combination of which causes such severe educational problems that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|-----------------------|---|
| <p>1. The evaluation team chairperson shall ensure that all areas are assessed for students suspected of having multiple disabilities.</p> <p>2. A child who meets the definition of multiple disabilities as stated above and as determined through the following procedures shall be eligible for special education and related services.</p> | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |
| <p>a. Each child shall have a multifactor evaluation for initial placement that includes, but is not necessarily limited to, evaluations in the following areas:</p> <p>(1) Physical examination completed by a licensed doctor of medicine or doctor of osteopathy;</p> <p>(2) General intelligence as determined through a measure of cognitive functioning administered by a qualified psychologist using a test designed for individual administration;</p> <p>(3) Academic performance;</p> <p>(4) Vision, hearing, and motor abilities;</p> <p>(5) Communicative status;</p> <p>(6) Adaptive behavior; and</p> <p>(7) Social and emotional status.</p> | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |
| <p>b. Each child shall exhibit</p> <p>(1) A combination of two or more disabilities as defined in Section 5: Assessment/Multifactor Evaluation (MFE) of this Manual, definitions for Deafness, Deaf-blindness, Mental Retardation, Hearing Impairment, Orthopedic and/or Other Health Impairment, Serious Emotional Disturbance, Speech or Language Impairment, Visual Impairment, and moderate, severe, or profound deficits in communication or adaptive behavior; or</p> <p>(2) A moderate, severe, or profound developmental disability with moderate, severe, or profound deficits in socialization, communication, or adaptive behavior.</p> | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Eligibility Criteria: Orthopedic Impairment and Other Health Impairment

FEDERAL REGULATION: 34 CFR §300.7(b)(7) and (8)

§300.7 Children with disabilities.

(b) The terms in this definition are defined as follows:

(7) "Orthopedic impairment" means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, spina bifida, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

(8) "Other health impairment" means having limited strength, vitality or alertness, due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes that adversely affects a child's educational performance.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|--|--|
| <ol style="list-style-type: none"> 1. The evaluation team chairperson shall ensure that all areas are assessed for students suspected of having an orthopedic impairment or an other health impairment. 2. A child who meets the definition of orthopedic impairment or other health impairment as defined above and as determined through the following procedures shall be eligible for special education and related services. <ol style="list-style-type: none"> a. Each child shall have a multifactor evaluation for initial placement that includes, but is not necessarily limited to, evaluations in the following areas: <ol style="list-style-type: none"> (1) Physical examination completed by a licensed doctor of medicine or doctor of osteopathy; (2) General intelligence as determined through a measure of cognitive functioning administered by a qualified psychologist using a test designed for individual administration; (3) Academic performance; (4) Vision, hearing, and motor abilities; (5) Communicative status; and (6) Social and emotional status. b. Each child shall exhibit a congenital or acquired physical disability that adversely affects educational performance. c. Medical consultation shall be encouraged on a continuing basis, especially when school authorities feel that there has been a change in the child's behavior or educational functioning or when new symptoms are detected. | <p>Appendix C: (School-Age Multifactor Evaluation Requirements)</p> <p>Form MFE-502</p> <p>Form MFE-502</p> | <p>Evaluation team chair</p> <p>Evaluation team chair</p> <p>Evaluation team chair</p> | <p>After parental consent for evaluation and prior to the IEP meeting.</p> <p>After parental consent for evaluation and prior to the IEP meeting.</p> <p>After parental consent for evaluation and prior to the IEP meeting.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------------|------------------------------|--|
| <p>d. The required reevaluation includes, but is not necessarily limited to, the areas listed in item 2.a.(3)-(6) on page 23.</p> | <p>Form MFE-502</p> | <p>Evaluation team chair</p> | <p>Every three years or more frequently if conditions warrant, or if requested by child's parent or teacher.</p> |

Additional Information:

Appendix C: School-Age Multifactorial Evaluation Requirements

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Eligibility Criteria: Serious Emotional Disturbance (Severe Behavior Handicap)

FEDERAL REGULATION: 34 CFR §300.7(b)(9)

§300.7 Children with disabilities.

(b) The terms in this definition are defined as follows:

(9) "Serious emotional disturbance" is defined as follows:

- (i) The term means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance—
 - (A) An inability to learn that cannot be explained by intellectual, sensory, or health factors;
 - (B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
 - (C) Inappropriate types of behavior or feelings under normal circumstances;
 - (D) A general pervasive mood of unhappiness or depression; or
 - (E) A tendency to develop physical symptoms or fears associated with personal or school problems.
- (ii) The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have a serious emotional disturbance.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|---|---|
| <p>1. The evaluation team chairperson shall ensure that all areas are assessed for students suspected of having a serious emotional disturbance.</p> <p>2. A child who meets the definition of serious emotional disturbance as defined above and as determined through the following procedures shall be eligible for special education and related services.</p> <p>a. Each child shall have a multifactor evaluation for initial placement that includes, but is not necessarily limited to, evaluations in the following areas:</p> <ul style="list-style-type: none"> (1) Physical examination completed by a licensed doctor of medicine or doctor of osteopathy; (2) Vision, hearing, and motor abilities; (3) Communicative status; (4) General intelligence as determined through a measure of cognitive functioning administered by a qualified psychologist using a test designed for individual administration; (5) Academic performance; (6) Background information inclusive of educational, family, and medical history; (7) Informal behavior observation by the child's current teacher and at least one other team member; and (8) Behavior or personality measure. | <p>Appendix C: (School-Age Multifactor Evaluation Requirements)</p> <p>Form MFE-502</p> | <p>Evaluation team chair</p> <p>Evaluation team chair</p> | <p>After parental consent for evaluation and prior to the IEP meeting.</p> <p>After parental consent for evaluation and prior to the IEP meeting.</p> |

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Eligibility Criteria: Specific Learning Disability

FEDERAL REGULATION: 34 CFR §300.7(b)(10) and §§300.541 and 300.542 (a) and (b)

§300.7 Children with disabilities.

(b) The terms in this definition are defined as follows:

(10) "Specific learning disability" means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, read, write, spell, or to 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, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

§300.541 Criteria for determining the existence of a specific learning disability.

(a) A team may determine that a child has a specific learning disability if

- (1) The child does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in paragraph (a)(2) of this section, when provided with learning experiences appropriate for the child's age and ability levels; and
- (2) The team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas—
 - (i) Oral expression;
 - (ii) Listening comprehension;
 - (iii) Written expression;
 - (iv) Basic reading skills;
 - (v) Reading comprehension;
 - (vi) Mathematics calculation; or
 - (vii) Mathematics reasoning.

(b) The team may not identify a child as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of—

- (1) A visual, hearing, or motor impairment;
- (2) Mental retardation;
- (3) Emotional disturbance; or
- (4) Environmental, cultural or economic disadvantage.

§300.542 Observation.

- (a) At least one team member other than the child's regular teacher shall observe the child's academic performance in the regular classroom setting.
- (b) In the case of a child of less than school age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|-----------------------|---|
| <p>1. A child shall be eligible for special education and related services for children with specific learning disabilities when</p> <ul style="list-style-type: none"> a. The child's characteristics meet the following definition for specific learning disability: "Specific learning disability" means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. b. The child's educational performance demonstrates a severe discrepancy between achievement and ability that adversely effects educational performance. c. Achievement is not commensurate with his or her age and ability levels in one or more of the seven areas listed in item 3.a. (refer to page 29) when there is evidence that the child has been provided learning experiences appropriate for his or her age and ability levels. d. The child's severe discrepancy between achievement and ability is not primarily the result of <ul style="list-style-type: none"> (1) Vision, hearing, or motor disability; (2) Mental retardation; (3) Emotional disturbance; or (4) Environmental, cultural, or economic disadvantage. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |
| <p>2. Each child shall have a multifactored evaluation for initial placement that includes, but is not necessarily limited to, evaluations in the following areas:</p> <ul style="list-style-type: none"> a. General intelligence as determined through a measure of cognitive functioning administered by a qualified psychologist using a test designed for individual administration. b. Academic performance as measured through the use of standardized tests designed for individual administration that must include evaluation in the areas of <ul style="list-style-type: none"> (1) Basic reading skills; (2) Reading comprehension; (3) Mathematics calculation; and (4) Mathematics reasoning. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|-----------------------|---|
| <p>c. Communicative status, which must include assessments in the areas of</p> <ul style="list-style-type: none"> (1) Oral expression; (2) Listening comprehension; and (3) Written expression. <p>d. Vision, hearing, and motor abilities.</p> <p>e. An observation in the regular classroom setting by at least one evaluation team member other than the child's regular teacher. In the case of a child of less than school age or one who is out of school, a team member shall observe the child in an environment appropriate for a child of that age.</p> <p>f. Medical consultation is encouraged especially when school authorities feel that there has been a change in the child's behavior or educational functioning or when new symptoms are detected.</p> | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |
| <p>3. The severity of the discrepancy between achievement and ability shall be determined</p> <p>a. By evidence of a discrepancy score of two or greater than two between intellectual ability and achievement in one or more of the following seven areas:</p> <ul style="list-style-type: none"> (1) Oral expression; (2) Listening comprehension; (3) Written expression; (4) Basic reading skills; (5) Reading comprehension; (6) Mathematics calculation; and (7) Mathematics reasoning. <p>b. Using the following formula to compute the discrepancy score:</p> <ul style="list-style-type: none"> (1) From: <ul style="list-style-type: none"> (a) The score obtained for the measure of intellectual ability; (b) Minus the mean of the measure of intellectual ability; and (c) Divided by the standard deviation of the measure of intellectual ability. (2) Subtract: <ul style="list-style-type: none"> (a) Score obtained for the measure of achievement; (b) Minus the mean of the measure of achievement; and (c) Divided by the standard deviation of the measure of achievement. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|-----------------------|--|
| <p>(3) The result of this computation equals the discrepancy score. If the discrepancy score is two or greater than two, a severe discrepancy exists.</p> <p>4. In the event that a discrepancy score of two or greater is not obtained through application of the SLD discrepancy formula, additional information may be considered, based upon the judgment of the team, and must be documented in the evaluation team report. This information must include</p> <ul style="list-style-type: none"> (a) Data obtained in the evaluation of the seven areas of educational functioning listed in item 3 on page 29; (b) Recommendations and information obtained from the child's regular classroom teachers and parent; (c) Evidence of the child's performance in the regular classroom, including work samples and group test scores; (d) Evidence of possible deficiencies in more than one of the seven areas of educational functioning; (e) Additional supportive data besides standardized test data; and (f) Consideration of the child's age, particularly in the case of young children. | Form MFE-502 | Evaluation team chair | After completion of assessment and prior to the IEP meeting. |

Additional Resources:

- Appendix C: School-Age Multifactorial Evaluation Requirements
- Cuyahoga Special Education Regional Resource Center. (January 1982). *LD Discrepancy Formula: A Handbook*.

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: SLD Team Report

FEDERAL REGULATION: 34 CFR §300.543 Written report.

- (a) The team shall prepare a written report of the results of the evaluation.
- (b) The report must include a statement of—
 - (1) Whether the child has a specific learning disability;
 - (2) The basis for making the determination;
 - (3) The relevant behavior noted during the observation of the child;
 - (4) The relationship of that behavior to the child's academic functioning;
 - (5) The educationally relevant medical findings, if any;
 - (6) Whether there is a severe discrepancy between achievement and ability that is not correctable without special education and related services; and
 - (7) The determination of the team concerning the effects of environmental, cultural, or economic disadvantage.
- (c) Each team member shall certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her conclusions.

STATE STANDARD: 3301-51-04 G.1.d. and e. (Same as procedure 1. and 2. below)

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|-----------------------|---|
| <p>1. A written report shall be developed by the evaluation team for each child evaluated for a specific learning disability. Each evaluation team member shall certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her conclusion. The report must include a statement of:</p> <ul style="list-style-type: none">a. Whether or not the child has a specific learning disability;b. The basis for making the determination;c. The relevant behavior noted during the observation of the child;d. The relationship of that behavior to the child's academic functioning;e. The educationally relevant medical findings, if any;f. Whether or not there is a severe discrepancy between achievement and ability which is not correctable without special education and related services; andg. The determination of the team concerning the effects of environmental, cultural or economic disadvantage. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|-----------------------|---|
| <p>2. In the event that the evaluation team determines that a child has a specific learning disability, even though the application of the formula for computing the discrepancy score indicates that the child does not have a discrepancy score of two or greater than two between achievement and ability, the team judgment must prevail. In this event, the team must document in the written report the following additional information:</p> <ul style="list-style-type: none"> (a) Data obtained in the evaluation of the seven areas of educational functioning listed in item 3 on page 29; (b) Recommendations and information obtained from the child's regular classroom teachers and parent; (c) Evidence of the child's performance in the regular classroom, including work samples and group test scores; (d) Evidence of possible deficiencies in more than one of the seven areas of educational functioning; (e) Additional supportive data besides standardized test data; and (f) Consideration of the child's age, particularly in the case of young children. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Eligibility Criteria: Speech or Language Impairment

FEDERAL REGULATION: 34 CFR §300.7(b)(11)

§300.7 Children with disabilities.

(b) The terms in this definition are defined as follows:

(11) "Speech or language impairment" means a communication disorder such as stuttering, impaired articulation, a language impairment, or a voice impairment that adversely affects a child's educational performance.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|-----------------------|---|
| <p>1. A child who meets the definition of speech or language impairment as defined above and as determined through the following procedures shall be eligible for special education and related services:</p> <p>a. Each child has a multifactor evaluation for initial placement that includes, but is not necessarily limited to, evaluations in the following areas:</p> <ul style="list-style-type: none">(1) Communicative status;(2) Hearing; and(3) Educational functioning. <p>b. The child exhibits one or more of the following disorders, which has an adverse effect upon his or her educational performance:</p> <ul style="list-style-type: none">(1) Language impairment – a child is considered to have a language impairment when a significant deviation exists between developmental norms and the child's performance in receptive and/or expressive oral language encompassing the areas of morphology, syntax, semantics, and pragmatics, with or without auditory processing difficulties.(2) Articulation impairment – a child is considered to have an articulation impairment when his or her speech contains consistent misarticulations, additions, substitutions, distortions, or omissions of one or more phonemes. The results of a norm-referenced standardized prognostic evaluation instrument must be considered for a child below eight years of age prior to determining eligibility for services.(3) Fluency impairment – a child is considered to have a fluency impairment when the flow of speech is interrupted by repetitions or prolongations of sound, syllable, word, or articulatory posture, and the disruptions evoke negative reactions from the speaker and/or listener. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|----------------|--|
| <p>(4) Voice impairment—a child is considered to have a voice impairment when he or she exhibits difficulties in the area of pitch, quality, and/or loudness not appropriate to the child's age or sex.</p> <p>c. Medical consultation shall be encouraged especially when school authorities believe that there has been a change in the child's behavior or educational functioning, or when new symptoms have been detected.</p> <p>d. The required reevaluation includes, but is not necessarily limited to, areas listed in item 1.a.(1)-(3) on page 33.</p> | | | <p>Every three years or more frequently if conditions warrant, or if requested by child's parent or teacher.</p> |

SECTION: Assessment/Multifactor Evaluation (MFE)

TOPIC: Eligibility Criteria: Traumatic Brain Injury

FEDERAL REGULATION: 34 CFR §300.7(b)(12)

§300.7 Children with disabilities.

(b) The terms in this definition are defined as follows:

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

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|-----------------------|---|
| The evaluation team shall determine if the child meets the definition of traumatic brain injury as defined above. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|-----------------------------|---|
| <p>b. Each child shall exhibit</p> <ul style="list-style-type: none"> (1) A visual impairment, not primarily perceptual in nature, resulting in a measured visual acuity of 20/70 or poorer in the better eye with correction, or (2) A physical eye condition that affects visual functioning to the extent that special education placement, materials, and/or services are required in an educational setting. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |
| <p>c. The eye examination report should provide information regarding</p> <ul style="list-style-type: none"> (1) Monocular and binocular corrected and uncorrected visual acuity for near and distance; (2) Complete medical diagnosis; (3) Restrictions of visual field; (4) Color perception; (5) Light sensitivity; (6) Physical restrictions; (7) Medical/surgical history; (8) Use of corrective lenses; (9) Recommendations for medical care; and (10) Recommendations for low vision evaluation. | Form MFE-502 | Evaluation team chair | After parental consent for evaluation and prior to the IEP meeting. |
| <p>d. Medical consultation shall be encouraged on a continuing basis, especially when the school authorities believe that there has been a change in the child's behavior or educational functioning or when new symptoms are detected.</p> | | School personnel and parent | |
| <p>e. The required reevaluation includes, but is not necessarily limited to, areas listed in item 2.a.(3)-(6) on page 36.</p> | Form MFE-502 | Evaluation team chair | Every three years or more frequently if conditions warrant, or if requested by child's parent or teacher. |

Additional Resources:

Appendix C: School-Age Multifactorial Evaluation Requirements

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------------|------------------------------|--|
| <p>b. There is a documented deficit in cognitive ability as determined through a measure of cognitive functioning administered by a licensed psychologist or certificated school psychologist, and also a documented deficit in</p> <p>(1) One or more of the areas listed in item 3.a.; or (2) A documented deficit in adaptive behavior; or</p> <p>c. There is a documented deficit in adaptive behavior and a documented deficit in one or more of the areas listed in item 3.a.</p> <p>d. A documented deficit</p> <p>(1) Except in the areas of hearing and vision shall be determined by</p> <p>(a) A score of two standard deviations below the mean in one area, or scores of one and one-half standard deviations below the mean in two areas outlined in this procedure as measured by a norm-referenced test, and</p> <p>(b) Data obtained through structured interview, structured observation, and criterion-referenced/curriculum-based assessment confirming the reliability of standard scores and the existence of an adverse effect on normal development or functioning.</p> <p>(2) Except in the areas of hearing and vision, deficits must be documented by determining that the learner evidences a significant discrepancy between chronological age and current level of functioning. This determination must be supported by data obtained through structured interview, structured observation, and other assessment measures that must include norm- and/or criterion-referenced assessments.</p> <p>e. In the area of hearing, a deficit must be determined in accordance with the definition of "hearing impairment."</p> <p>f. In the area of vision, a deficit must be determined in accordance with definition of "visual impairment, including blindness."</p> | <p>Form MFE-503</p> | <p>Evaluation team chair</p> | <p>After parental consent for evaluation and prior to the IEP meeting.</p> |

Additional Resources:

Appendix D: Preschool Multifactorial Evaluation Planning Chart

INTERVENTION-BASED MULTIFACTORED EVALUATION

To be used only by those school districts with approval from the
Ohio Division of Special Education

SECTION: Assessment/Multifactor Evaluation

TOPIC: IBMFE

FEDERAL REGULATION: Refer to Section 5: Assessment/Multifactor Evaluation (MFE)

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|---|---|
| <p>1. Intervention-based multifactor evaluation (IBMFE) training for appropriate staff will be provided by the district. Such training will be</p> <ul style="list-style-type: none"> a. Prescribed by the Ohio Department of Education (ODE); b. Described in the school district's professional development plan; and c. Completed before the IBMFE process is used. | <p>Team's participation in training</p> | <p>Superintendent</p> | <p>Prior to implementation of IBMFE process.</p> |
| <p>2. A written referral generated from differentiated referral procedures as described in Section 2: Child Identification of this Manual is needed to initiate an IBMFE for any child suspected of having a disability condition that has an adverse effect on his or her educational performance. This referral should be made by an individual who has direct knowledge of the child, taking into account the nature and intensity of any interventions that the child has received to date and includes the following preevaluation activities:</p> <ul style="list-style-type: none"> a. Providing written notice to the child's parents of the intent to conduct an IBMFE (refer to Section 4: Procedural Safeguards; and b. Obtaining parents' written consent before initiating any activities intended to be used for determining the need for special education and related services and the existence of a disability (refer to Section 4: Procedural Safeguards). | <p>Forms CI-205 and CI-206</p> <p>Form PS-401 and PS-405 (Parent Notice of Procedural Safeguards)</p> <p>Form PS-401</p> | <p>IBMFE team chair</p> <p>Building principal or designee</p> <p>Building principal or designee</p> | <p>Immediately</p> <p>Within 30 days of referral or within a reasonable time prior to initiation of IBMFE.</p> <p>Prior to initiation of IBMFE and completion of IEP.</p> |
| <p>3. The IBMFE team will be comprised of</p> <ul style="list-style-type: none"> a. The child's teacher if the child is of school age; b. The person most knowledgeable about the child's development if the child is below school age; c. An educator, including teachers or other specialists, with knowledge in the area of the suspected disability; | <p>Signatures on evaluation team report</p> | <p>IBMFE team chair</p> | |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|-------------------------|--|
| <p>(3) Conduct a structured observation of the child while he or she is engaged in activities associated with the identified problems. This observation should be conducted by</p> <ul style="list-style-type: none"> (a) At least one team member other than the child's teacher in an environment appropriate for a child of that age; and (b) At least one team member other than the child's teacher in the regular education setting for children suspected of having a specific learning disability. <p>(4) Holds a structured interview with persons knowledgeable about the child's functioning, including the parent or primary care giver;</p> <p>(5) Administer evaluations, ensuring that the child is not misclassified or unnecessarily labeled as being disabled due to the inappropriate selection, administration, or interpretation of evaluation materials, and that the tests or other evaluations</p> <ul style="list-style-type: none"> (a) Have been validated for the specific purpose for which they are being used; (b) Are developmentally appropriate; (c) Are selected and administered so as not to be racially or culturally discriminatory; (d) Are selected to accommodate the child's strengths and learning styles; (e) Are provided and administered in the language or communication mode that is native to the child unless doing so is clearly not feasible; (f) Are administered in conformance with their producer's instructions and by trained personnel; (g) Are selected and administered so as to get results that accurately reflect the aptitude, achievement level, and/or other factors purportedly being measured of a child with impaired sensory, manual, or speaking skills, and that do not reflect such child's impaired sensory, manual, or speaking skills except in the case where the test or other evaluation purports to measure those skills; and (h) Are tailored to assess specific areas of educational need and not merely to provide a single general intelligence quotient. | <p>Forms MFE-510 and MFE-510 (alternate)</p> | <p>IBMFE team chair</p> | <p>After parent permission and prior to IEP meeting.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|-------------------------|--|
| <p>6. Conclude, by analyzing the results gleaned from completing the activities described in these procedures, that the child meets all of the following eligibility criteria:</p> <p>(a) The interventions provided to the child, which are necessary to help the child attain targeted goals and/or objectives or to maintain that performance, are of such a unique and extraordinary nature and intensity, as determined through an analysis of the use of instructional methods, materials, equipment, services, personnel, and/or environmental or physical adaptations, that they qualify as specially designed instruction;</p> <p>(b) The child's characteristics meet the federal definition of one or more of the following:</p> <ol style="list-style-type: none"> (1) Preschool learner with a disability; (2) Autism; (3) Deaf-blindness; (4) Deafness; (5) Hearing impairment; (6) Mental retardation; (7) Multiple disabilities; (8) Orthopedic impairment; (9) Other health impairment; (10) Serious emotional disturbance; (11) Specific learning disability; (12) Speech or language impairment; (13) Traumatic brain injury; (14) Visual impairment; and <p>(c) Without special education and related services, the child's condition has an adverse effect on his or her educational performance.</p> | <p>Forms MFE-510 and MFE-510 (alternate)</p> | <p>IBMFE team chair</p> | <p>After parent permission and prior to IEP meeting.</p> |
| <p>c. The IBMFE team shall develop a written multifactor evaluation team report that contains</p> <ol style="list-style-type: none"> (1) Sources of information; (2) The name and title of each informant, including the person(s) conducting the IBMFE; (3) The date of each evaluation activity; (4) The signature of each IBMFE team member, certifying the accuracy of the data and either that <ol style="list-style-type: none"> (a) The report reflects his or her conclusions; (b) The report does not reflect his or her conclusions, in which case the team member must also submit a separate statement presenting his or her conclusions; | <p>Forms MFE-510 and MFE-510 (alternate)</p> <p>176</p> | <p>IBMFE team chair</p> | <p>After parent permission and prior to IEP meeting.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|-------------------------|--|
| <p>(5) All aspects that were evaluated in item 4.a. on page 42 apply to the child's suspected disability;</p> <p>(6) The following documentation regarding the IBMFE:</p> <ul style="list-style-type: none"> (a) A description and analysis of concerns that were addressed; (b) A description of interventions provided to the learner prior to referral and how related data were collected through continuous progress monitoring; (c) A statement that the child does not achieve commensurate with his or her age and ability levels in one or more of the areas when provided with learning experiences appropriate for the child's age and abilities; (d) A description of the results of implemented interventions with supporting data; and (e) A discussion of the types of interventions that are likely to succeed with this child and should therefore be considered when developing his or her IEP. <p>(7) A statement of whether the child has a disability and, if so, which one;</p> <p>(8) A statement of the child's eligibility or ineligibility to receive special education and related services, and a supporting explanation that is presented on the basis of the activities undertaken by the IBMFE team and that for a child who has a specific learning disability</p> <ul style="list-style-type: none"> (a) Tells whether a severe discrepancy exists between achievement and ability in one or more of the following areas that is not correctable without special education and related services <ul style="list-style-type: none"> (1) Oral expression; (2) Listening comprehension; (3) Written expression; (4) Basic reading skills; (5) Reading comprehension; (6) Mathematics calculation; and (7) Mathematics reasoning. | <p>Forms MFE-510 and MFE-510 (alternate)</p> | <p>IBMFE team chair</p> | <p>After parent permission and prior to IEP meeting.</p> |

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| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|---|-----------|
| <p>(b) Explains the IBMFE team's determination that the discrepancy is not primarily the result of a visual, hearing, or motor impairment; mental retardation; emotional disturbance; or environmental, cultural, or economic disadvantage;</p> <p>(c) Describes how the behavior documented during structured observations relate to the child's academic functioning; and</p> <p>(d) Describes the educationally relevant medical findings, if any.</p> <p>d. The district has on file a written procedure for obtaining an IBMFE, or portion thereof, independent of the school district, which may be conducted</p> <p>(1) At public expense, in which case:</p> <p>(a) The independent evaluation, including its location and its providers' qualifications, must meet the same specifications required of the school district when it conducts an IBMFE;</p> <p>(b) The information obtained must be considered in any decision concerning the provision of a free appropriate public education; and</p> <p>(c) The information may be presented at a due process hearing regarding the child.</p> <p>(2) At private expense, in which case:</p> <p>(a) The information obtained must be considered in any decision concerning the provision of a free appropriate public education; and</p> <p>(b) The information may be presented at a due process hearing regarding the child.</p> <p>e. The district shall have a written procedure for the school district to obtain a medical evaluation of a child when, as described in these procedures, the IBMFE team determines that his or her suspected disability warrants one in order to determine initial eligibility or continued eligibility for special education and related services; to notify the child's parent(s) of the availability, at no cost to them if they so choose, of that medical evaluation; and to incorporate the findings of that medical evaluation into the IBMFE team report.</p> | <p>Policies and Procedures for the Education of Children with Disabilities</p> <p>Evaluation team report</p> <p>District procedure</p> | <p>Superintendent or designee</p> <p>Superintendent or designee</p> | |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|-------------------------|--|
| <p>f. A reevaluation at least every three years, and more frequently if conditions warrant or if requested by the child's parent(s) or teacher(s) of each child who receives special education and related services, which is conducted in accordance with these procedures by collecting information, including that provided by the child or the child's parent(s), that reveals the extent to which the child's</p> <ul style="list-style-type: none"> (a) IEP was implemented; (b) Implemented interventions, and the environments in which they were provided, were effective; and (c) Progress was consistent with expectations. | <p>Forms MFE-510 and MFE-510 (alternate)</p> | <p>IBMFE team chair</p> | <p>Three years from initial IBMFE or earlier if conditions warrant, or if requested.</p> |

Assignment of MFE Team Members

Child's Name _____ Date of Birth _____

Person Initiating Referral _____

We have reviewed the referral of the above-named child and, as a result of this review, the following determination has been made (Complete Part I or Part II):

I. The above-named child has a suspected disability in the area(s) of:

Required components of the multifactored evaluation include the following:

| <u>Evaluation</u> | <u>Evaluator</u> | <u>Time Line</u> |
|-------------------|------------------|------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

II. The above-named child does not appear to have a suspected disability. The following activities are recommended:

| <u>Activity</u> | <u>Person Responsible</u> | <u>Time Line</u> |
|-----------------|---------------------------|------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Signature/Title _____ (Chairperson) _____ (Date)

Committee Members:

Note: In the event that the student has a suspected disability, the IEP conference shall be held not more than 90 days after the parental consent for multifactored evaluation has been received or within 120 days after the date that a student is determined to be suspected of having a disabling condition, unless a longer time span is mutually agreed on in writing by the parent and the school district.

❖ Denotes optional form

TO: Records Control Officer
Teachers
Provider District
Parent

SCHOOL-AGE MULTIFACTORED EVALUATION TEAM REPORT

Name of Child _____

Date of Birth (DOB) _____ Student Identification Number (if available) _____

Name of Parent(s)/Legal Guardian/Surrogate _____

Address _____

City _____ State _____ Zip Code _____

Telephone Number _____

District of Residence _____ District of Attendance _____

Building Attendance _____ Grade _____

Check One: Initial Evaluation Reevaluation

Name(s) and Position(s) of Person(s) Making Referral:

| <u>Name</u> | <u>Position</u> | <u>Date of Referral</u> |
|-------------|-----------------|-------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Description of concern including a description of the suspected disabilities that led to the referral for a multifactored evaluation:

INTERVENTION RESULTS (To be provided by intervention team members)

Summarize interventions implemented as they relate to the specific area of concern and the outcome of the interventions.

| INTERVENTIONS | RESULTS |
|----------------------------------|----------------|
| What was done: | |
| Who monitored: | |
| Duration: | |
| Modification(s)/Accommodation(s) | |

Name of Child _____ DOB _____

I. BACKGROUND INFORMATION

(Provide a summary and interpretation of each area.)

A. Teacher/classroom information (effective strategies, interventions, areas of concern) provided by:

B. Educational history provided by:

C. Family history, including social/cultural background, provided by:

D. Physical condition/physical examination, including relevant medical history or findings, and audiological, where applicable (see attached), provided by:

Name of Child _____ DOB _____

II. OBSERVATION DATA

(Multiple observations are required for any child suspected of having a serious emotional disturbance (i.e., severe behavior handicap).

*Name and Title of Person Conducting Observations

Date _____ Setting _____

Activity _____

A. Describe and summarize the relevant behaviors observed as they relate to the area(s) of concern:

1. Description of behavior patterns:

2. Measure of frequency of observed behavior (e.g., items per minute, day, hour):

3. Intensity of behavior relative to peer group (i.e., how extreme is the behavior relative to peer group?):

B. Describe the relationship of that behavior to the student's academic functioning:

C. Describe the relationship of the observations to results of norm-referenced assessments:

Name of Child _____ DOB _____

III. ACADEMIC PERFORMANCE, EDUCATIONAL FUNCTIONING, CURRICULUM

Name and Title of Person Conducting Assessment: _____

Name or Type of Evaluation: _____

Date of Assessment(s): _____

Description of Process: _____

A. Results:

B. Describe and summarize the concepts/behaviors/skills demonstrated by the child (i.e., what the child can do):

Name of Child _____ DOB _____

III. ACADEMIC PERFORMANCE, EDUCATIONAL FUNCTIONING, CURRICULUM (CONTINUED)

C. Describe and summarize the concepts/behaviors/skills not demonstrated by the child (i.e., what the child needs to do):

D. Interpretation of results:

E. Describe the adverse effect upon educational performance:

Name of Child _____ DOB _____

IV. GENERAL INTELLIGENCE

Name and Title of Person Conducting the Assessment: _____

Name of Instrument(s): _____

Date of Assessment(s): _____

A. Results:

B. Describe and summarize the strengths demonstrated by the child:

C. Describe and summarize the areas of need demonstrated by the child:

D. Interpretation of results:

E. Describe any adverse effect upon educational performance:

Name of Child _____ DOB _____

V. GENERAL ASSESSMENT RESULTS

A. Medical/Physical Condition Date _____

(if related to area of suspected disability): _____

Name and Title of Person Conducting Assessment: _____

Name of Instrument(s)/Procedure: _____

Results:

B. Vision Abilities Date _____

Name and Title of Person Conducting Assessment: _____

Name of Instrument(s)/Procedure: _____

Results:

C. Hearing Abilities Date _____

Name and Title of Person Conducting Assessment: _____

Name of Instrument(s)/Procedure: _____

Results:

D. Gross Motor Abilities Date _____

Name and Title of Person Conducting Assessment: _____

Name of Instrument(s)/Procedure: _____

Results:

E. Fine Motor Abilities Date _____

Name and Title of Person Conducting Assessment: _____

Name of Instrument(s)/Procedure: _____

Results:

Name of Child _____ DOB _____

VI. COMMUNICATIVE STATUS

Name and Title of Person Conducting Assessment or Providing Information: _____

A. Date of assessments:

B. Summary of results:

C. Interpretation of results:

D. Describe any adverse effect of communication status on educational performance:

Name of Child _____ DOB _____

VII. CURRENT LEVELS OF FUNCTIONING

A. Adaptive Behavior

Name and Title of Person Conducting Assessment or Providing Information: _____

Date of Assessment: _____

1. Summary of results (include a description of deficit areas):

2. Effect upon educational performance:

B. Social/Emotional Status or Behavior/Personality

Name and Title of Person Conducting Assessment or Providing Information: _____

Date of Assessment: _____

1. Summary of results:

2. Effect upon educational performance:

Name of Student _____ DOB _____

VIII. VOCATIONAL/OCCUPATIONAL NEEDS

Name and Title of Person Conducting Assessment or Providing Information: _____

Date of Assessment: _____

A. Summary of Vocational/Occupational Needs of the Student:

B. Transition Planning Needs:

1. Aptitudes:

2. Interests:

3. Preferences:

4. Employability Skills:

Name of Child _____ DOB _____

IX. SPECIFIC LEARNING DISABILITY ELIGIBILITY DETERMINATION

Determination of Severe Discrepancy

Test of Mental Ability: _____

I.Q.: _____ Standard Deviation: _____

Determination of the team concerning the effects of environmental, cultural, or economic factors: _____

| Academic Area* | Test(s) Administered | Standard Score | Discrepancy Score | Severe Discrepancy | |
|----------------------------|----------------------|----------------|-------------------|--------------------|----|
| | | | | yes | no |
| **Basic Reading Skills | | | | | |
| **Reading Comprehension | | | | | |
| **Mathematics Calculation | | | | | |
| **Mathematics Reasoning | | | | | |
| ***Oral Expression | | | | | |
| ***Listening Comprehension | | | | | |
| ***Written Expression | | | | | |

Is there a severe discrepancy between achievement and ability that is not correctable without special education and related services? Yes No

* All seven areas must be assessed. Standardized test scores must be obtained for basic reading skills, reading comprehension, mathematics calculation, and mathematics reasoning. If a discrepancy is suspected in oral expression, listening comprehension, and/or written expression, standardized test scores in those areas must also be obtained.

** These areas must also be assessed through the use of standardized tests designed for individual administration.

*** These areas must also be assessed through the use of standardized tests designed for individual administration if special education services will be provided to address these areas.

Name of Child _____ DOB _____

IX. SPECIFIC LEARNING DISABILITY ELIGIBILITY DETERMINATION (CONTINUED)

Consideration of Other Factors

1. The team's determination of whether or not the child meets the definition of specific learning disabilities when he or she does not have a discrepancy score of two or greater than two between ability and achievement:

2. Additional supportive information, including data obtained in the evaluation of the seven areas of educational functioning and evidence of possible deficiencies in more than one of the seven areas:

3. Child's performance in the regular classroom (include work samples):

4. Group test scores:

5. Additional supportive data besides standardized test data:

6. Consideration of the child's age, particularly if he or she is a young child:

7. Recommendations and information obtained from regular classroom teachers and the child's parent(s):

Name of Child _____ DOB _____

X. DOCUMENTATION OF SEVERE EMOTIONAL DISTURBANCE (SEVERE BEHAVIOR HANDICAP)

A. Does the student have a severe emotional disturbance? Yes No

Indicate the basis for making this determination by **describing** how the child meets one or more of the following criteria:

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

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

3. Inappropriate types of behavior or feelings under normal circumstances:

4. A general pervasive mood of unhappiness or depression:

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

B. Describe how the child's condition(s) adversely affects his or her educational performance:

C. Provide a rationale for concluding that the child's condition is not the result of a social maladjustment:

XI. SUMMARY AND INTERPRETATION OF MULTIFACTORED EVALUATION

Name of Child _____

Date of Birth _____

Date of Multifactorial Evaluation _____

1. Summarize the child's strength(s) and weakness(es), based on results of the multifactorial evaluation.

2. Summarize the effect(s) that the area(s) of suspected disability has on the child's educational performance.

3. The child is eligible for:

Name of Child _____ DOB _____

XI. SUMMARY AND INTERPRETATION OF MULTIFACTORED EVALUATION (CONTINUED)

4. Basis for determination. Summarize and integrate the results obtained to substantiate a disability and the possible need for special education services.

5. Describe suggested intervention strategies:

Evaluation Team Members

Title(s)

Date

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Signatures are required for SLD and SBH:

Dissenting opinion is attached

TO: Records Control Officer
Teachers
Provider District
Parent

MFE-503
(Page 1 of 15)

PRESCHOOL MULTIFACTORED EVALUATION TEAM REPORT

Name of Child _____

Date of Birth (DOB) _____ Student Identification Number (if available) _____

Name of Parent(s)/Legal Guardian/Surrogate _____

Address _____

City _____ State _____ Zip Code _____

Telephone Number _____

Name(s) and Position(s) of Person(s) Making Referral _____

Date of Referral _____

Description of concern that led to the referral for a multifactorial evaluation _____

Suspected Area of Deficit (Check all that apply)

- Cognitive and Adaptive Behavior
- Cognitive and One or More Areas Listed Below
- Adaptive Behavior and One or More Areas Listed Below
- Communication Skills
- Hearing Abilities
- Motor Functioning
- Social-Emotional/Behavioral Functioning
- Vision Abilities

Name of Child _____ DOB _____

I. BACKGROUND INFORMATION

*Name and Title of Person Completing Section _____

Agency(ies) _____

Information provided by _____

A. Developmental:

B. Family:

C. Medical:

D. Educational History (when appropriate):

Name of Child _____ DOB _____

II. OBSERVATION DATA

(Multiple observations over multiple settings and activities are required for all preschool children)

*Name and Title of Person Conducting Observation _____

Agency(ies) _____

Observation Date(s) _____

Setting(s) _____

A. Describe and summarize the behaviors observed as they relate to the area(s) of suspected disability:

B. Describe and summarize the behavior(s) observed in other domains (list domains observed):

C. Interpret the results of the observation by comparing the behavior of the child to his or her typically developing peers:

***Note:** Each person conducting an observation should complete this form.

Observation Guide

Please try to observe the child's behavior in the following domains. Pay special attention to the domains which relate to the child's suspected area(s) of disability.

This guide is intended to provide a guide to behaviors which you need to observe and, to provide a reference guide for typical development.

Please be specific in your observation about the child's environment, activity, and behavior during the observation period.

Vision

- Follows you or a favorite toy with eyes by four months of age
- Holds head straight rather than in tilted or awkward positions
- Seems able to locate and pick up small objects by 1 year of age
- Eyes do not seem to hurt
- Eyes look healthy (eyelids are not red, watery, or puffy)
- Says at least 3 words other than "mama" and "dada" by _____
- Combines two or more different words by 2 years of age
- Can carry on a simple conversation by 3 years of age
- Repeats easy rhymes or jingles by 3 1/2 years of age
- Can be understood by people not familiar with his/her speech by 4 years of age

Hearing

- Responds to the sound of a bell or a door slamming by 1 month of age
- Turns toward sounds or voices by 6 months of age
- Has few earaches
- Talks in a normal voice, not too loudly or too softly
- Seems to hear you when you call from another room
- Seems to hear as well with one ear as the other (does not always turn the same ear towards voices or sounds)

Playing

- Reaches for and holds rattle or squeaky toy placed in his/her hand by 5 months of age
- Plays games like "pat-a-cake" and "peek-a-boo" by 1 year of age
- Imitates grown-ups doing simple chores by 18 months of age
- Shows that he or she enjoys play by wiggling and laughing or by crying when game stops
- Plays with other children by 3 years of age
- Shares and takes turns with others some of the time by 4 years of age

Communication

- Makes noises other than crying by 2 months of age
- Makes high pitched happy squeals by 6 months of age
- Says words like "mama" and "dada" by 1 year of age

Cognitive

- Responds to his or her own name by 6 months of age
- Looks for an object that is removed from sight by 9 months of age
- Points to body parts like eyes, nose, mouth, or tummy by 2 years of age
- Follows simple directions by 2 1/2 years of age
- Understands "in," "on," "under," etc. by 3 years of age

Sensorimotor

- Lifts head when placed on tummy by 3 months of age
- Rolls over by 5 months of age
- Sits alone by 8 months of age
- Stands and walks by 18 months of age
- Scribbles on paper with a pencil or crayon by 2 years of age
- Throws a ball overhand by 2 1/2 years of age
- Builds a tower of six or more blocks by 3 years of age
- Balances on one foot by 4 years of age

Adaptive (Self-Help)

- Feeds self a cracker by 8 months of age
- Drinks from a cup without spilling much by 18 months of age
- Tries to help with simple household tasks like picking up toys, getting things and bringing them to you, by 2 years of age
- Puts on some of his or her own clothes such as socks, shirt, or pants by 3 years of age
- Uses toilet with few accidents by 3 1/2 years of age

Indicate in the text of your observation any maladaptive behaviors observed including, but not limited to aggressive behavior towards others, destructive behavior, self-stimulation, atypical communication such as repetitive speech, rigid or repetitive behavior, and noncompliance. Also indicate the intensity and frequency of behavior(s) noted in the above areas.

Name of Child _____ DOB _____

III. STRUCTURED INTERVIEW

(Required for all preschool children)

*Name and Title of Person Conducting Interview _____

Agency(ies) _____

Name of Informant(s) _____

Date of Interview(s) _____

Instrument(s) _____

A. Describe and summarize the concepts/behavior/skills the child is reported to have acquired

1. In the area of suspected disability

2. In other domains

B. Describe and summarize the concepts/behaviors/skills the child is reported not to have acquired

1. In the area of suspected disability

2. In other domains

C. Interpret the results:

Name of Child _____ DOB _____

IV. STANDARDIZED NORM-REFERENCED DATA

(Required in area(s) of suspected disability except in cases of vision and hearing)

*Name and Title of Person Conducting the Assessment _____

Agency(ies) _____

Name of Instrument(s) _____

Date of Assessment(s) _____

Suspected Disability Area(s) _____

A. Results

| <u>Tests/Subtests</u> | <u>Standard Score</u> | <u>S.D. Score</u> |
|-----------------------|-----------------------|-------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

B. Describe and summarize the concepts/behaviors/skills demonstrated by the child on the assessment:

*Note: Each person conducting an assessment should complete this form.

Name of Child _____ DOB _____

C. Describe and summarize the concepts/behaviors/skills not demonstrated by the child on the assessment:

D. Interpret the results:

E. Describe the evaluator's opinion regarding reliability of estimate of child's functioning including overall rapport established with the child during assessment, adequacy/applicability of the instrument, and other relevant factors:

Name of Child _____ DOB _____

V. VISION CRITERIA

(Standardized norm-referenced data for children with suspected disabilities in vision)

*Name and Title of Person Conducting Assessment _____

Agency(ies) _____

Name of Instrument(s) _____

Date of Assessment(s) _____

Setting(s) _____

A. Visual Acuity

| | Left | Right |
|-------------|-------------|-------------|
| Uncorrected | _____/_____ | _____/_____ |
| Corrected | _____/_____ | _____/_____ |

B. If acuity is better than 20/70 in the better eye with correction, describe any other physical eye condition that affects visual functioning to such a degree that other special education placement, materials; and/or services may be required:

C. Describe the impact of the visual impairment on normal development and functioning:

D. Describe the evaluator's opinion regarding reliability of estimate of child's functioning including overall rapport established with the child during assessment, adequacy/applicability of the instrument, and other relevant factors:

Name of Child _____ DOB _____

VI. HEARING CRITERIA

(Standardized norm-referenced data for children with suspected disabilities in hearing)

*Name and Title of Person Conducting Assessment _____

Agency(ies) _____

Name of Instrument(s) _____

Date of Assessment(s) _____

Setting(s) _____

A. Average Pure Tone (APT) Hearing Loss in Better Ear

| | Left | Right |
|------------|----------|----------|
| 500 Hertz | _____ dB | _____ dB |
| 1000 Hertz | _____ dB | _____ dB |
| 2000 Hertz | _____ dB | _____ dB |

B. If the APT hearing loss is at least 25 dBs, but not greater than 50 in the better ear, provide documentation of one of the following:

- 1) A more severe hearing loss during the developmental years than is currently measured;
- 2) A delay in diagnosis, provision of amplification, and/or initiation of special programming;
- 3) A history of chronic medical problems that have resulted in fluctuating hearing presently or in the past;
or
- 4) A hearing loss in excess of 25 decibels (ANSI) for the frequencies 1,000 through 8,000 Hertz in the better ear, resulting in such poor auditory discrimination that it has an adverse effect upon the child's educational performance.

C. Describe the impact of the hearing loss on normal development and functioning including pragmatic language skills and socialization:

D. Describe the evaluator's opinion regarding reliability of estimate of child's functioning including overall rapport established with the child during assessment, adequacy/applicability of the instrument, and other relevant factors:

Name of Child _____ DOB _____

VII. CRITERION-REFERENCED/CURRICULUM-BASED ASSESSMENT

(Required for all preschool children in area(s) of suspected disabilities)

*Name and Title of Person Conducting _____

Assessment Agency(ies) _____

Name of Instrument(s) _____

Date of Assessment(s) _____

Setting(s) _____

A. Describe and summarize the concepts/behaviors/skills successfully demonstrated by the child.

B. Interpret the results :

*Note: Each person conducting an assessment should complete this form.

Name of Child _____ DOB _____

VIII. GENERAL ASSESSMENT RESULTS

(Required for all preschool children)

A. Medical (If related to area of suspected disability) Date _____

*Name and Title of Person Conducting Screening _____

Name of Instrument(s)/Procedure _____

Results:

B. Vision Screening Date _____

Name and Title of Person Conducting Screening _____

Name of Instrument(s)/Procedure _____

Results:

C. Hearing Screening Date _____

Name and Title of Person Conducting Screening _____

Name of Instrument(s)/Procedure _____

Results:

D. Current Levels of Functioning

1. If the domains listed on page 12 of this form have been previously described and summarized, indicate page number.
2. If domain(s) have not been previously described and summarized, indicate the evaluation procedure or instrument(s) used and describe and summarize result(s), the name(s) of the evaluator(s), and date(s) of evaluation(s).

Name of Child _____ DOB _____

Adaptive Behavior:

Cognitive Ability:

Communication Skills:

Pre-academic Skills:

Sensorimotor/Motor Functioning:

Social-Emotional/Behavioral Functioning:

Name of Child _____ DOB _____

4. Summarize the effect(s) that the area(s) of suspected disability has on normal development and functioning.

5. Describe suggested intervention strategies:

Signature of Multifaceted Evaluation Team Chairperson

Print Name and Title of Multifaceted Evaluation Team Chairperson

Date

Address

Telephone Number

Name of Child _____ DOB _____

X. DETERMINATION OF ELIGIBILITY

1. Do the data obtained from the standardized norm-referenced instrument, the structured interview and observations, and the criterion-referenced or curriculum-based assessment confirm the existence of a documented deficit? Yes No

If so, list the area(s) of documented deficit:

2. List documented deficit(s) below and indicate presence of adverse effect(s) on normal development and functioning?
- _____ Yes No
_____ Yes No
_____ Yes No
_____ Yes No

3. List documented deficit(s) below and indicate whether each deficit is solely a result of environmental, cultural, or economic factors?
- _____ Yes No
_____ Yes No
_____ Yes No
_____ Yes No

4. Do the data from the four methodologies suggest that this is a preschool child with a disability? Yes No

5. Signatures and titles of team members who agree with the results of the multifactorial evaluation:

| Name | Title |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

6. Signatures and titles of team members who do not agree with the results of the multifactorial evaluation (dissenting opinion(s) are attached):

| Name | Title |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Copies: Records Control Officer

REQUEST FOR CONSIDERATION OF SERVICE DELIVERY IN ANOTHER SCHOOL DISTRICT OR OTHER EDUCATIONAL AGENCY

Date _____

Superintendent
 Provider District or Agency
 Address
 City, State, Zip Code

Dear _____:

In our ongoing efforts to identify, evaluate, and appropriately serve children with disabilities residing in our district, we are currently evaluating or have evaluated a child whose suspected or identified disability is _____. Because your district/agency operates a program for this area of disability, and because we believe your program may be a viable option to consider, we are requesting consideration of services in your program pursuant to Rule 3301-51-02 D.4. of the Rules for the Education of Handicapped Children.

It is important that we communicate regarding this situation soon. Please contact me at _____ or
 _____ (telephone)
 _____ at your earliest convenience.
 _____ (address)

Thank you for your consideration of our request.

Sincerely,

Name_____
Title_____
District/Agency

♦ Denotes optional form

211

MEDICAL AUTHORIZATION FOR PHYSICAL THERAPY EVALUATION/SERVICES TO MEET EDUCATIONAL NEEDS

Date: _____

To Whom It May Concern:

_____ is in need of
(Child's Name)

Check One:

- A diagnostic physical therapy evaluation as a part of the multifactored evaluation
- Physical therapy services to meet educational needs

Name of Physician

Signature of Physician

Address

Diagnosis:

Comments and/or specific treatment orders:

❖ Denotes optional form

REQUEST FOR MEDICAL DIAGNOSTIC EVALUATION

TO: _____
 FROM: _____
 DATE: _____
 SUBJECT: _____

_____ is being referred for a medical diagnostic evaluation in
 order to establish eligibility to receive the special education and related services that will best
 meet his/her needs. The area of concern for this child is _____

It is necessary for our school district to have on file a record of a current medical examination
 indicating any physical factors that may contribute to any learning and/or behavior problems.

Please complete the Request for Medical Diagnostic Evaluation Form, which is attached to
 this letter and return it to the address indicated below.

Thank you for your time and cooperation.

 (School District Representative) (Telephone)

 (Address)

Attachment

❖ Denotes optional form

REQUEST FOR MEDICAL DIAGNOSTIC EVALUATION FORM

Identifying Data Date _____

Child's Name _____ Age _____ Grade _____

Parent's Name _____ School _____

Address _____ District _____

I. General Findings

Significant findings on (describe any abnormalities):

A. General physical examination

| | | | |
|--------------|---------------|-----------------|-------------------|
| Height _____ | Weight _____ | BP _____ | Lymphatics _____ |
| Skin _____ | Head _____ | Eyes _____ | Ears _____ |
| Nose _____ | Teeth _____ | Neck _____ | Chest _____ |
| Back _____ | Abdomen _____ | Genitalia _____ | Extremities _____ |

B. Vision

C. Speech and hearing

II. Specific Findings

Significant findings:

A. General neurological examination

| | | |
|-------------------|----------------|----------------------|
| Gait _____ | Station _____ | Muscle Power _____ |
| Muscle Tone _____ | Reflexes _____ | Cranial Nerves _____ |

* Denotes optional form

B. Motor abnormalities

Gross Motor Coordination _____

Fine Motor Coordination _____

C. Sensory abnormalities

III. Behavioral Problems (check if observed or reported by informant)

- Hyperactive Withdrawn Short attention span Disturbed sleep pattern
 Distracted Other (please describe) _____

IV. Medical Recommendations (include medication as prescribed)

V. This is to certify that the above-named child has had a complete physical examination.

Physician's Signature

Date

Address

Telephone Number

EYE REPORT FOR CHILDREN WITH VISUAL PROBLEMS

Name of Child _____
(first) (middle) (last)

Address _____ DOB _____
(no. and street) (city or town) (county) (state) (zip) (month/day/year)

Grade _____ School _____

Address _____

I. HISTORY (See last page for preferred notation for recording visual acuity and table of approximate equivalents)

A. Probable age at onset of vision impairment. Right Eye (OD) _____ Left Eye (OS) _____

B. Severe ocular infections, injuries, and operations, if any, with age at time of occurrence.

C. Has child's ocular condition occurred in any blood relative(s)? YES NO

II. MEASUREMENTS

| A. | Visual Acuity | | Distant Vision | | Near Vision | | Prescription | | |
|----------------|--------------------|-----------------------|----------------|--------------------|-----------------------|-------------|--------------|------|-------|
| | Without Correction | With Best Correction* | With Vision | Without Correction | With Best Correction* | With Vision | Sph. | Cyl. | Axix. |
| Right Eye (OD) | | | | | | | | | |
| Left Eye (OS) | | | | | | | | | |
| Both Eyes (OU) | | | | | | | | | |

* With ordinary lenses

B. If glasses are to be worn, were safety lenses prescribed in Plastic Tempered Glass?

C. Is there a recommendation for low vision evaluation? YES NO If yes, attach report.

D. Is there a limitation in field of vision? YES NO If yes, record results of test on chart on last page.

What is the widest diameter (in degrees) of remaining visual field? OD _____ OS _____

Is there impaired color perception? YES NO If yes, for what color(s)?

III. CAUSE OF BLINDNESS OR VISION IMPAIRMENT

- A. Indicate the ocular condition(s) responsible for the vision impairment (Specify all conditions, underlining the one that probably first caused the severe vision impairment). OD _____
OS _____
- B. Indicate the preceding ocular condition(s), if any, which led to the present condition, or the underlined condition specified in item A. above. OD _____
OS _____
- C. Indicate the etiology or the underlying cause of the ocular condition primarily responsible for the vision impairment (e.g., specific disease, injury, poisoning, heredity or other prenatal influence). OD _____
OS _____
- D. If the etiology is an injury or poisoning, indicate the type of and circumstances under which the injury or poisoning occurred.

IV. PROGNOSIS AND RECOMMENDATIONS

- A. Is child's vision impairment considered to be: Stable Deteriorating
 Capable of Improvement Uncertain
- B. What treatment is recommended, if any? _____
- C. When is reexamination recommended? _____
- D. Glasses: Not needed To be worn constantly For close work only Other (specify)

- E. Lighting requirements: Average Better than average Less than average
- F. Use of eyes: Unlimited Limited, as follows: _____
- G. Physical activity: Unrestricted Restricted, as follows: _____

PREFERRED VISUAL ACUITY NOTATIONS

DISTANT VISION. Use Snellen notation with test distance of 20 feet (e.g., 20/100, 20/60). For acuities of less than 20/30, record the distance at which a 200-foot letter can be recognized at a distance of 10 feet, and record the abbreviation for best distance as follows:

HM Hand movement
PLL Perceives and localizes light in one or more quadrants
LP Perceives but does not localize light
NLP No light perception

NEAR VISION. Use standard AMA notation and specify best distance at which child can read (e.g., 14/70 at 5 inches).

TABLE OF APPROXIMATE EQUIVALENT VISUAL ACUITY NOTATIONS

These notations serve only as an indication of the approximate relationship between recordings of distant and near vision and point type sizes. The teacher will find in practice that the child's reading performance may vary considerably from the equivalents shown.

| Distant Snellen | Near | | | % Control Visual | Point | Usual Type Text Size |
|-----------------|-----------|--------|-----------|---------------------|-------|-------------------------------|
| | AMA | Jaegar | Metric | Efficiency For Near | | |
| 20/20 | 14/14 in. | 1 | 0.37 (M.) | 100 | 3 | Mail order catalog |
| 20/30 | 14/21 | 2 | 0.50 | 95 | 5 | Want ads |
| 20/40 | 14/28 | 4 | 0.75 | 90 | 6 | Telephone directory |
| 20/50 | 14/35 | 6 | 0.87 | 50 | 8 | Newspaper text |
| 20/60 | 14/42 | 8 | 1.00 | 40 | 9 | Adult text books |
| 20/80 | 14/56 | 10 | 1.50 | 20 | 12 | Children's books (9-12 years) |
| 20/100 | 14/70 | 11 | 1.75 | 15 | 14 | Children's books (8-9 years) |
| 20/120 | 14/84 | 12 | 2.00 | 10 | 18 | |
| 20/200 | 14/140 | 17 | 3.50 | 2 | 24 | |
| 12.5/200 | 14/224 | 19 | 6.00 | 1.5 | | Large Type Text |
| 8/200 | 13/336 | 20 | 8.00 | 1 | | |
| 5/200 | 14/560 | | | | | |
| 3/200 | 14/900 | | | | | |

FIELD OF VISION. Is there any restriction in the child's field of vision? YES NO

Please explain _____

LIGHT SENSITIVITY. Is there evidence of light sensitivity? YES NO

Please explain _____

TO BE COMPLETED BY EXAMINER

PLEASE FORWARD TO: _____

Date of Examination _____ Number (if clinic case) _____

Name of Clinic _____

Signature of Examiner _____ Degree _____

Address _____

PHYSICAL EXAMINATION

Dear [Parent's Name]:

As part of the multifaceted evaluation to determine eligibility for special education and related services, your child will need to have a physical examination. You can obtain a physical examination at no expense from Dr. _____

Physician's Name

Address

Telephone Number

We will be happy to schedule the appointment for you, or you may use a physician of your choice at your own expense.

Please let us know what you would like to do.

Sincerely,

Name of Person

Name of School District

Position

Phone Number

♦ Denotes optional form

Copies: Teacher(s)
Provider District
Parent
Records Control Officer

MFE-510
(Page 1 of 8)

INTERVENTION-BASED MULTIFACTORED EVALUATION (IBMFE) TEAM REPORT

A. IDENTIFYING INFORMATION

Child's Name _____
Address _____
Telephone _____
Parent/Guardian _____
Date of Birth _____ Age _____
Grade _____
School _____ District _____ District of Residence _____
Chairperson _____
Date of Referral _____
Date of Parent Permission _____
Date of Report _____

B. DESCRIPTION AND ANALYSIS OF CONCERNS ADDRESSED

1. State the problem and describe how it affects the child's learning. Include a summary of baseline data collected.

Child's name: _____

DOB _____

2. Address all of the following areas and assess those specific areas that relate to the suspected disability and the design of effective interventions.

| <u>AREA</u> | <u>PROCEDURE/RESULTS</u> | <u>WHO/DATE</u> |
|-------------|--------------------------|-----------------|
|-------------|--------------------------|-----------------|

Medical

Health

Vision

Hearing

Social-Emotional/Behavior

Cognitive

Preacademic/Academic

Communicative Status

Child's name _____ DOB _____

AREA

PROCEDURE/RESULTS

WHO/DATE

Motor/Sensorimotor

Aptitudes

Interests

Preferences

Employability Skills

Adaptive Behavior

Family

**Educational and
Developmental History**

Child's name _____

DOB _____

3. Assess the effect of the child's environment on learning.

4. In the case of a child with a suspected learning disability, summarize the results of a structured observation conducted by at least one team member other than the child's teacher.

C. DESCRIPTION OF ANALYSIS OF INTERVENTION

1. Describe the implemented interventions and how those were monitored.

Child's name _____ DOB _____

2. Describe the results of interventions and include or attach supporting data from progress monitoring.

3. Discuss the types of interventions that are likely to be successful and should be considered in the development of the child's IEP.

D. ELIGIBILITY DETERMINATION

This child is is not eligible to receive special education services. All of the following criteria must be met for eligibility.

1. Yes No The intervention constitutes specially designed instruction or services. Summarize documentation:

Child's name _____ DOB _____

2. **Yes** **No** Without specially designed instruction or services, the child's condition has or would have an adverse effect upon his/her educational performance. Summarize documentation:

3. **Yes** **No** The child's characteristics meet the definition of one of the following disabilities. Check disability and summarize documentation below:

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

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

Deafness -- means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, which adversely affects a child's educational performance.

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

Mental Retardation (Developmental Handicap) -- means a significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

Note: Substantial limitations in present functioning as characterized by significantly subaverage intellectual functioning, existing concurrently with related limitations in two or more of the following applicable skills areas: communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure, and work. Mental retardation manifests itself before age 18 and has an adverse effect upon the child's educational performance.

Multiple Disabilities -- means concomitant impairments, (such as mental retardation-blindness, mental retardation-orthopedic impairment, etc.), the combination of which causes such severe educational problems that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

Child's name _____ DOB _____

- Orthopedic Impairment** -- means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).
- Other Health Impairment** -- means having limited strength, vitality or alertness, due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes which adversely affects a child's educational performance.
- Preschool Child with a Disability** -- means a child who is experiencing developmental delays, as defined by the state and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and who for that reason, needs special education and related services.
- Serious Emotional Disturbance** -- means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, that adversely affects a child's educational performance: A. An inability to learn, that cannot be explained by intellectual, sensory, or health factors; B. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers; C. Inappropriate types of behavior or feelings under normal circumstances; D. A general pervasive mood of unhappiness or depression; or E. A tendency to develop physical symptoms or fears associated with personal or school problems. The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have a serious emotional disturbance.
- Specific Learning Disability** -- means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. 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, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

Note: Documentation must provide evidence of: 1. A severe discrepancy between ability and achievement that is not correctable without special education and/or related services; 2. The determination that the discrepancy is not primarily the result of a visual, hearing, or motor impairment; mental retardation; emotional disturbance; or environmental, cultural or economic disadvantage; 3. The relationship of observed behavior to the child's academic functioning.

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

Child's name _____ DOB _____

- Visual Impairment Including Blindness** -- means an impairment in vision determined through an eye examination, including assessment of low vision, by an appropriate vision specialist, which has an adverse effect upon the child's educational performance and is evidenced through one of the following: (1) the individual has a visual acuity of 20/200 or less in the better eye with correcting lenses or has a limited field of vision in the better eye such that the widest diameter subtends an angular distance of no greater than twenty degrees, or (2) the individual has a medically indicated expectation of meeting the requirements of (1) of this paragraph over a period of time, or (3) the individual has a medically diagnosed and medically uncorrectable limitation in visual functioning that adversely affects the individual's ability to read and write standard print at levels expected of the individual's peers of comparable ability and grade level.

Summarize documentation:

This report reflects the conclusions of the following members of the IBMFE team. If any member does not agree with these conclusions, a separate statement is attached reflecting his or her differing conclusions.

Signatures/Titles

**INTERVENTION-BASED MULTIFACTORED
EVALUATION (IBMFE) TEAM REPORT
OUTLINE (ALTERNATE)**

Identifying Information

Child's Name _____
Address _____
Telephone _____
Parent/Guardian _____
Date of Birth _____ Age _____
Grade _____ District of Residence _____
School _____ District _____
Chairperson _____
Date of Intervention Referral _____
Date of Parent Permission for Assessment _____
Date of Report _____

I. Identify need/concern and other educationally relevant information

(State the problem and identify the circumstances under which this problem constitutes an educational risk; describe how classroom expectations do not match the child's current abilities/performance; include a summary of the initial observation of the child (e.g., who, what, when, where); include a summary of baseline data collected:

II. Define observable measurable goal

Include a summary of the action plan developed for the child, including the desired outcomes, the procedures for implementation, the persons responsible, the beginning date, the review date, how monitoring attainment of outcomes will be monitored, and the ongoing support systems:

III. Describe the nature and results of interventions

Include a description of implemented interventions, and include any modifications made to the interventions, the results of interventions, continuous progress monitoring, and supporting data.

| Interventions | Results | Analysis that Supports Disability Characteristics | Analysis that Supports Need for Specialized Interventions |
|---|--|---|---|
| What was done Who monitored When Duration Any modifications | Summarize here Attach data collection | | |

IV. Describe any collateral assessments obtained through multiple procedures, which may include structured interviews with persons knowledgeable about the child's functioning, including parents, caregivers, and teachers; standardized norm-referenced tests; and criterion-referenced or curriculum-based assessments. Address health, vision, and hearing; social, emotional; and behavioral functioning; cognitive functioning; preacademic or academic performance; communicative status; motor and sensorimotor abilities; aptitudes; interests; preferences; employability skills; adaptive behavior; family health, educational, and developmental histories; and educationally relevant medical findings.

V. Summary

Discuss the type and nature of interventions that are likely to be considered in the development of the child's individual educational program, or accommodation plan, if no disability is substantiated.

- C. Document the need for specially designed instruction or services, using an analysis of the nature and intensity of the educational interventions including, but not limited to, specialized personnel, materials, equipment, services, and/or physical adaptations.

The undersigned IBMFE team members certify that this report reflects the team's conclusion that _____ is a child with a disability who is eligible to receive special education and related services.

Any team member who does not share this view should attach a separate statement presenting his or her alternative conclusions.

| <u>Signature</u> | <u>Title</u> | <u>Date</u> |
|------------------|--------------|-------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

SECTION 6: INDIVIDUALIZED EDUCATION PROGRAM (IEP)/ LEAST RESTRICTIVE ENVIRONMENT (LRE)

CONTENTS BY TOPIC

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SECTION 6: INDIVIDUALIZED EDUCATION PROGRAM/ LEAST RESTRICTIVE ENVIRONMENT

| <u>FORMS</u> | <u>TOPIC</u> |
|---|---|
| IEP-601♦ Invitation to IEP Meeting (District Personnel)..... | General Participants, Periodic Review, Preschool |
| IEP-602 Invitation to Initial Individualized Education Program (IEP) Meeting | Parent Participation, Preschool |
| IEP-602a Parent Invitation Response Form..... | Parent Participation, Preschool |
| IEP-603 Invitation to Periodic Review Individualized Education Program (IEP) Meeting | Parent Participation, Periodic Review, Preschool, Children in Other Districts or Agencies |
| IEP-603a Parent Invitation Response Form..... | Parent Participation, Periodic Review, Preschool |
| IEP-604♦ Invitation to IEP Meeting (Other Agencies)..... | General Participants, Periodic Review, Preschool, Children in Other Districts or Agencies |
| IEP-605 Student Invitation to IEP/Transition Meeting..... | General Participants, Periodic Review |
| IEP-606 Documentation of Attempts to Obtain Parent Participation in IEP Meeting | Parent Participation, Periodic Review |
| IEP-607 The IEP Sequence..... | IEP Sequential Process, LRE Continuum of Alternative Placement |
| IEP-607a IEP - Additional Sequence for Transition Services..... | Transition School to Postschool |
| IEP-608 Individualized Education Program..... | Parent Consent, IEP Sequential Process (Expanded), Transition Preschool to School-Age |
| IEP-608a IEP Addendum: Proficiency Tests..... | IEP Sequential Process (Expanded) |
| IEP-608b IEP Addendum: Statement of Needed Transition Services.. | Transition School to Postschool |
| IEP-608c IEP Addendum: Children/Students with Visual Disabilities.. | Visual Impairment |
| IEP-609♦ IEP Meeting Determination of Transition from Preschool to School-Age Special Education Program | Transition Preschool to School-Age |
| IEP-610 Letter to Parents Following IEP Meeting..... | Parent Participation, Parent Permission, Copies of IEP, Periodic Review, Preschool |

♦ Denotes optional procedure

RELATED APPENDICES

Appendix E: Early Intervention Policy on Transition Planning for Individual Children and Families

ADDITIONAL RESOURCES

- Ohio Department of Education. (January 1, 1995). *Transportation of children with disabilities. 3301-51-10. Rule for transporting children with disabilities.* Columbus, OH: Author.
- Ohio Department of Education, Division of Special Education. (September 27, 1993). Memorandum. *Compliance with transition services requirements of IDEA.* Columbus, OH: Author.
- Ohio Department of Education. (April 1995). *Ohio's statewide testing program: Rules for proficiency testing.* Columbus, OH: Author.
- Ohio Department of Education. (September 3, 1993). Memorandum. *Physical education as special education.* Columbus, OH: Author.
- Ohio Department of Education, Division of Special Education. (January 1993). *Summary of the United States Department of Education, office of special education programs (OSEP): Final monitoring report, 1991 review of the Ohio Department of Education.* Columbus, OH: Author.
- Ohio Department of Education. (1995). *The individualized education program (IEP): A tour book for the journey.* Columbus, OH: Author
- Ohio Department of Education (1995). *The individualized education program (IEP): A Road Map to Success.* Columbus, OH: Author.
- Ohio Department of Education. (1982). *Least restrictive environment.* Columbus, OH: Author.
- Ohio Department of Education. (September 3, 1993). Memorandum. *Office of special education programs.* Columbus, OH: Author.
- Ohio Department of Education, Early Childhood Education. (April 21, 1995). Memorandum. Columbus, OH: Author. (Refer to Appendix H)
- Ohio Department of Education. (January 1995). *Preschool special education evaluation instrument.* Columbus, OH: Author.

SECTION: IEP/LRE

TOPIC: Definitions

FEDERAL REGULATION: 34 CFR §§300.340(a) and 300.342(a)

§300.340 Definitions.

(a) As used in this part, the term "individualized education program" means a written statement for a child with a disability that is developed and implemented in accordance with §§300.341-300.350.

§300.342 When individualized education programs must be in effect.

(a) At the beginning of each school year, each public agency shall have in effect an IEP for every child with a disability who is receiving special education from that agency.

STATE STANDARD:

- a. IEP conferences shall be held as soon as possible, and in any event not more than ninety days after parental consent for multifactor evaluation has been received, or within one hundred twenty days after the initial referral as a suspected child with disability, whichever comes first, except where a greater time span is mutually agreed to in writing by the parent and school district.
- b. The IEP conference for initial placement must be held within 30 days of a determination that the child needs special education and related services.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|--|--|
| <p>1. The district will ensure that an IEP is in effect for every child with a disability who is receiving special education and related services in the district at the beginning of each school year, or on the child's third birthday.</p> <ul style="list-style-type: none"> a. The building principal will ensure that a current IEP is on file for each child receiving special education services in the building(s) to which the principal is assigned. b. The superintendent will ensure that a current IEP is on file for children not served within the district. <p>2. Unless a greater time span is mutually agreed to in writing by the parent and district, the initial IEP must be developed</p> <ul style="list-style-type: none"> a. Within 90 calendar days of receiving parental consent for a multifactor evaluation; or b. Within 120 calendar days of the initial referral for a multifactor evaluation, whichever comes first; and c. Within 30 calendar days of the initial determination that the student needs special education and related services. | <p>Form IEP-608</p> <p>Form IEP-608</p> <p>Form IEP-608</p> <p>CIMS</p> | <p>Superintendent or designee</p> <p>Building principal or designee</p> <p>Superintendent or designee</p> <p>District representative</p> | <p>Refer to Procedure #2 on this page.</p> <p>Ninety days after parental consent or 120 calendar days of the initial referral.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--------------------------|--------------------------------|--|
| <p>3. If more time is needed to develop the IEP (e.g., additional evaluation data is necessary, such as a physical examination), an individual agreement letter will be developed and signed by both the district representative and the child's parent.</p> | <p>Individual letter</p> | <p>District representative</p> | <p>Immediately upon determining that the time line must be extended.</p> |

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SECTION: IEP/LRE

TOPIC: IEP In Effect

FEDERAL REGULATION: 34 CFR §300.342(b)

§300.342 When individualized education programs must be in effect.

(b) An IEP must—

- (1) Be in effect before special education and related services are provided to a child; and
- (2) Be implemented as soon as possible following the meetings under §300.343.

NOTE: Under paragraph (b)(2) of this section, it is expected that the IEP of a child with a disability will be implemented immediately following the meetings under §300.343. An exception to this would be (1) when the meetings occur during the summer or a vacation period, or (2) where there are circumstances that require a short delay (e.g., working out transportation arrangements). However, there can be no undue delay in providing special education and related services to the child.

STATE STANDARD: 3301-51-10 C.2.-4. Transportation standards

School district transportation personnel shall be consulted in the preparation of the individualized education program when transportation is required as a related service and when the child's needs are such that information to ensure the safe transportation and well-being of the child is necessary to provide such transportation.

When required by the individualized education program, specialized service and door-to-door transportation will be provided based upon the unique needs of an individual child.

For transportation purposes, a child with disabilities attending a nonpublic school, placed by parent, guardian, or others, shall be entitled to transportation the same as any child without disabilities attending a nonpublic school in accordance with section 3327.01 of the Administrative Code.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|-----------------------------------|--|---|
| <p>1. The IEP will be completed in its entirety, including all goals, objectives, and services to be delivered prior to the initiation of special education services and related services.</p> <ul style="list-style-type: none"> a. The IEP will be completed at the IEP meeting with all required participants in attendance. b. The IEP team may reconvene if the IEP cannot be completed in one session. | <p>Completed IEP Form IEP-608</p> | <p>IEP chair</p> | <p>During IEP meeting.</p> |
| <p>2. The IEP will be implemented without undue delay following the IEP meeting.</p> <ul style="list-style-type: none"> a. During the IEP meeting, the IEP team participants will determine dates for the initiation of services. | <p>IEP initiation dates</p> | <p>District representative</p> | <p>As soon as possible after parental consent for initial services.</p> |
| <ul style="list-style-type: none"> b. All service providers, including regular education teacher(s), should be notified regarding the child's IEP. The entire copy of the IEP shall be on file in the building. <p>Note: It is suggested that <u>all</u> service providers receive copies of the child's IEP.</p> | <p>IEPs provided</p> | <p>District representative/ case manager</p> | <p>Immediately following IEP meeting.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|---|-----------|
| <p>c. If necessary, transportation should be arranged and provided, when the child is to receive services in another building or district (Refer to Form IEP-607).</p> <p>(1) If special transportation, which means vehicle transportation service directly related to the child's disability and required by the individualized education program or any applicable state or federal law, is necessary, each school district shall</p> <p>(a) Establish its own reasonable travel time. Travel time is defined as beginning at the initial pickup of the child and ending with the final arrival at the school destination;</p> <p>(b) Develop its travel time standard, approved by the individual board of education, and consider the following factors: age of child, disability condition, school district, location of special education class, traffic patterns, and roadway conditions; and</p> <p>(c) Ensure that travel time for children with disabilities is kept to a minimum, consistent with the requirements of the individualized education program. Generally, travel time should not be longer than comparable in-district transportation time for children without disabilities. Transportation travel time out-of-district should also be minimized, consistent with the requirements of the individualized education program.</p> <p>(2) School district transportation personnel shall be consulted in the preparation of the individualized education program when transportation is required as a related service and when the child's needs are such that information to ensure the safe transportation and well-being of the child is necessary to provide such transportation.</p> <p>d. The district may enter into cooperative agreements with other districts or agencies in order to implement the IEP.</p> | <p>IEP</p> <p>Cooperative agreements</p> | <p>District representative/ case manager</p> <p>District representative</p> <p>Superintendent</p> | |

Additional Resources:

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Ohio Department of Education. (January 1, 1995). *Transportation of children with disabilities. 3301-51-10 . Rule for transporting children with disabilities.* Columbus, OH: Author.

SECTION: IEP/LRE

TOPIC: General Participants

FEDERAL REGULATION: 34 CFR §300.344 Participants In meetings.

Federal regulation language and state standard language are the same.

(a) *General.* The public agency shall ensure that each meeting includes the following participants:

- (1) A representative of the public agency, other than the child's teacher, who is qualified to provide, or supervise the provision of, special education.
- (2) The child's teacher.
- (3) One or both of the child's parents, subject to §300.345.
- (4) The child, if appropriate.
- (5) Other individuals at the discretion of the parent or agency.

(b) *Evaluation personnel.* For a child with a disability who has been evaluated for the first time, the public agency shall ensure—

- (1) That a member of the evaluation team participates in the meeting; or
- (2) That the representative of the public agency, the child's teacher, or some other person is present at the meeting, who is knowledgeable about the evaluation procedures used with the child and is familiar with the results of the evaluation.

(c) *Transition services participants.*

- (1) If a purpose of the meeting is the consideration of transition services for a student, the public agency shall invite—
 - (i) The student; and
 - (ii) A representative of any other agency that is likely to be responsible for providing or paying for transition services.
- (2) If the student does not attend, the public agency shall take other steps to ensure that the student's preferences and interests are considered; and
- (3) If an agency invited to send a representative to a meeting does not do so, the public agency shall take other steps to obtain the participation of the other agency in the planning of any transition services.

Note 1: In deciding which teacher will participate in meetings on a child's IEP, the agency may wish to consider the following possibilities:

- (a) For a child with a disability who is receiving special education, the teacher could be the child's special education teacher. If the child's disability is a speech impairment, the teacher could be the speech-language pathologist.
- (b) For a child with a disability who is being considered for placement in special education, the teacher could be the child's regular teacher, or a teacher qualified to provide education in the type of program in which the child may be placed, or both.
- (c) If the child is not in school or has more than one teacher, the agency may designate which teacher will participate in the meeting.

Either the teacher or the agency representative should be qualified in the area of the child's suspected disability. For a child whose primary disability is a speech or language impairment, the evaluation personnel participating under paragraph (b)(1) of this section would normally be the speech-language pathologist.

Note 2: Under paragraph (c) of this section, the public agency is required to invite each student to participate in his or her IEP meeting, if a purpose of the meeting is the consideration of transition services for the student. For all students who are 16 years of age or older, one of the purposes of the annual meeting will always be the planning of transition services, since transition services are a required component of the IEP for these students. For a student younger than age 16, if transition services are initially discussed at a meeting that does not include the student, the public agency is responsible for ensuring that, before a decision about transition services for the student is made, a subsequent IEP meeting is conducted for that purpose, and the student is invited to the meeting.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|---|--|
| <p>1. The school district shall include the following as participants in the IEP meeting, one of whom is designated as chairperson:</p> <ul style="list-style-type: none"> a. A person other than the child's teacher who is a representative of the school district and who is qualified to provide or supervise the provision of special education. This person is identified by the superintendent or designee; b. The child's teacher; c. One or both of the child's parents; d. The child, if appropriate; and e. Other individuals at the discretion of the parent or agency. | Signatures on IEP | District representative | Invite participants two to three weeks prior to IEP meeting date. |
| <p>2. Consideration shall be given to ensure</p> <ul style="list-style-type: none"> a. That all required participants can attend the IEP meeting (refer to Parent Participation, beginning on page 8). <ul style="list-style-type: none"> (1) For the child's teacher this may include the necessity of classroom coverage to ensure his or her attendance. (2) It is critical that the meeting be scheduled when the district representative is available. b. A notification/invitation should be sent to each required participant. | Form ◆ IEP-601 or IEP-602 | Case manager or district representative | Prior to IEP meeting. Invite participants two to three weeks prior to IEP meeting date. |
| <p>Note: The district may elect to send copies of Forms IEP-602 and 603 to participants, instead of sending Forms IEP-601, 604, and 605.</p> <ul style="list-style-type: none"> c. If appropriate, the teacher, parent, or other member may discuss the IEP meeting with the child and determine the appropriateness of his or her attendance, if the child is under 16 years of age. | Form IEP-605 "Student Invitation to IEP/Transition Meeting" | Teacher, parent, or district representative | Immediately |
| <p>3. For an initial IEP, a member of the evaluation team, or a representative of the school district, the child's teacher, or some other person who is knowledgeable about the evaluation procedures used with the child and is familiar with the results of the evaluation must attend the IEP meeting.</p> | Evaluation team member signature on IEP | IEP chair | |

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◆ Denotes optional procedure

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|--|---|
| <p><u>Transition Services</u></p> <p>4. If the purpose of the IEP meeting is to consider transition services, invite the student and representatives of any other agencies potentially responsible for providing the transition services. Districts should</p> <p>a. Invite one or both of the student's parents (refer to Parent Participation, beginning on page 8);</p> <p>b. Invite relevant agency representatives to the IEP meeting;</p> <p>c. Invite the student, if appropriate. If the student does not attend, other means shall be used to determine his or her preferences and interests. Such means might include</p> <p>(1) An interview with student; or</p> <p>(2) Completion of appropriate evaluation instruments; and</p> <p>d. Take steps to ensure agency participation in transition planning. If an agency invited to send a representative to the meeting does not attend, make attempts to contact agencies by mail, phone, or conference to discuss available options prior to the student's next IEP meeting.</p> <p>Note: The district may elect to send copies of Forms IEP-602 or IEP-603 to participants, instead of Forms IEP-601, 604, and 605.</p> <p>❖ The district may wish to obtain parent permission prior to inviting agency personnel to attend IEP meetings.</p> | <p>Forms IEP-602 IEP-604 and IEP-605, and signatures on IEP</p> <p>Form IEP-602</p> <p>Forms IEP-603 IEP-604❖</p> <p>Form IEP-605</p> <p>Written correspondence or phone records</p> | <p>IEP chair</p> <p>IEP chair</p> <p>IEP chair</p> <p>IEP chair</p> <p>IEP chair</p> | <p>Two to three weeks prior to IEP meeting.</p> <p>Two to three weeks prior to IEP meeting.</p> <p>Two weeks prior to IEP meeting.</p> <p>Before completion of IEP of students who are 16 years of age or older.</p> <p>Prior to IEP meeting.</p> |

Additional Resources:

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Ohio Department of Education, Division of Special Education. (September 27, 1993). Memorandum. *Compliance with transition services requirements of IDEA*. Columbus, OH: Author.

SECTION: IEP/LRE

TOPIC: Parent Participation

FEDERAL REGULATION: 34 CFR §300.345 Parent participation.

Federal regulation language and state standard language are the same.

- (a) Each public agency shall take steps to ensure that one or both of the parents of the child with a disability are present at each meeting or are afforded the opportunity to participate, including—
 - (1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - (2) Scheduling the meeting at a mutually agreed on time and place.
- (b) (1) The notice under paragraph (a)(1) of this section must indicate the purpose, time, and location of the meeting and who will be in attendance.
 - (2) If a purpose of the meeting is the consideration of transition services for a student, the notice must also—
 - (i) Indicate this purpose;
 - (ii) Indicate that the agency will invite the student; and
 - (iii) Identify any other agency that will be invited to send a representative.
- (c) If neither parent can attend, the public agency shall use other methods to ensure parent participation, including individual or conference telephone calls.
- (d) A meeting may be conducted without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case the public agency must have a record of its attempts to arrange a mutually agreed on time and place such as—
 - (1) Detailed records of telephone calls made or attempted and the results of those calls;
 - (2) Copies of correspondence sent to the parents and any responses received; and
 - (3) Detailed records of visits made to the parent's home or place of employment and the results of those visits.
- (e) The public agency shall take whatever action is necessary to ensure that the parent understands the proceedings at a meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.
- (f) The public agency shall give the parent, on request, a copy of the IEP.

Note: The notice in paragraph (a) of this section could also inform parents that they may bring other people to the meeting. As indicated in paragraph (c) of this section, the procedure used to notify parents (whether oral or written or both) is left to the discretion of the agency, but the agency must keep a record of its efforts to contact parents.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|-------------------------|---|--|
| 1. Contact parents by (a) conference; (b) telephone; or (c) mail, early enough so that they will have an opportunity to attend their child's IEP meeting. | Form IEP-602 or IEP-603 | IEP chair, case manager, or district representative | Two to three weeks before IEP meeting. |
| a. Schedule the IEP meeting with parents at a mutually agreed on time and place. | Form IEP-606 | IEP chair | Two to three weeks before IEP meeting. |

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| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|----------------|---|
| <p>b. Inform parents of</p> <ol style="list-style-type: none"> (1) The purpose of the IEP meeting; (2) The time of the IEP meeting; (3) The location of the IEP meeting; and (4) Who will be in attendance at the IEP meeting. <p>c. Invite parents to bring others to the IEP meeting.</p> | Form IEP-602a and/or IEP-603a | IEP chair | Two to three weeks prior to IEP meeting. |
| <p>2. Verify all of the above information by sending to parents of children who do not have current IEPs, Form IEP-602, or by sending Form IEP-603 to parents of students with current IEPs.</p> | Forms IEP-602 and IEP-602(a) or IEP-603 and IEP-603(a) | IEP chair | Upon completion of evaluation team report (ETR) and no later than 30 calendar days after completion of MFE. |
| <p>3. Record all attempts to contact the parent.</p> | Form IEP-606 | IEP chair | |
| <p>a. Attempts to contact the parent should be kept in the student file and may include</p> <ol style="list-style-type: none"> (1) Detailed records of telephone calls made or attempted and the results of these calls; (2) Copies of correspondence sent to the parent and any responses received; and (3) Detailed records of visits made to the parent's home or place of employment and the results of those visits. | Copies of Forms IEP-602 IEP-602(a) IEP-603 IEP-603(a) and/or IEP-606 | IEP chair | Before and/or after IEP meeting is held. |
| <p>4. Arrange for an interpreter or translator, if needed, for deaf or non-English speaking parents (or child).</p> | Form PS-402 | IEP chair | As needed |
| <p>5. Ensure the accessibility of the IEP meeting location.</p> | | IEP chair | As needed |
| <p>6. Ensure that attempts have been made to obtain parent participation in the IEP meeting through other methods, such as individual or conference calls.</p> | Form IEP-606 | IEP chair | As needed |
| <p>7. ♦Arrange for transportation, if necessary, or arrange for a different environment that is convenient to the child's parents.</p> | | IEP chair | As needed |

♦Denotes optional procedure

SECTION: IEP/LRE

TOPIC: IEP Team Responsibilities

FEDERAL REGULATION: 34 CFR §§300.346(a), 300.550(b)(2), and 300.552(a)(2)

Federal regulation language and state standard language are the same.

§300.346 Content of individualized education program.

(a) *General.* The IEP for each child must include—

- (1) A statement of the child's present levels of educational performance;
- (2) A statement of annual goals, including short-term instructional objectives;
- (3) A statement of the specific special education and related services to be provided to the child and the extent that the child will be able to participate in regular educational programs;
- (4) The projected dates for initiation of services and the anticipated duration of the services; and
- (5) Appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being achieved.

§300.550 General.

(b). Each public agency shall ensure—

- (2) That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

§300.552 Placements.

Each public agency shall ensure that:

- (a) The educational placement of each child with a disability—
 - (2) Is based on his or her IEP.

Note: The 1991 OSEP report to the Ohio Department of Education, Division of Special Education indicates that placement decisions must be based on the IEP; therefore, placement decisions must be determined only after the IEP is fully developed.

SECTION: IEP/LRE

TOPIC: IEP Sequential Process

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|-----------------------|----------------------------|
| <p>1. The IEP conference participants will complete the following activities <u>in sequence</u> during the IEP meeting:</p> <ul style="list-style-type: none">a. Review the evaluation results and the current IEP if it is an annual review meeting, and determine the child's present level of performance. The evaluation data reviewed at an IEP meeting must accurately reflect a child's present level of educational performance in the areas directly related to the child's educational needs and must be no more than one year old (refer to page 13).b. Determine the area(s) of the child's needs (refer to page 14).c. Develop goals and short-term instructional objectives with accompanying criteria and evaluation procedures and schedules that serve as the basis for developing a detailed instructional plan and coordinating services in the area(s) of need (refer to page 14).d. Determine special education and related services needed to implement each goal and accompanying objective (refer to page 15).e. Determine the least restrictive environment in which to deliver the special education and related services (refer to page 16). <p>2. The IEP meeting participants will also ensure that the following are considered as they proceed through steps one through five of the IEP Sequential Process:</p> <ul style="list-style-type: none">a. Children with disabilities participate to the maximum extent appropriate, in all testing and assessment programs, including proficiency tests (refer to page 19).b. Transition from early childhood to school-age special education and related services is accomplished by having the IEP meeting participants follow the specific procedures outlined with regard to transition services, which begin on page 21 of this section. | <p>Form IEP-607 (outlines the sequential process for IEP participant use) and Form IEP-608</p> | <p>IEP team</p> | <p>During IEP meeting.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|-----------------|----------------------------|
| <p>3. A transition services statement must be developed to promote movement from school to postschool activities for students, beginning no later than age 16 (and at a younger age if determined appropriate), and annually thereafter, including, when appropriate, a statement of the interagency responsibilities or linkages (or both) before the student leaves the school setting (refer to page 23).</p> <p>4. For each child with a disability whose behavior significantly interferes with the child's, or another child's, opportunity to learn, a plan to address the behavior(s) that interfere with learning is developed. If information that is obtained during the evaluation indicates a need for crisis intervention, there must be a plan on file in the school district to provide appropriate support to the teacher(s) (refer to page 28).</p> <p>5. A physical education program and/or a sensorimotor domain is provided to address individual needs specifically delineated on the IEP (refer to page 30).</p> <p>6. Consider, if a child with a disability is failing, or is likely to fail, to achieve short-term instructional objectives on the IEP due to interruption of instruction between school years, whether the child should receive extended school year services (refer to page 32).</p> <p>7. Determine, for a child with a visual impairment, whether or not Braille instruction is appropriate (refer to page 34).</p> | <p>Form IEP-607 (outlines the sequential process for IEP participant use)</p> <p>Forms IEP-608 and IEP-608b</p> | <p>IEP team</p> | <p>During IEP meeting.</p> |

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| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|----------------|---------------------|
| <p>(3) There must be a direct relationship between the present levels of educational performance and the other components of the IEP, including</p> <p>(a) Goals and short-term instructional objectives; and</p> <p>(b) The specific special education and related services to be provided to the child.</p> | Form IEP-608 | IEP team | During IEP meeting. |
| <p>Step 2</p> <p>2. Determine the area(s) of the child's needs.</p> <p>a. The child's needs will be the basis for the development of the IEP goals and short-term instructional objectives.</p> <p>b. The areas of child need would be reflected in the present levels of educational performance to provide a baseline for the development of goals and objectives.</p> | Form IEP-608 | IEP team | During IEP meeting. |
| <p>Step 3</p> <p>3. Develop goals and short-term instructional objectives with accompanying criteria and evaluation procedures that serve as the basis for the development of a detailed instructional plan and the coordination services in the area(s) of need.</p> <p>a. The annual goals outlined on the child's IEP are statements that describe what a child with a disability can reasonably be expected to accomplish when receiving special education and related services within a 12-month period. There should be a direct relationship between the annual goals and the child's present levels of educational performance.</p> <p>b. Short-term instructional objectives (also called IEP objectives) are measurable, intermediate steps between the present levels of educational performance of a child with a disability and the annual goals that are established for the child. The objectives are developed, based on a logical breakdown of the major components of the annual goals, and can serve as milestones for measuring progress toward meeting the goals.</p> <p>c. Develop criteria and evaluation procedures and schedules.</p> <p>(1) The criteria and evaluation procedures and schedules must be presented in a recognizable form and be clearly linked to each of the short-term instructional objectives.</p> | Form IEP-608 | IEP team | During IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|----------------|---------------------|
| <p>(2) Each objective must have the following three components:</p> <ul style="list-style-type: none"> (a) Evaluation criteria; (b) A procedure for review; and (c) A schedule for review. | Form IEP-608 | IEP team | During IEP meeting. |
| <p>Step 4</p> <p>4. Determine the special education and related services necessary to implement each goal and accompanying objective, as well as the projected dates for the initiation of services and anticipated duration of services [§300.346(a)(4)].</p> <ul style="list-style-type: none"> a. The IEP team, when determining the nature and degree of special education services to be delivered to a child with a disability, makes the following decisions: <ul style="list-style-type: none"> (1) What special education service(s) should be provided; and (2) Their appropriateness in meeting the child's individual needs. b. The IEP team ensures that a full range of services is available to effectively meet the unique and educational needs of each child with a disability regardless of the environment(s) where the child is served. These services, which shall be indicated on the IEP, include <ul style="list-style-type: none"> (1) Instructional services; (2) Related services; (3) Supplementary aids and services, including assistive technology services; and/or (4) Consultative services. c. The IEP team ensures that services listed in item 4.b. above may be provided through any one or combination of the following instructional groupings: <ul style="list-style-type: none"> (1) Large-group instruction; (2) Small-group instruction; and (3) Individual instruction. d. The amount of services to be provided must be stated in the IEP, so that the level of the district's commitment of resources will be clear to parents and other IEP team members. The amount of time to be committed to the provision of each of the various services must be <ul style="list-style-type: none"> (1) Appropriate for that specific service; and | Form IEP-608 | IEP team | During IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------------|-----------------|----------------------------|
| <p>Note: The child's placement is the regular educational environment prior to consideration of the provision of services in alternative environments.</p> <p>c. The team identifies and implements modifications/ accommodations needed by the child for him or her to be successful in the regular education environment before considering the need for alternative environments.</p> <p>Note: Special classes, separate schooling, or other removal of the child with a disability occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.</p> <p>Note: OSEP Clarification</p> <p>Any modifications to the regular educational program (i.e., supplementary aids and services that the IEP team determines that the child needs to facilitate the child's placement in the regular educational environment) must be described in the child's IEP and must be provided to the child.</p> <p>While determinations of what supplementary aids and services are appropriate for a particular child must be made on an individual basis, some supplementary aids and services that educators have used successfully include modifications to the regular class curriculum, assistance of a teacher with special education training, special education training for the regular education teacher, the use of computer-assisted devices, the provision of note takers, and the use of a resource room, to mention a few.</p> <p>Example: A child who has a special education service such as an instructional aide or interpreter may <u>not</u> need to be removed from the regular education environment.</p> <p>d. In providing special education services in the regular education environment, modifications may be necessary. If modifications are necessary to enable the child to be educated satisfactorily in the regular education environment, the modifications will be included in the child's IEP.</p> <p>Example: A child may require tests to be read orally, textbooks/stories to be provided on audio/tape, or another student to take notes.</p> | <p>Form IEP-608</p> | <p>IEP team</p> | <p>During IEP meeting.</p> |

SECTION: IEP/LRE

TOPIC: Testing Considerations

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|----------------------|-----------------------|---------------------|
| <p><u>Testing Considerations</u></p> <p>The IEP team will ensure that children with disabilities participate to the maximum extent appropriate in all testing and assessment programs, including proficiency tests.</p> <p>1. Ensure that a child with a disability participates, to the maximum extent appropriate, in all testing and assessment programs, including the proficiency tests, unless exemption from the proficiency test is specified on the child's IEP.</p> <p>The district's practice is to include all children in all testing and assessment programs, including the proficiency tests, unless exempted as permitted by law.</p> <p>a. If the child is being provided the regular education instructional program, the child would, in most cases, take the assessments and/or tests.</p> <p>b. If the child is successfully being provided the regular education instructional program with modifications, the child would take the assessments and/or tests with modifications.</p> <p>(1) Modifications include, but are not limited to</p> <p>(a) Format adaptations (e.g., the use of Braille, large print, or cassette tape; limiting the number of test items per page); and</p> <p>(b) Procedural adaptations, such as the provision of extended time for test taking, test administration in several parts or segments, allowing the child to dictate his or her answers to proctors, providing for an assistant to write answers in test booklet, the use of a calculator or other equipment for children with physical disabilities, and the administration of tests individually or in small groups.</p> <p style="text-align: right;">254</p> | Form IEP-608a | IEP team | During IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|----------------|---------------------|
| <p>(2) Modifications are changes in test administration, not test content. Also, modifications in format or procedure should not detract from what the test is designed to measure.</p> <p>The IEP team determines the responsibility for making and implementing modifications needed for (procedural or format) the test to be appropriately administered in the regular education setting. Such modifications include, but are not limited to the use of</p> <ul style="list-style-type: none"> (a) A tape recorded test with head phones; (b) Large print; (c) High intensity light; and (d) An assistant to write answers in test booklet. <p>c. The IEP team determines if any child who receives special education and related services should be exempted from participating in the regular assessments and/or testing program and, if that is appropriate from taking any or all of the tests.</p> <p>If the team determines that the child should be exempted from participating in any part of the testing program, the reason why shall be documented on the child's IEP.</p> | Form IEP-608a | IEP team | During IEP meeting. |

Additional Resources:

Ohio Department of Education. (April 1995). *Ohio's statewide testing program: Rules for proficiency testing*. Columbus, OH: Author.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---|--|
| <p>c. The IEP meeting participants shall include:</p> <ol style="list-style-type: none"> (1) A person other than the child's teacher who is a representative of the school district and who is qualified to provide, or supervise the provision of special education. (2) The child's current preschool teacher(s). (3) Teacher(s) representing the school-age program. (4) At least one person qualified to evaluate the area(s) of the child's documented deficit. (5) One or both of the child's parents. (6) Other individuals at the discretion of the parent or school district. | <p>Signatures on IEP</p> <p>Form IEP-608</p> | <p>IEP team chair</p> <p>IEP team chair</p> | <p>Two to three weeks prior to IEP meeting.</p> |
| <p>d. The IEP meeting participants</p> <ol style="list-style-type: none"> (1) Shall review current information (collected within one year) from the student's educational program that may include, multifactor evaluation, IEPs, and other data and, based upon that information, determine <ol style="list-style-type: none"> (a) What personally identifiable information must be transferred to the appropriate program with parental consent, if required; (b) Whether additional evaluation is necessary and if so, the specific evaluations to be completed; (c) Whether interagency agreements are necessary to clarify transition options ; and (d) Whether the student has a disability and meets school age eligibility requirements. | <p>Form IEP-609</p> <p>Form CN-308</p> <p>Form IEP-609[♦]</p> | <p>IEP team</p> <p>IEP team chair</p> <p>IEP team</p> | <p>Prior to IEP meeting.</p> <p>As necessary</p> |
| <ol style="list-style-type: none"> (2) Shall develop a new IEP, if required. The IEP shall include a transition plan. | <p>Form IEP-608</p> | <p>IEP team</p> | <p>During IEP meeting.</p> |

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♦ Denotes optional procedure

SECTION: IEP/LRE

TOPIC: Transition (School to Postschool)

FEDERAL REGULATION: 34 CFR §§300.18 and 300.346(b)

Federal regulation language and state standard language are the same.

§300.18 Transition services.

- (a) As used in this part, "transition services" means a coordinated set of activities for a student, designed within an outcome-oriented process, that promotes movement from school to postschool activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
- (b) The coordinated set of activities described in paragraph (a) of this section must—
 - (1) Be based on the individual student's needs, taking into account the student's preferences and interests; and
 - (2) Include needed activities in the areas of—
 - (i) Instruction;
 - (ii) Community experiences;
 - (iii) The development of employment and other postschool adult living objectives; and
 - (iv) If appropriate, acquisition of daily living skills and functional vocational evaluation.

§300.346 Content of individualized education programs.

(b) Transition services.

- (1) The IEP for each student, beginning no later than age 16 (and at a younger age, if determined appropriate), must include a statement of the needed transition services as defined in §300.18, including, if appropriate, a statement of each public agency's and each participating agency's responsibilities or linkages, or both, before the student leaves the school setting.
- (2) If the IEP team determines that services are not needed in one or more of the areas specified in §300.18 (b)(2)(i) through (b)(2)(iii), the IEP must include a statement to that effect and the basis upon which the determination was made.

Note 1: The legislative history of the transition services provisions of the ACT suggests that the statement of needed transition services referred to in paragraph (b) of this section should include a commitment by any participating agency to meet any financial responsibility it may have in the provision of transition services. See House Report No. 101-544, p. 11 (1990).

Note 2: With respect to the provisions of paragraph (b) of this section, it is generally expected that the statement of needed transition services will include the areas listed in §300.18 (b)(2)(i) through (b)(2) (iii). If the IEP team determines that services are not needed in one of those areas, the public agency must implement the requirements in paragraph (b)(2) of this section. Since it is a part of the IEP, the IEP team must reconsider its determination at least annually.

Note 3: Section 602(a)(20) of the ACT provides that IEPs must include a statement of needed transition services for students beginning no later than age 16, but permits transition services to students below age 16 (i.e., "... and, when determined appropriate for the individual, beginning at age 14 or younger"). Although the statute does not mandate transition services for all students beginning at age 14 or younger, the provision of these services could have a significantly positive effect on the employment and independent living outcomes for many of these students in the future, especially for students who are likely to drop out before age 16. With respect to the provision of transition services to students below age 16, the Report of the House Committee on Education and Labor on Public Law 101-476 includes the following statement:

Although this language leaves the final determination of when to initiate transition services for students under age 16 to the IEP process, it nevertheless makes clear that Congress expects consideration to be given to the need for transition services for some students by age 14 or younger. The Committee encourages that approach because of their concern that age 16 may be too late for many students, particularly those at risk of dropping out of school and those with the most severe disabilities.

FEDERAL REGULATION: 34 CFR §300.346(b) (Continued)

Even for those students who stay in school until age 18, many will need more than two years of transitional services. Students with disabilities are now dropping out of school before age 16, feeling that the education system has little to offer them. Initiating services at a younger age will be critical. (House Report No. 101-544,10 (1990)).

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|---|---|
| <p><u>Transition Services Consideration</u></p> <p>A transition services statement outlining a coordinated set of activities must be developed to promote movement from school to postschool activities for students, beginning no later than age 16 (and at a younger age if determined appropriate), and annually thereafter, including, when appropriate, a statement of the interagency responsibilities or linkages, or both, before the student leaves the school setting.</p> <p>1. When a student turns 16, his or her IEP goals and objectives must reflect needed transition services in areas that include, but are not limited to future postsecondary education, employment goals, independent living goals, and community participation. The IEP team must base transition services on what the desired outcomes will be at the time the student plans to graduate or exit from the secondary school setting. Transition services need to be planned and stated on the IEP, based on this outcome-oriented process and the student's needs, preferences, and interests.</p> <p>a. The IEP team determines the postsecondary goals with consideration of the student's interest and preferences. The team, in essence, identifies a goal beyond the student's school experience and develops strategies for helping the student to achieve this goal.</p> <p>b. The IEP team develops activities- -the content of the IEP- -that focus on</p> <ol style="list-style-type: none"> (1) Instruction; (2) Community experiences; (3) Development of employment and other postschool adult living objectives; and (4) If appropriate, goals and objectives related to the acquisition of daily living skills and functional vocational evaluation. | <p>Form IEP 607a should be used to guide the IEP participants through the process</p> <p>Form IEP-608</p> <p>Forms IEP-608 and IEP-608b</p> <p>Forms IEP-608 and IEP-608b</p> <p>Content of IEP and Form IEP-608b</p> <p style="text-align: center;">259</p> | <p>IEP team</p> <p>IEP team</p> <p>IEP team (including student)</p> <p>IEP team (including student)</p> | <p>During IEP meeting.</p> <p>During IEP meeting.</p> <p>During IEP meeting.</p> <p>During IEP meeting.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---|--|
| <p>c. The IEP team documents on the IEP that if services identified in 1.b.(1)- (3) are not needed, the basis upon which that determination was made.</p> <p>d. The IEP team includes a statement of each public agency's and participating agency's responsibilities or linkages, or both, if appropriate.</p> <p>e. The IEP team documents, if appropriate, on the IEP linkages with adult service providers that are likely to be responsible for providing or paying for transition services.</p> <p>2. The development of the transition services statement</p> <p>a. Is based on the student's needs and takes into account the student's preferences and interest;</p> <p>b. Is designed within an outcome-oriented process;</p> <p>c. Promotes movement from school to postschool activities; and</p> <p>d. Incorporates a coordinated set of activities.</p> <p>❖ 3. The transition services statement builds upon the individual career plans (ICP). The Ohio Department of Education is recommending the use of the ICP to assist students in developing career goals and activities to accomplish their goals. These classroom and community-based activities provide a foundation for planning transition services leading to employment (refer to Appendix J).</p> <p>❖ 4. One of the most important steps in the transition process is to envision a desirable future for the student with a disability. However, before a "vision" can be developed, special knowledge and understanding of the student's needs, interests, and preferences must be obtained and shared. A process called "Personal Futures Planning," in which the student's long-range goals and outcomes drive the educational and transition services that are planned and delivered, can improve transition services and adult life outcomes for persons with disabilities.</p> | <p>Form IEP-608b</p> <p>Form IEP-608b</p> <p>Form IEP-608 (Step 4) Form IEP-608b</p> <p>Forms IEP-608 and IEP-608b</p> | <p>IEP team</p> <p>IEP team</p> <p>IEP team (including student)</p> | <p>During IEP meeting.</p> <p>During IEP meeting.</p> <p>During IEP meeting.</p> |

❖ Denotes optional procedure

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|----------------|-----------|
| <p>❖ 5. The administrator or IEP chairperson has ultimate responsibility for transition services and should select an IEP team member to oversee the coordination of transition services.</p> <p>Note: The student and his or her family should have major input in the selection of the transition services coordinator. The coordinator monitors the delivery of transition services to assure that the supports necessary for a successful transition to adult life are provided.</p> | | | |

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❖ Denotes optional procedure

SECTION: IEP/LRE

TOPIC: Agency Responsibility for Transition

FEDERAL REGULATION: 34 CFR §§300.340(b) and 300.347

§300.340 Definitions.

(b) As used in §§300.346 and §300.347, "participating agency" means a State or local agency, other than the public agency responsible for a student's education, that is financially and legally responsible for providing transition services to the student.

§300.347 Agency responsibilities for transition services.

- (a) If a participating agency fails to provide agreed-upon transition services contained in the IEP of a student with a disability, the public agency responsible for the student's education shall, as soon as possible, initiate a meeting for the purpose of identifying alternative strategies to meet the transition objectives and, if necessary, revising the student's IEP.
- (b) Nothing in this part relieves any participating agency, including a State vocational rehabilitation agency, of the responsibility to provide or pay for any transition services that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|----------------------------|----------------|--|
| 1. The IEP team will reconvene a meeting of all interested parties whenever transition services are not delivered, as promised, by another agency. The IEP team will <ul style="list-style-type: none">a. Discuss alternative strategies for providing transition services to the student;b. Select new strategies; andc. Revise the student's IEP. | Forms IEP-608 and IEP-608b | IEP team | As soon as possible after discovery that transition services are not being provided. |

Additional Resources:

Ohio Department of Education, Division of Special Education. (September 27, 1993). Memorandum. *Compliance with transition services requirements of IDEA*. Columbus, OH: Author.

SECTION: IEP/LRE

TOPIC: Behavior Considerations

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|----------------|---------------------|
| <p>For each child with a disability whose behavior significantly interferes with the child's, or other children's opportunity to learn, a plan to address the behaviors that interfere with learning may be developed. If information that is obtained during the evaluation indicates situations that require crisis intervention, there shall be a plan on file and in operation in the school district to provide appropriate support to the teacher(s).</p> <p>1. The IEP team shall consider whether a behavior plan should be incorporated into the IEP by considering the following questions:</p> <ul style="list-style-type: none"> a. Was the child's behavior one of the primary reasons he or she was referred for a multifactorial evaluation for a suspected disability (i.e., is the behavior related to, or a manifestation of, the disability)? b. Did the evaluation include behavioral interventions? c. Does the child's specialized instruction include the use of techniques that have the potential for being abused, ethically or legally challenged, or considered intrusive (e.g., time out, passive restraint, withdrawal of reinforcement or privileges)? d. Does the child demonstrate behaviors that are unsafe to him/herself or others, or that significantly interfere with the learning environment? e. Has the child accumulated excessive in-school or out-of-school suspensions? <p>2. If the team answers "yes" to any of the above questions, include a behavior plan in the IEP.</p> <p>3. Present Levels of Performance</p> | Form IEP-608 | IEP team | During IEP meeting. |
| <ul style="list-style-type: none"> a. Has the behavior(s) of concern been defined in observable, measurable terms? b. Has the frequency/intensity of the behavior been identified to establish a baseline for educational planning? <p>4. Goals</p> | Form IEP-608 | IEP team | During IEP meeting. |
| <ul style="list-style-type: none"> a. Are goals written that indicate what the child can be expected to accomplish in one year to reduce or eliminate the behavior? b. Are the goals written to describe new skills the child can be expected to demonstrate in one year? | Form IEP-608 | IEP team | During IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|--|---|
| <p>5. Objectives</p> <p>a. Are sequential steps developed for each goal (i.e., what can reasonably be accomplished incrementally at predetermined time intervals, such as report card periods)?</p> <p>b. Are the criteria (how much) and the evaluation procedures (how measured) , as well as the schedule for review (when), included for each objective?</p> | Form IEP-608 | IEP team | During IEP meeting. |
| <p>6. Other Considerations</p> <p>a. Are suggested support services/resources identified to support the plan (e.g., aide services, counseling, social skills materials, professional development activities)?</p> <p>b. For those recommended intervention techniques considered to be intrusive or that have the potential for being abused (e.g., time out, passive restraint), are procedures for their use identified, as well as the circumstances under which they will be used?</p> <p>c. Are the behavior interventions selected guided by principles of professional best practice?</p> <p>d. Are procedures included to notify the parent when intervention has been necessary?</p> <p>e. Is there a review process/schedule established?</p> <p>f. Is there a plan to assess the effectiveness of the behavior plan?</p> | Form IEP-608 | IEP team | During IEP meeting. |
| <p>7. For students whose disability includes behaviors that are unsafe to him/herself or significantly interfere with the learning environment of others, a crisis intervention plan shall be developed to ensure safety and support for the child, other children, and the staff.</p> | Crisis intervention plan on file at location and given to all staff responsible for implementing plan | Administrators and staff named in plan | During IEP meeting, and before beginning of each school year. |

Additional Resources:

Appendix F: Crisis Intervention Plan

SECTION: IEP/LRE

TOPIC: Physical Education

FEDERAL REGULATION: 34 CFR §300.307 **Physical education.**

Federal regulation language and state standard language are the same.

(a) *General.* Physical education services, specially designed if necessary, must be made available to every child with a disability receiving FAPE.

(b) *Regular physical education.* Each child with a disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled children unless—

- (1) The child is enrolled full time in a separate facility; or
- (2) The child needs specially designed physical education, as prescribed in the child's IEP.

(c) *Special physical education.* If specially designed physical education is prescribed in a child's IEP, the public agency responsible for the education of that child shall provide the services directly, or make arrangements for those services to be provided through other public or private programs.

(d) *Education in separate facilities.* The public agency responsible for the education of a child with a disability who is enrolled in a separate facility shall ensure that the child receives appropriate physical education services in compliance with paragraphs (a) and (c) of this section.

Note: The Report of the House of Representatives on Public Law 94-142 includes the following statement regarding physical education: Special education as set forth in the Committee bill includes instruction in physical education, which is provided as a matter of course to all non-handicapped children enrolled in public elementary and secondary schools. The Committee is concerned that although these services are available to and required of all children in our school systems, they are often viewed as a luxury for handicapped children.

The Committee expects the Commissioner of Education to take whatever action is necessary to assure that physical education services are available to all handicapped children, and has specifically included physical education within the definition of special education to make clear that the Committee expects such services, specially designed where necessary, to be provided as an integral part of the educational program of every handicapped child.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|----------------|---------------------|
| <p>Physical Education Programs</p> <p>1. A physical education program is provided to address individual needs specifically delineated on the IEP, and includes</p> <p>a. Regular physical education with nondisabled children, unless</p> <ol style="list-style-type: none">(1) The child is enrolled full-time in a separate facility; or(2) The child needs specially-designed physical education, as prescribed on the IEP. | Form IEP-608 | IEP team | During IEP meeting. |

Additional Resources: Ohio Department of Education. Memorandum. (September 3, 1993). *Physical education as special education.* Columbus, OH: Author.

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| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|--------------------------------------|---------------------|
| <p>b. Special physical education, adapted physical education, movement education, and motor development. If specially designed physical education is prescribed in a child's IEP, the school district responsible for the education of that child must provide the services directly or make arrangements for it to be provided.</p> <p>c. The school district responsible for the education of a child with a disability who is enrolled in a separate facility shall ensure that he or she receives physical education services.</p> | Form IEP-608 | IEP team and district representative | During IEP meeting. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|----------------|---------------------|
| <p>(1) Identify the extended school year services needed; and</p> <p>(2) Design extended school year (ESY) services to meet the child's unique needs.</p> <p>(a) Services can be the same as, or a portion of, the services provided during the regular school year.</p> <p>(b) An extended school year program is likely to be different from a child's regular school year.</p> <p>(c) It may be provided by another agency.</p> <p>(d) It may include an extension of related services, such as speech or physical therapy.</p> <p>(3) Document the extended school year services on the IEP. The original IEP may be used with modifications in services, setting, initiation, and duration of services, or the team may develop a new IEP.</p> | Form IEP-608 | IEP team | During IEP meeting. |

SECTION: IEP/LRE

TOPIC: Braille Services

STATE LAW: Amended Substitute House Bill Number 164- - Ohio's Braille Bill

Note: Visual impairment including blindness" means an impairment in vision determined through an eye examination, including assessment of low vision, by an appropriate vision specialist, which has an adverse effect upon the child's educational performance and is evidenced through one of the following:

- (1) The individual has a visual acuity of 20/200 or less in the better eye with correcting lenses or has a limited field of vision in the better eye such that the widest diameter subtends an angular distance of no greater than 20 degrees, or
- (2) The individual has a medically indicated expectation of meeting the requirements of (1) of this paragraph over a period of time, or
- (3) The individual has a medically diagnosed and medically uncorrectable limitation in visual functioning that adversely affects the individual's ability to read and write standard print at levels expected of the individual's peers of comparable ability and grade level.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|---------------------------------|---|
| <p>Braille</p> <p>Determine, for a child with a visual impairment, whether or not Braille instruction is appropriate.</p> <ol style="list-style-type: none"> 1. If the IEP team determines that Braille instruction is appropriate for a child with a visual impairment, the IEP should contain the following: <ol style="list-style-type: none"> a. A statement that Braille will be the child's <u>primary mode</u> of communication for reading and writing when that medium is determined appropriate for the child, and that pertinent literature was reviewed; and b. A statement that Braille reading and writing will be incorporated into the child's entire curriculum. 2. If the IEP team determines that a child who has a visual impairment does not require Braille instruction, then the IEP should specify that <ol style="list-style-type: none"> a. Instruction in Braille reading and writing was considered for the child, and the reason(s) why Braille was not found to be appropriate; b. Pertinent literature was reviewed; c. The alternative reading and writing media included in the child's IEP are appropriate to use in meeting his or her individual needs; and d. The child will be assessed annually to determine if he or she still functions adequately without the use of Braille. | <p>Form IEP-608</p> <p>Form IEP-608c</p> <p>Form IEP-608</p> <p>Form IEP-608c</p> | <p>IEP team</p> <p>IEP team</p> | <p>During IEP meeting.</p> <p>During IEP meeting.</p> |

SECTION: IEP/LRE

TOPIC: Least Restrictive Environment (Step 5 Expanded)

FEDERAL REGULATION: 34 CFR §300.550 General.

Federal regulation language and state standard language are the same.

- (a) Each SEA shall ensure that each public agency establishes and implements procedures that meet the requirements of §§300.550-300.556.
- (b) Each public agency shall ensure—
 - (1) That to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
 - (2) That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

STATE STANDARDS:

Each school district shall develop and implement written procedures which ensure that:

- 1. When providing the least restrictive environment for a child with a disability, which may include full- or part-time placement in a regular class, it is the responsibility of an agency representative such as the building principal or some other person designated by the superintendent to coordinate the planning between the special education and regular education teachers and to supervise the implementation.
- 2. The strengths and needs of each child and family shall provide the basis for making decisions regarding placement in the least restrictive environment.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------------------|----------------------------|--|
| 1. The district will follow all IEP/LRE procedures, specifically the IEP Sequence, steps 1 through 5. | Forms IEP-607 and IEP-608 | Superintendent or designee | At initiation of services and on an ongoing basis. |

Additional Resources: Form IEP-607 (The IEP Sequence)

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SECTION: IEP/LRE

TOPIC: LRE - Continuum of Alternative Placements

FEDERAL REGULATION: 34 CFR §300.551 Continuum of alternative placements.

- (a) Each public agency shall ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.
- (b) The continuum required in paragraph (a) of this section must—
- (1) Include the alternative placements listed in the definition of special education under §300.17 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and
 - (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---------------------------------|----------------------------|
| <p>1. Determine the least restrictive setting in which to deliver the service (refer to step 5 of the IEP sequence).</p> <p>2. If the IEP team determines that services cannot be provided in the regular education environment, a continuum of environments must be available to meet the child's needs.</p> <p>3. A full continuum of environments is available to the extent necessary to implement the IEP of each child with a disability, from the least restrictive environment (i.e., an environment where children with disabilities and children without disabilities are served together) to the most restrictive environment (i.e., an environment where there are no interactions between children with disabilities and children without disabilities).</p> <p>a. For children below age six, this may include service delivery in</p> <ol style="list-style-type: none">(1) An early childhood setting;(2) Early childhood special education setting;(3) Part-time early childhood setting and part-time early childhood special education setting;(4) Residential facility;(5) Separate school;(6) Itinerant service outside the home; and(7) Reverse mainstreaming setting. | <p>Forms IEP-607 and IEP-608</p> <p>Form IEP-608</p> | <p>IEP team</p> <p>IEP team</p> | <p>During IEP meeting.</p> |

SECTION: IEP/LRE

TOPIC: Least Restrictive Placements

FEDERAL REGULATION: 34 CFR §300.552 Placements.

Each public agency shall ensure that:

- (a) The educational placement of each child with a disability—
 - (1) Is determined at least annually;
 - (2) Is based on his or her IEP; and
 - (3) Is as close as possible to the child's home.
- (b) The various alternative placements included at §300.551 are available to the extent necessary to implement the IEP for each child with a disability.
- (c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled.
- (d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs.

Note: Section 300.552 includes some of the main factors that must be considered in determining the extent to which a child with a disability can be educated with children who are nondisabled. The overriding rule in this section is that placement decisions must be made on an individual basis. The section also requires each agency to have various alternative placements available in order to ensure that each child with a disability receives an education that is appropriate to his or her individual needs.

The requirements of §300.552, as well as the other requirements of §§300.550-300.556, apply to all preschool children with disabilities who are entitled to receive FAPE. Public agencies that provide preschool programs for nondisabled preschool children must ensure that the requirements of §300.552(c) are met. Public agencies that do not operate programs for nondisabled preschool children are not required to initiate such programs solely to satisfy the requirements regarding placement in the LRE embodied in §§300.550-300.556. For these public agencies, some alternative methods for meeting the requirements of §§300.550-300.556 include—

- (1) Providing opportunities for the participation (even part-time) of preschool children with disabilities in other preschool programs operated by public agencies (such as Head Start);
- (2) Placing children with disabilities in private school programs for nondisabled preschool children or private school preschool programs that integrate children with disabilities and nondisabled children; and
- (3) Locating classes for preschool children with disabilities in regular elementary schools.

In each case, the public agency must ensure that each child's placement is in the LRE in which the unique needs of that child can be met, based upon the child's IEP, and meets all of the other requirements of §§300.340-300.350 and §§300.550-300.556.

The analysis of the regulations for Section 504 of the Rehabilitation Act of 1973 (34 CFR part 104-Appendix, Paragraph 24) includes several points regarding educational placements of children with disabilities that are pertinent to this section:

- (1) With respect to determining proper placements, the analysis states: "**** it should be stressed that, where a handicapped child is so disruptive in a regular classroom that the education of other students is significantly impaired, the needs of the handicapped child cannot be met in that environment. Therefore regular placement would not be appropriate to his or her needs***."
- (2) With respect to placing a child with a disability in an alternate setting, the analysis states that among the factors to be considered in placing a child is the need to place the child as close to home as possible. Recipients are required to take this factor into account in making placement decisions. The parents' right to challenge the placement of their child extends not only to placement in special classes or separate schools, but also to placement in a distant school, particularly in a residential program. An equally appropriate education program may exist closer to home, and this issue may be raised by the parent under the due process provisions of this subpart.

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SECTION: IEP/LRE

TOPIC: Nonacademic/Extracurricular Activities

FEDERAL REGULATION: 34 CFR §§300.305, 300.306, and 300.553

Federal regulation language and state standard language are the same.

§300.305 Program options.

Each public agency shall take steps to ensure that its children with disabilities have available to them the variety of educational programs and services available to nondisabled children in the area served by the agency, including art, music, industrial arts, consumer and homemaking education, and vocational education.

Note: The above list of program options is not exhaustive, and could include any program or activity in which nondisabled students participate.

§300.306 Nonacademic services.

- (a) Each public agency shall take steps to provide nonacademic and extracurricular services and activities in such manner as is necessary to afford children with disabilities an equal opportunity for participation in those services and activities.
- (b) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available.

§300.553 Nonacademic Settings.

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in §300.306, each public agency shall ensure that each child with a disability participates with nondisabled children in those services and activities to the maximum extent appropriate to the needs of that child.

Note: Section 300.553 is taken from a requirement in the final regulations for Section 504 of the Rehabilitation Act of 1973. With respect to this requirement, the analysis of the Section 504 Regulations includes the following statement: "[This paragraph] specifies that handicapped children must also be provided nonacademic services in as integrated a setting as possible. This requirement is especially important for children whose educational needs necessitate their being solely with other handicapped children during most of each day. To the maximum extent appropriate, children in residential settings are also to be provided opportunities for participation with other children." (34 CFR part 104-Appendix, Paragraph 24.)

STATE STANDARD: 3301-31-03(C) Preschool Program

(C) Alternative service delivery options shall be available which may include:

- (1) Itinerant services which may be delivered in the home environment or to a child attending a preschool/kindergarten program administered by a public school or a child attending a community-based preschool/kindergarten or child-care program that meets the requirements of Chapter 5104 of the Revised Code and where a qualified preschool staff member is assigned to the child; and
- (2) Special class located in an integrated or separate facility.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|-----------------------------|----------------------------|---------------------|
| 1. Refer to step 5 of the "IEP Sequence" (determining the least restrictive environment). | | | |
| a. A child with a disability is maintained in, or integrated into, a regular class based upon the extent of participation as specified on the student's individualized education program (IEP) and a determination that the child's educational needs can be met in the regular educational environment. | Form IEP-608 | IEP team | During IEP meeting. |
| b. All special education and related services for children with disabilities identified in the IEP are provided. | Periodic reviews of IEP | Superintendent or designee | Upon placement |
| c. The educational placement of each child with a disability is <ul style="list-style-type: none"> (1) Determined at least annually; (2) Based on his or her individualized education program; and (3) As close as possible to home and, unless the IEP requires another arrangement, the child is educated in the school that he or she would attend if not disabled. | Form IEP-608 | District representative | At least annually. |
| d. Children with a disability are afforded an equal opportunity for participation in nonacademic and extracurricular activities and services. | Record participation on IEP | Superintendent or designee | |
| e. In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to persons with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available, the school district ensures that each child with a disability participates with nondisabled children in those services and activities to the maximum extent appropriate to the needs of that child. | Form IEP-608 | IEP team | During IEP meeting. |
| f. In selecting the least restrictive environment, consideration is given to any potential harmful effect on the child, or on the quality of services that he or she needs. | Form IEP-608 | IEP team | During IEP meeting. |
| g. Maintaining a child with a disability in the regular education environment on either a full or part-time basis is based on a determination that the child's educational needs can be met in the regular educational environment in accordance with his or her IEP. | Form IEP-608 | IEP team | During IEP meeting. |
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| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|-------------------------------|---|---------------------|
| <p>h. When providing services in the least restrictive environment to a child with a disability, which may include full or part-time placement in a regular class, it is the responsibility of an agency representative, such as the building principal or some other person designated by the superintendent, to coordinate the planning between the special education and regular education teachers and to supervise the implementation.</p> | <p>Periodic review of IEP</p> | <p>Principal or superintendent designee</p> | |
| <p>i. Regular education personnel are required to provide children with a disability with those educational program modifications provided to nondisabled children.</p> | <p>Periodic review of IEP</p> | <p>Building principal</p> | |
| <p>j. When considering additional time in the regular education environment, additional time in a different environment or discontinuation of special education and related services, the classroom teacher or other professional staff member follows the procedures for conducting a review of the IEP.</p> | <p>All IEP forms</p> | | <p>As necessary</p> |

Additional Resources:

- Ohio Department of Education. (1982). *Least restrictive environment*. Columbus, OH: Author.
- Ohio Department of Education. (September 3, 1993). *Ohio corrective actions in response to special education compliance monitoring report from the United States Department of Education*. Columbus, OH: Author.

SECTION: IEP/LRE
TOPIC: Assistive Technology Devices and Services

FEDERAL REGULATION: 34 CFR §§300.303 and 300.308

§300.303 Proper functioning of hearing aids.

Each public agency shall ensure that the hearing aids worn by children with hearing impairments including deafness in school are functioning properly.

Note: The report of the House of Representatives on the 1978 appropriation bill includes the following statement regarding hearing aids: In its report on the 1978 appropriation bill, the Committee expressed concern about the condition of hearing aids worn by children in public schools. A study done at the Committee's direction by the Bureau of Education for the Handicapped reveals that up to one-third of the hearing aids are malfunctioning. Obviously, the Committee expects the Office of Education will ensure that hearing impaired school children are receiving adequate professional assessment, follow-up and services.

§300.308 Assistive technology.

Each public agency shall ensure that assistive technology devices or assistive technology services, or both, as those terms are defined in §§300.5-300.6, are made available to a child with a disability if required as a part of the child's—

- (a) Special education under §300.17;
- (b) Related services under §300.16; or
- (c) Supplementary aids and services under §300.550(b)(2).

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|----------------------------|---------------------|
| 1. School districts providing special education, related services, and supplementary aids and services to children with disabilities shall ensure that assistive technology devices or assistive technology services, or both, are made available to these children throughout the service delivery process. | Form IEP-608 | Superintendent or designee | During IEP meeting. |
| 2. The school district shall provide training or technical assistance for a child with a disability or, if appropriate, for the child's family. | Training records | Superintendent or designee | As necessary. |
| 3. The school district shall provide training or technical assistance for appropriate school personnel. | Inservice participation, Forms, and/or CEU documentation | Superintendent or designee | As necessary. |
| ❖ 4. Opportunities to cooperate with other educational, health, and social service agencies to provide assistive technology devices and to deliver assistive technology services may be explored. | Written communication with agencies Interagency agreements | Superintendent's designee | |

❖ Denotes optional procedure

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|----------------------------------|--------------|
| <p>5. Designated public agency personnel will examine the hearing aids and other assistive listening devices worn by children with hearing impairments.</p> | <p>Notes or examination record</p> | <p>Superintendent's designee</p> | <p>Daily</p> |
| <p>6. The school district will ensure that the hearing aids or other assistive listening devices worn by children with hearing impairments, including those with deafness, are functioning properly.</p> | <p>District developed system chart</p> | <p>Superintendent's designee</p> | <p>Daily</p> |

SECTION: IEP/LRE

TOPIC: Parent Permission/Copies of IEP

FEDERAL REGULATION: 34 CFR §300.345(f) Parent participation.

(f) The public agency shall give the parent, on request, a copy of the IEP.

Note: Each school district shall develop and implement written procedures which require a copy of the child's IEP be provided to the child's parent within thirty days after the IEP conference.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|-------------------------------------|--------------------------------------|--|
| 1. Obtain parent permission for the initiation of special education services on the IEP. | Parent signature on IEP | District representative or IEP chair | During IEP meeting. |
| 2. Obtain parent waiver to receive their child's IEP by certified mail. a. If parents do not waive their right to notification by certified mail, then mail IEP to parents by certified mail. | Form IEP-608 | IEP chair | During IEP meeting. |
| 3. If parents do not attend the meeting to give permission for the initiation of special education and related services, obtain the parent's signature on the IEP in person (i.e., through a home visit) or by mail. | Forms IEP-608, IEP-606, and IEP-610 | IEP chair | Ten calendar days after IEP meeting. |
| 4. Provide a copy of the IEP to the parents. a. If the IEP is on NCR paper, the parent may receive the copy at the meeting. b. If it is not possible to immediately make a copy of the IEP following the meeting, the district will send a copy to the parent. | Forms IEP-608 and IEP-610 | IEP chair | Immediately after IEP meeting. Ten calendar days after meeting. |
| 5. Provide a copy of the IEP to the building, and make it readily available to the teacher(s) in that building. | Confidential and teacher files | IEP chair | Immediately |
| 6. A copy of the IEP should be readily available to all service providers. | IEP | IEP chair | Immediately |

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SECTION: IEP/LRE

TOPIC: Children in Other Districts or Agencies

FEDERAL REGULATION: 34 CFR §§300.302, 300.341(a) and (b), 300.348, 300.349, 300.401, and 300.554

§300.302 Residential Placement.

If placement in a public or private residential program is necessary to provide special education and related services to a child with a disability, the program, including non-medical care and room and board, must be at no cost to the parents of the child.

Note: This requirement applies to placements that are made by public agencies for educational purposes, and includes placements in State-operated schools for children with disabilities, such as a State school for students with deafness or students with blindness.

§300.341 State educational agency responsibility.

- (a) *Public agencies.* The SEA shall ensure that each public agency develops and implements an IEP for each of its children with disabilities.
- (b) *Private schools and facilities.* The SEA shall ensure that an IEP is developed and implemented for each child with a disability who—
- (1) Is placed in or referred to a private school or facility by a public agency; or
 - (2) Is enrolled in a parochial school or other private school and receives special education or related services from a public agency.

Note: This section applies to all public agencies, including other State agencies (e.g., departments of mental health and welfare) that provide special education to a child with a disability either directly, by contract or through other arrangements. Thus, if a State welfare agency contracts with a private school or facility to provide special education to a child with a disability, that agency would be responsible for ensuring that an IEP is developed for the child.

§300.348 Private school placements by public agencies.

- (a) *Developing individualized education programs.*
- (1) Before a public agency places a child with a disability in, or refers a child to, a private school or facility, the agency shall initiate and conduct a meeting to develop an IEP for the child in accordance with §300.343.
 - (2) The agency shall ensure that a representative of the private school or facility attends the meeting. If the representative cannot attend, the agency shall use other methods to ensure participation by the private school or facility, including individual or conference telephone calls.
 - (3) [Reserved].
- (b) *Reviewing and revising individualized education programs.*
- (1) After a child with a disability enters a private school or facility, any meetings to review and revise the child's IEP may be initiated and conducted by the private school or facility at the discretion of the public agency.
 - (2) If the private school or facility initiates and conducts these meetings, the public agency shall ensure that the parents and an agency representative:
 - (i) Are involved in any decision about the child's IEP; and
 - (ii) Agree to any proposed changes in the program before those changes are implemented.
- (c) *Responsibility.* Even if a private school or facility implements a child's IEP, responsibility for compliance with this part remains with the public agency and the SEA.

FEDERAL REGULATION (Continued)

§300.349 Children with disabilities in parochial or other private schools.

If a child with a disability is enrolled in a parochial or other private school and receives special education or related services from a public agency, the public agency shall—

- (a) Initiate and conduct meetings to develop, review, and revise an IEP for the child, in accordance with §300.343; and
- (b) Ensure that a representative of the parochial or other private school attends each meeting. If the representative cannot attend, the agency shall use other methods to ensure participation by the private school, including individual or conference telephone calls.

§300.401 Responsibility of State educational agency.

Each SEA shall ensure that a child with a disability who is placed in or referred to a private school or facility by a public agency:

- (a) Is provided special education and related services—
 - (1) In conformance with an IEP that meets the requirements of §§300.340-300.350;
 - (2) At no cost to the parents; and
 - (3) At a school or facility that meets the standards that apply to the SEA and LEAs (including the requirements of this part); and
- (b) Has all of the rights of a child with a disability who is served by a public agency.

§300.554 Children in public or private institutions.

Each SEA shall make arrangements with public and private institutions (such as a memorandum of agreement or special implementation procedures) as may be necessary to ensure that §300.550 is effectively implemented.

Note: Under section 612(5)(B) of the statute, the requirement to educate children with disabilities with nondisabled children also applies to children in public and private institutions or other care facilities. Each SEA must ensure that each applicable agency and institution in the State implements this requirement. Regardless of other reasons for institutional placement, no child in an institution who is capable of education in a regular public school setting may be denied access to an education in that setting.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|----------------------------|---|
| 1. When providing special education services for a child with a disability in another school district or agency, the school district will follow the same procedural safeguards for that child as it does for all children with a disability. | CIMS | Superintendent or designee | As needed |
| 2. The school district shall initiate and conduct meetings to develop, review, and revise an IEP in accordance with the procedures outlined in this section of the manual. | Signed IEP | Superintendent or designee | Prior to placement and at least annually. |
| a. The school district of service will invite a representative of the district of residence or agency to attend the IEP meeting. | Forms IEP-603 IEP-604 Signed IEP | Superintendent or designee | Two to three weeks prior to IEP meeting. |
| b. If a representative from the other district or agency cannot attend, the school district of residence shall ensure their participation by other methods including, but not limited to, individual or conference telephone calls. | Notes of individual or conference call with time, date, participants, and results | Superintendent or designee | Prior to placement and at least annually. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|---|---------------------------|
| <p>3. If a child is currently receiving special education services in another district or agency other than the district of residence, the district or facility of attendance may convene an IEP meeting at the discretion of the district of residence. If an IEP meeting is held, the provider district shall ensure that</p> <p>a. Parents and the district of residence representative are involved in any decisions regarding the child's IEP; and</p> <p>b. The district of residence representative agrees to any proposed changes prior to implementation.</p> <p>4. The school district will cooperate with other districts and agencies (including county interdepartmental clusters) that serve children with disabilities in institutions or other care facilities to</p> <p>a. Provide these children with disabilities access to an education in a regular public school setting, when appropriate, and as specified in the IEP; and</p> <p>b. Educate children with disabilities with nondisabled children to the maximum extent appropriate.</p> <p>5. The school district of residence, as well as district of service, must have on file a copy of the current multifactored evaluation team report and IEP.</p> <p>6. Regardless of what school or agency implements a child's IEP, responsibility for compliance remains with the district of residence and the Ohio Department of Education.</p> | <p>Form IEP-608</p> <p>Cooperative agreements</p> <p>Signed MFE, IEP, and CIMS</p> | <p>Superintendent or designee</p> <p>Superintendent or designee</p> <p>Superintendent or designee</p> | <p>At least annually.</p> |
| <p>Note: 1. If a child is placed by the parent(s) in a private or parochial school, and if the school district that provides special education and related services is <u>not</u> the school district of parents' residence, the procedures on pages 46 and 47 apply, with the following additional requirement:</p> <p><i>The school district of service shall ensure that a representative of the private or parochial school attends the meeting, or, if the representative cannot attend, the school district shall use other methods to ensure participation by the private or parochial school.</i></p> <p>2. If the school district of service is also the school district of residence, the school district shall:</p> <p>a. Initiate and conduct meetings to develop, review, and revise an IEP in accordance with these procedures; and</p> <p>b. Ensure that a representative of the private or parochial school attends the meeting, or if the representative cannot attend, the school district shall use other methods to ensure participation by the private or parochial school.</p> <p style="text-align: right;">282</p> | | | |

SECTION: IEP/LRE

TOPIC: Services Being Provided in Private or NonPublic Settings (Preschool)

STATE STANDARD: 3301-37-01 (J) Preschool
3301-37-03 (C)(1)(2) Preschool
(Stated in the Procedures)

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|----------------------------|-----------|
| <p>1. Preschool children attending a community-based preschool/kindergarten or child care program may qualify for itinerant special education services within that setting. Services and the least restrictive environment are determined through the IEP process. If itinerant services are to be provided for children attending such programs, there shall be a qualified preschool staff member assigned to the child in the daily setting in the community based preschool/kindergarten or child care program.</p> <p>2. Qualified preschool staff member means a staff member that holds one of the following:</p> <ul style="list-style-type: none">a. A valid prekindergarten teaching certificate issued under section 3301.50 of the Revised Code, indicative of a four-year degree.b. A valid kindergarten - primary certificate issued under Sections 3319.22 to 3319.29 of the Revised Code and has completed at least four courses in child development in early childhood education from an accredited college, university or technical college.c. A bachelor's degree in child development or early childhood education earned from an accredited college or university with a minimum of 30 quarter or 20 semester hours in child development/preschool program planning and methods including a supervised practicum with preschool children.d. A valid teaching certificate issued in accordance with Section 3301.071 of the Revised Code in cases where the person is employed in a preschool program operated by an eligible, nontax-supported, nonpublic school.e. A valid prekindergarten associate certificate issued under Section 3301.51 of the Revised Code indicative of a two-year degree. | Certification records of staff at community setting. | Superintendent or designee | |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|----------------|-----------|
| <p>f. A child development associate certificate issued in accordance with National Association for the Education of Young Children standards until July 1, 1995. After July 1, 1995, the requirements of paragraphs (1) - (5) on page 48 must be met.</p> <p>Note: The original Standard states July 1, 1993. This date has since been extended to July 1, 1997. This information was disseminated through an Ohio Department of Education memorandum.</p> | | | |

Additional Resources:

- Ohio Department of Education, Early Childhood Education (April 21, 1995). Memorandum. Columbus, OH: Author.
- Appendix H

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SECTION: IEP/LRE

TOPIC: Periodic Review

FEDERAL REGULATION: 34 CFR §300.552(a) Placements.

Federal regulation language and state standard language are the same.

Each public agency shall ensure that:

(a) The educational placement of each child with a disability—

- (1) Is determined at least annually;
- (2) Is based on his/her IEP; and
- (3) Is as close as possible to the child's home.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|---------------------------|--|
| <p>1. Invite all participants as outlined in this section, beginning on page 5.</p> <p>Note: The district may choose to send a copy of Form IEP-603 to participants rather than Forms IEP-601, 604, and 605.</p> | Forms IEP-601, IEP-603, IEP-604, and IEP-605 | IEP chair or case manager | Two to three weeks prior to IEP meeting. |
| <p>2. Follow IEP procedures, steps 1 through 5 beginning on page 13 in this section and Form IEP-607, which includes additional considerations.</p> | Forms IEP-607 and IEP -608 | IEP team | At least annually. |
| <p>3. Review each goal and accompanying objective to ensure accomplishment and document progress on the IEP.</p> | Previous IEP | IEP team | At least annually. |
| <p>4. If objectives have not been achieved, the IEP team should determine the reason why, which includes, but not limited to, consideration of an interruption of services between school years.</p> | | | |
| <p>5. Develop present levels of educational performance, using teacher assessment, portfolios, and work samples.</p> | Form IEP-608 | IEP team | At least annually. |
| <p>6. The IEP team determines, after the completion of steps 1 through 3, if special education services are necessary to implement his or her goals and objectives.</p> | Form IEP-608 Form IEP-607 | IEP team | At least annually. |
| <p>7. The IEP team shall determine, after completion of steps 1 through 4, where service shall be delivered.</p> | Form IEP-608 | IEP team | At least annually. |

SECTION: IEP/LRE

TOPIC: Monitoring Activities

FEDERAL REGULATION: 34 CFR §300.556 Monitoring activities.

- (a) The SEA shall carry out activities to ensure that §300.550 is implemented by each public agency.
- (b) If there is evidence that a public agency makes placements that are inconsistent with §300.550, the SEA shall—
 - (1) Review the public agency's justification for its actions; and
 - (2) Assist in planning and implementing any necessary corrective action.

STATE STANDARD: Refer to State Plan.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|--|--|
| 1. The school district will participate as required by the Ohio Department of Education in the school improvement review process (SIR) carried out by the Ohio Division of Special Education. | Reporting forms and administrative review | Superintendent or designated school district personnel | Upon scheduled request. |
| 2. School districts responsible for operating early childhood special education programs will participate, as required by the Ohio Department of Education, in the monitoring of licensing center-based classrooms, and the use of the Preschool Special Education Evaluation instrument, as facilitated by the Ohio Division of Early Childhood Education (ODECE). | Reporting forms | Superintendent or designee | Upon scheduled request and ODECE specified time lines. |

Additional Resources:

- Ohio Department of Education. (January 1995). *Preschool special education evaluation instrument*. Columbus, OH: Author.

SECTION: IEP/LRE

TOPIC: Professional Development

FEDERAL REGULATION: 34 CFR §300.555 **Technical assistance and training activities.**

Each SEA shall carry out activities to ensure that teachers and administrators in all public agencies—

- (a) Are fully informed about their responsibilities for implementing §300.550; and
- (b) Are provided with technical assistance and training necessary to assist them in this effort.

STATE STANDARD: Refer to State Plan.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---|-----------|
| <p>1. The school district will participate in the training provided by special education regional resource centers(SERRC) or develop its own professional development program to be approved by the Ohio Department of Education, Division of Special Education.</p> <p>2. The school district will take advantage of training opportunities provided by the regional professional development centers, other agencies, and cooperative service providers such as vocational education planning districts (VEPDs), to carry out teacher education.</p> | <p>Inservice participation forms</p> <p>CEU documentation</p> <p>287</p> | <p>Professional development providers</p> <p>Professional development providers</p> | |

Copies: Student File
IEP Participants

**INVITATION TO IEP MEETING
(DISTRICT PERSONNEL)**

- Initial
- Annual Review

Name of Child _____

Date of Birth _____

Date Sent _____

An IEP meeting will be held for the above-named student. The purpose of this letter is to invite you to attend.

The meeting is scheduled for _____, at _____ at _____
(Date) (Time)

(Building and Address)

Please bring student work samples documenting the child's present levels of performance in your areas of responsibility. If you cannot attend, please notify _____
(Chair/District Representative)
immediately. If classroom coverage is necessary, please notify your building principal.

Thank you,

Signature

Date

♦ Denotes optional form

Copies: Student File
IEP Participants

INVITATION TO INITIAL INDIVIDUALIZED EDUCATION PROGRAM (IEP) MEETING

Name of Child _____ Date Sent _____

Dear Parent:

At the time you gave consent for a multifaceted evaluation you were informed that you would be invited to participate in the meeting(s) to determine your child's educational program.

This letter serves as an invitation to a meeting for the following purposes:

- 1. To discuss the results of the multifaceted evaluation, share other information the school may have about your child, and provide an opportunity for you to contribute additional information.
- 2. To determine your child's educational needs, and develop goals and objectives to meet your child's needs.
- 3. If your child is eligible for special education services, we will, together with you, determine if special education services are necessary. If special education services are necessary, we will write an IEP and determine where those services should be delivered to best meet your child's needs.
- 4. If your child is preschool age, we will discuss transition from early childhood to school-age programs.
- 5. If your child is 16 (or younger, if appropriate), we will discuss transition from high school to post-high school activities.

The meeting is scheduled for _____ at _____ at _____
(Date) (Time)

(Location)
Other people in attendance may include

| | |
|-----------------------|-----------------------|
| _____ (Name/Title) | _____ (Name/Title) |
| _____ (Name/Title) | _____ (Name/Title) |
| _____ (Name/Title) | _____ (Name/Title) |

If we will be discussing adult services, we will invite a representative(s) from the following agency(ies).

| | |
|-------------------|-------------------|
| _____ (Agency) | _____ (Agency) |
|-------------------|-------------------|

Your attendance and participation is especially encouraged, as it is critical to have your input. Please plan to attend this meeting and bring others who you feel can assist in this important planning for your child. If you do not attend, you will receive a copy of the IEP within ten (10) days after the meeting with a request for your approval and signature.

If you have any questions, or need additional information, please contact

| | |
|---------------|---------------------------|
| _____ Name | _____ Telephone Number |
|---------------|---------------------------|

PLEASE RETURN THE ATTACHED PAGE

Copies: Student File
IEP Participants

PARENT INVITATION RESPONSE FORM

Name of Child _____

Please verify your response below and return to the person listed at the bottom of the page within five (5) days.

- I will attend the meeting at the scheduled time.
- I want to come, but I cannot attend the meeting at the scheduled time. Please contact me at _____ to make other arrangements.
- I will need an interpreter (please specify): _____.
- I have other special needs (e.g., accessibility, transportation - Please specify): _____.
- I cannot attend _____.
- I will be bringing guests. (It is not required that you bring guests, but you may bring other people to the meeting.) Their names are

_____ Name

_____ Name

_____ Parent /Guardian Signature

_____ Date

Please return this form to

_____ Name and Title

_____ School

_____ Address

_____ Telephone Number

INVITATION TO PERIODIC REVIEW INDIVIDUALIZED EDUCATION PROGRAM (IEP) MEETING

Name of Child _____ Date Sent _____

Dear Parent:

At the time you gave consent for a multifaceted evaluation, you were informed that you would be invited to participate in the meeting(s) to determine your child's educational program.

This letter serves as an invitation to a meeting for the following purposes:

- 1. To review your child's IEP, present evaluation data, sharing other information the school may have about your child, and provide an opportunity for you to contribute additional information.
- 2. Determine your child's educational needs, and develop goals and objectives to meet your child's needs.
- 3. Together with you, we will determine if special education services continue to be appropriate. If special education services are necessary, we will write an IEP and determine where those services should be delivered to best meet your child's needs.
- 4. If your child is preschool age, we will discuss transition from early childhood to school-age programs.
- 5. If your child is 16 (or younger, if appropriate), we will discuss transition from high school to post-high school activities.

The meeting is scheduled for _____, at _____, at _____, at _____

(Date)

(Time)

Other people in attendance may include

(Location)

(Name/Title)

(Name/Title)

(Name/Title)

(Name/Title)

(Name/Title)

(Name/Title)

If we will be discussing adult services, we will invite a representative(s) from the following agency(ies).

(Agency)

(Agency)

Your attendance and participation is especially encouraged, as it is critical to have your input. Please plan to attend this meeting and bring others who you feel can assist in this important planning for your child. If you do not attend, you will receive a copy of the IEP within ten (10) days after the meeting with a request for your approval and signature.

If you have any questions, or need additional information, please contact

Name

Phone Number

PLEASE RETURN THE ATTACHED PAGE

Copies: Student File
IEP Participants

PARENT INVITATION RESPONSE FORM

Name of Child _____

Please verify your response below and return to the person listed at the bottom of the page within five (5) days.

- I will attend the meeting at the scheduled time.
- I want to come, but I cannot attend the meeting at the scheduled time.
Please contact me at _____ to make other arrangements.
- I will need an interpreter (please specify): _____.
- I have other special needs (e.g., accessibility, transportation - Please specify):
_____.
- I cannot attend _____.
- I will be bringing guests. (It is not required that you bring guests, but you may bring other people to the meeting.) They are as follows:

Name

Name

Parent /Guardian Signature

Date

Please return this form to

Name and Title

School

Address

Telephone Number

Copies: Student File
IEP Participants

INVITATION TO AN IEP MEETING (OTHER AGENCIES)

NAME OF STUDENT _____ DATE OF BIRTH _____

DATE SENT _____

To Agency Representative:

The Individuals with Disabilities Education Act (IDEA) requires that school districts invite to IEP meetings representatives from agencies that are likely to be responsible for providing or paying for transition services for students exiting school.

Your agency has been identified as a likely transition service provider as the student moves from school to postschool activities.

The meeting is scheduled for _____, at _____, at _____
(Date) (Time)

(Location)

If you require additional information, please contact _____ at _____

Please return the bottom portion to _____

at _____

Name of Agency Representative: _____

Agency Address: _____

Name of Student: _____

- I will attend the meeting at the date and time given above.
- I cannot attend the meeting at the date and time given above, and suggest the following steps to obtain my participation or input:

♦ Denotes optional form, if copy of IEP-602 or IEP-603 is sent to agency

Copies: Student File
IEP Participants

STUDENT INVITATION TO IEP/TRANSITION MEETING

Date _____

(NAME OF STUDENT)

You are invited to a meeting to discuss what services you need as you move from school to postschool activities.

We would like to know what you want to do and where you see yourself in the future. This will be considered as we develop a plan.

On the next page, you will find the time, date, and place of the meeting, and who will be at the meeting.

If you would like to know more, or would like someone to discuss these plans with your parents, please see _____.

(NAME/TITLE)

Attached: Form IEP-602 or IEP-603
Invitation to Individualized Education Program (IEP) Meeting

Copy: Student File

**DOCUMENTATION OF ATTEMPTS TO OBTAIN
PARENT PARTICIPATION IN IEP MEETING**

Name of Child _____ DOB _____ School Year _____

| Documentation of Attempts and Results of Parent Contacts for IEP Meeting | | |
|---|----------|------------|
| Forms of Contact | Date (s) | Outcome(s) |
| Correspondence | | |
| Telephone Calls | | |
| Home Visits | | |
| Outreach Activities | | |
| Other | | |

Copies of the invitation were also sent to

| Name | Position | Date Sent |
|------|----------|-----------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

THE IEP SEQUENCE

The IEP meeting participants will complete the following activities in sequence during the IEP meeting:

- 1. Review the evaluation results and the current IEP if it is an annual review meeting, and determine the child's present levels of educational performance. The evaluation data reviewed at an IEP meeting must accurately reflect a child's present level of educational performance in the areas directly related to the child's educational needs and must be no more than one year old.
- 2. Determine the area(s) of the child's needs.
- 3. Develop goals and short-term instructional objectives with accompanying criteria and evaluation procedures that serve as the basis for developing a detailed instructional plan and coordinating services in the area(s) of need.
- 4. Determine special education and related services needed to implement each goal and accompanying objective.
- 5. Determine the least restrictive environment in which to deliver the special education and related services.

Stop

BEFORE BEGINNING THE IEP PROCESS,
discuss the additional considerations listed on the next page to ensure the
appropriateness of the IEP's meeting the child's needs.

The IEP meeting participants will also ensure that the following issues are considered as they proceed through the IEP sequence [Steps 1-5]:

- Children with disabilities participate to the maximum extent appropriate in all testing and assessment programs, including the proficiency tests.
- Transition from early childhood to school-age special education and related services is accomplished by having the IEP meeting participants follow the specific procedures.
- A transition services statement must be developed to promote movement from school to postschool activities for students, beginning no later than age 16 (and at a younger age if determined appropriate), and annually thereafter, including, when appropriate, a statement of the interagency responsibilities or linkages, or both before the student leaves the school setting.
- For each child with a disability whose behavior significantly interferes with the child's, or another child's opportunity to learn, a plan to address the behavior(s) that interfere with learning is developed. If information that is obtained during the evaluation indicates a need for crisis intervention, there must be a plan on file in the school district to provide appropriate support to the teacher(s).
- A physical education program is provided to address the child's individual needs specifically delineated on his or her IEP.
- Consider if a child with a disability is failing, or is likely to fail, to achieve short-term instructional objectives on his or her IEP due to an interruption of instruction between school years, whether the child should receive extended school year services.
- Determine, for a child with a visual impairment, whether or not Braille instruction is appropriate.

IEP - ADDITIONAL SEQUENCE FOR TRANSITION SERVICES

In order to complete the transition requirements for a student the IEP conference participants will complete the following activities prior to and during the IEP meeting when transition services are being planned for a student who is 16 years of age or younger, if appropriate.

Creating the Climate for Transition Services

- Provide orientation to IEP participants to the transition process, including the purpose of transition planning and the roles and responsibilities of staff, parents, students, and adult service personnel, if appropriate. ❖
- Support parents and each student in the development of a personal future plan to begin to establish a shared vision for the student beyond school in the areas of employment, postsecondary education, postschool adult living, and community participation. ❖
- Identify what supports and needs the student may have to implement their future plans. ❖
- Identify resources, programs and options available within the school and community that support transition activities. ❖

Before the IEP Meeting

- Invite parents, the student, and appropriate school and agency personnel to attend.
- Identify an individual who can assist the family and the student in the development and implementation of transition services. ❖
- If the student is unable to attend, take other steps to gain an understanding of the student's needs, preferences, and interests, such as completing a future plan, an Individual Career Plan, a functional vocational assessment, or other activities that will clarify the student's needs, preferences, and interests.
- Compile and review information regarding student's needs, preferences, and interests, teacher recommendations, student and family goals, vocational assessment, and other supporting information. ❖
- Identify and prepare information about service options that support the student's outcome-oriented process in the areas of independent living, community participation, employment, postsecondary education, and, if appropriate, activities of daily living and functional vocational evaluation. ❖

During the IEP Meeting

- Introduce all meeting participants, including any participating agency personnel, and explain the reason for transition planning and the services, along with the roles and responsibilities of all members. ❖
- Discuss the student's needs, preferences, and interests that promotes movement from school to postschool activities, including postsecondary education, vocational training, integrated employment (including supportive employment), continuing and adult education, adult services, independent living, or community participation.

❖ Denotes optional procedure

- Determine long-term adult outcomes that promote movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. Summarize these desired outcomes on the statement of needed transition services Form 608b.
- Review and develop present levels of performance in the narrative of the IEP.
- Discuss and document the basis for determination that a service is not needed by the student in the areas of instruction, community experiences, and the development of employment or other postschool adult living objectives on the transition services Form 608b.
- Develop activities and services that support the student's long-term goals and complete the statements of needed transition services on Form 608b.
- Develop and record the goals and objectives that support the transition services activities identified. If the IEP team determines that an instructional goal is not needed for an activity, indicate by writing with "not appropriate (NA)."

After the Meeting

- Maintain communication with the student, family, teachers, and services providers to monitor the progress the student is making toward his/her long-term goals. Review student progress at least on an annual basis.
- If an agency fails to provide agreed upon services contained in the IEP, initiate a meeting as soon as possible for the purpose of identifying alternative strategies to meet the transition objectives and, if necessary, revising the student's IEP.

INDIVIDUALIZED EDUCATION PROGRAM

NAME _____ DATE OF BIRTH ____/____/____ GRADE LEVEL _____ MALE FEMALE

CHILD/STUDENT ADDRESS _____ PARENT/GUARDIAN _____ WORK TELEPHONE _____

PARENT ADDRESS _____ HOME TELEPHONE _____ INITIAL IEP PERIODIC REVIEW

EFFECTIVE DATES From: _____ To: _____ MEETING DATE _____

ADDITIONAL CONSIDERATIONS

Considerations for the IEP team as they complete the IEP process, steps 1-5. Refer to State of Ohio Model Policies and Procedures for the Education of Children with Disabilities and IEP Tourbook for specific information on procedures/process. If needed, use space provided or attach additional sheet.

| | Discussed and Not Applicable For This Child/Student | Discussed and Incorporated into IEP |
|---|---|-------------------------------------|
| 1. Testing and assessment programs, including proficiency tests [See IEE Addendum 608a] | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Transition from early childhood (ages 3-5) to school-age programs | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Transition services statement, no later than age 16 [See IEP Addendum 608b] | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. A plan to address behavior, if the IEP and MFE team have determined this to be a concern | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Physical education must be addressed for ALL children and incorporated into the IEP (MUST BE INCORPORATED) | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Extended school year services | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Children/students with visual impairments [See IEP Addendum 608c] | <input type="checkbox"/> | <input type="checkbox"/> |

Relevant Information/Suggestions (e.g., medical information, other information)

Name _____

| Present Levels of Development/Functioning/Performance | Annual Goals | Objectives |
|---|---|--|
| <p>[Refer to State of Ohio Model Policies and Procedures for the Education of Children with Disabilities or IEP Tourbook for specific information on procedures/process]</p> <p>Step 1</p> <p>Review the results of the evaluation team report or intervention-based multifactorial evaluation or current IEP. In a narrative form, explain the child's/student's present levels of performance. Include progress, strengths, capabilities, interests, and needs displayed in school, at home, and in the community.</p> <p>Step 2</p> <p>Determine the area(s) of the child's/student's needs.</p> | <p>Step 3</p> <p>Write goals and objectives in areas of need</p> <p>(What will the child/student be able to do in one year?)</p> | <p>What are the intermediate/sequential steps leading to the goal?</p> |

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[This form can be used vertically or horizontally]

Name _____

| Evaluation of Each Objective | | | | | Services | Initiation/ Duration | LRE |
|------------------------------|--------------------------------|---------------------------------|--------------------------------|--------------------|---|-------------------------|---|
| Procedure | Criteria | Schedule | Who | Review of Progress | | | |
| <i>How?</i> | <i>What? How much?</i> | <i>When will we review?</i> | <i>Who is responsible?</i> | <i>Results?</i> | <p>Step 4</p> <p>Determine special education services, including related services, needed to implement each goal, as well as the amount of services.</p> <p><i>(e.g., modifications, supplemental aids, assistive technology, providers)</i></p> | | <p>Step 5</p> <p>Determine setting in which to deliver the service.</p> <p><i>(Where will services be provided?)</i></p> |

IEP ADDENDUM:
PROFICIENCY TESTS

Name of Child/Student _____ Date _____

 Child/student will participate in ALL proficiency tests Child/student will participate in testing in the following areas:

with the following modifications:

 Child/student is exempted from the following tests:

The basis for the decision to exempt from any part of the proficiency tests must be documented:

 The child/student is exempted, but will take the following tests:

A copy of this completed form is part of, and must be attached to, the child's/student's IEP form.

**IEP ADDENDUM:
STATEMENT OF NEEDED TRANSITION SERVICES**

Name of Student _____ Date _____

Person Responsible for Coordinating Transition Services _____

Title _____

INSTRUCTION: Goals and objectives for transition should be indicated below in the following areas and be incorporated into the body of the IEP (pages 2 and 3).

EMPLOYMENT & POSTSECONDARY OUTCOME(S): _____

| ACTIVITIES AND SERVICES | Goal Number for Transition Goals and Objectives | Responsible Person/Provider | Initiation/Duration |
|-------------------------|---|-----------------------------|---------------------|
|-------------------------|---|-----------------------------|---------------------|

POSTSCHOOL/ADULT LIVING OUTCOME(S): _____

| ACTIVITIES AND SERVICES | Goal Number for Transition Goals and Objectives | Responsible Person/Provider | Initiation/Duration |
|-------------------------|---|-----------------------------|---------------------|
|-------------------------|---|-----------------------------|---------------------|

COMMUNITY PARTICIPATION OUTCOME(S): _____

| ACTIVITIES AND SERVICES | Goal Number for Transition Goals and Objectives | Responsible Person/Provider | Initiation/Duration |
|-------------------------|---|-----------------------------|---------------------|
|-------------------------|---|-----------------------------|---------------------|

If appropriate include the following:

Functional Vocational Evaluation YES
(Indicate in Activities/Services in Employment/Postsecondary Outcomes Section)

Daily Living Skills YES
(Indicate in Activities/Services in Postschool/Adult Living Outcomes Section)

NOTE:

1. If the student does not need instruction, community experiences and the development of employment and other postschool adult living objectives, document the basis upon which this determination was made by the IEP team in the appropriate area above.
2. Activities and services must include community experiences.

A copy of this completed form is part of, and must be attached to, the student's IEP form.

**IEP ADDENDUM:
CHILDREN/STUDENTS WITH VISUAL IMPAIRMENTS**

CHILD/STUDENT _____ GRADE LEVEL _____ PROGRAM _____

INSTRUCTIONS: This form shall be completed during the IEP meeting for each child/student who has a visual impairment, as defined by Amended Substitute House Bill Number 164, which requires a statement specifying one or more reading and writing media in which instruction is appropriate to meet the child's/student's educational needs. **A copy of this completed form is part of, and must be attached to, the child's/student's IEP form.**

| | Discussed and Not Applicable for this Child/Student | Discussed and Incorporated into IEP |
|---|--|---|
| 1. An annual assessment of reading and writing skills is conducted with each child/student in all media considered appropriate. The results of these assessments are included in "Present Levels of Development/Functioning/Performance" on the IEP and indicate both strengths and weaknesses. | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The IEP contains a requirement for instruction in Braille reading and writing when that medium is appropriate and is indicated by adding "Standard English Braille" as a special service in Step 4, listing the date initiated and the anticipated duration of services. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Instruction in Braille reading and writing was carefully considered for this child/student and pertinent literature describing the educational benefits of instruction in Braille reading and writing was reviewed by the persons developing this child's/student's IEP. | <input type="checkbox"/> | <input type="checkbox"/> |
| A. The following visual condition(s) were taken into account and discussed in making the above decision: | | |
| <input type="checkbox"/> Condition is degenerative and progressive loss is expected. | | |
| <input type="checkbox"/> Condition is currently stable and will be checked annually. | | |
| <input type="checkbox"/> Condition is currently unpredictable in nature and will be reviewed if change in visual condition is noted. | | |
| <input type="checkbox"/> Condition is temporary and expected to improve. | | |
| B. Instructional media appropriate: | | |
| Media | Primary | Secondary |
| Standard English Braille | <input type="checkbox"/> | <input type="checkbox"/> |
| Large Print | <input type="checkbox"/> | <input type="checkbox"/> |
| Regular Print | <input type="checkbox"/> | <input type="checkbox"/> |
| Tape/auditory | <input type="checkbox"/> | <input type="checkbox"/> |
| Non-reader | <input type="checkbox"/> | <input type="checkbox"/> |
| C. Complete if Braille reading and writing ARE appropriate at this time: | | |
| <input type="checkbox"/> Annual goals provided | | |
| <input type="checkbox"/> Short-term objectives provided | | |
| <input type="checkbox"/> Date of initiation indicated | | |
| <input type="checkbox"/> Frequency and duration of instructional sessions indicated | | |
| <input type="checkbox"/> Level of competency to be achieved annually indicated | | |
| <input type="checkbox"/> Objective determinants used to measure achievement provided | | |
| D. Reasons Braille reading and writing ARE NOT appropriate at this time: | | |
| <input type="checkbox"/> Documented visual acuity allowing the choice of large type/regular type | | |
| <input type="checkbox"/> Child/student is considered a non-reader | | |
| <input type="checkbox"/> Other: | | |

TO: Student File/Building File
Parent
Evaluator(s)

**IEP Meeting Determination of Transition
from Preschool to School-Age Special Education Program**

Child's Name _____ DOB _____

Parent(s) Name _____ Phone _____

Parent(s) Address _____

A meeting was held on _____ regarding the above-named child and the following determination was made:

Check:

The child has a disability and meets the eligibility requirements for _____.
(specify disability)
The basis for this determination is (specify and attach additional information as needed):

The child has a suspected disability in the area of _____,
(specify disability)
and additional evaluation is required in the following areas (specify):

The above-named child does not have a disability. The basis for this determination is (specify and attach additional information as needed):

We, the undersigned, agree with the determination of the IEP meeting participants.

School District Representative

Signature

Current Preschool Teacher

Signature

Current Preschool Teacher

Signature

♦ Denotes optional form

School-Age Program Teacher

Signature

School-Age Program Teacher

Signature

Qualified Evaluator

Signature

Parent

Signature

Parent

Signature

Other (specify)

Signature

Other (specify)

Signature

I/We, the undersigned, do not agree with the determination of the meeting participants and am/are attaching a statement delineating that disagreement.

Name and Title

Signature

Name and Title

Signature

Name and Title

Signature

LETTER TO PARENTS FOLLOWING IEP MEETING

Name of Child _____

As you know, on _____, 19_____, a meeting was held to review evaluation information and determine your child's needs. We are very sorry that you could not attend the meeting.

The purpose of this letter is to

- Provide you with a copy of your child's IEP.
- Request that you review the enclosed IEP, sign the copy to grant permission for special education and related services to be provided, and return it in the enclosed envelope.

Please review the enclosed IEP periodic review. If you do not agree, please contact

_____.

- The IEP meeting participants determined that your child is not eligible for special education services and will remain in the regular education program.
- The participants decided that although your child is eligible for special education, his/her educational needs can best be met in the regular education program.

If you have any questions or concerns, please contact me.

Sincerely,

District Representative

Telephone Number

SECTION 7: DUE PROCESS PROCEDURES

CONTENTS BY TOPIC

| | |
|-------------------------------------|---------|
| Impartial Due Process Hearing | Page 1 |
| Mediation (Optional) | Page 5 |
| Impartial Hearing Officer | Page 9 |
| Hearing Rights | Page 11 |
| Hearing Decision and Appeal Process | Page 13 |
| Child's Status During Proceedings | Page 16 |
| Attorneys' Fees | Page 17 |

FORMS

TOPIC

| | |
|--|--|
| DP-701 Request for an Administrative Review..... | Mediation |
| DP-702 Request for an Impartial Due Process..... Hearing | Impartial Due Process Hearing, Mediation, PS: Independent Educational Evaluation |
| DP-703 Notice of Impartial Due Process Hearing..... | Impartial Due Process Hearing |
| DP-704 Parent Notification of Agency Request for..... Impartial Due Process Hearing | Impartial Due Process Hearing |
| DP-705 Due Process Mediation Case Conference Report..... | Mediation |
| DP-706 School Checklist for Parent-Initiated..... Impartial Hearings | Impartial Due Process Hearing |
| DP-707 School Checklist for School-Initiated..... Impartial Hearings | Impartial Due Process Hearing |
| DP-708 Parent Checklist for Impartial Hearings..... | Impartial Due Process Hearing |
| DP-709 Due Process Procedures Clarification..... | Impartial Due Process Hearing |

ADDITIONAL RESOURCES

Section 615(e)(4) now found in IDEA, Section 1415(e)(4)

SECTION: Due Process Procedures

TOPIC: Impartial Due Process Hearing

FEDERAL REGULATION: §300.506 Impartial due process hearing.

- (a) A parent or a public educational agency may initiate a hearing on any of the matters described in §300.504 (a)(1) and (2).
- (b) The hearing must be conducted by the SEA or the public agency directly responsible for the education of the child, as determined under State statute, State regulation, or a written policy of the SEA.
- (c) The public agency shall inform the parent of any free or low-cost legal and other relevant services available in the area if—
 - (1) The parent requests the information; or
 - (2) The parent or the agency initiates a hearing under this section.

Note: Many states have pointed to the success of using mediation as an intervening step prior to conducting a formal due process hearing. Although the process of mediation is not required by the statute or these regulations, an agency may wish to suggest mediation in disputes concerning the identification, evaluation, and educational placement of children with disabilities, and the provision of FAPE to those children. Mediations have been conducted by members of SEAs or LEA personnel who were not previously involved in the particular case. In many cases, mediation leads to resolution of differences between parents and agencies without the development of an adversarial relationship and with minimal emotional stress. However, mediation may not be used to deny or delay a parent's rights under §§300.500-300.515.

STATE STANDARD: 3301-51-02 G.1., 2., and 11

3301-51-02. G.1. Applicability of Due Process Hearing.

- a. Each school district shall develop and implement written procedures which afford parents and other educational agencies an opportunity to have an impartial due process hearing in accordance with these rules.
- b. An impartial due process hearing may be requested at any time the school district or other educational agency:
 - (i) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child; or
 - (ii) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.

3301-51-02. G.2. Initiating a Due Process Hearing.

- a. An impartial due process hearing may be initiated by the school district of residence of the child, the parent, or the school district or other educational agency providing the special education and related services.
- b. If the school district of residence, the parent, or the school district or other educational agency providing the special education and related services requests the hearing, they shall do so in writing to the board of education and the superintendent of the school district of residence.
- c. If the hearing has been requested by someone other than the child's parent, the parent shall be informed in writing of the request and shall be invited to participate in the proceedings and shall receive copies of all communications between the school district and hearing officer.
- d. The school district of residence may initiate a hearing by notifying, in writing, the parent and the school district or other educational agency providing or refusing to provide the special education and related services.
- e. All requests initiating hearings shall specify, in writing, the specific issues to be resolved.
- f. If a hearing is initiated or if the parent requests the information, the school district shall inform the parent of any free or low-cost legal and other relevant services available in the area.

STATE STANDARD: Continued

3301-51-02. G. 11. Costs of Hearings.

- a. Costs incurred in impartial due process hearings requests by the parent shall be assumed by the school district of the child's residence except as follows:
 - (i) Expert testimony, outside medical evaluation, witness fees, and cost of council will be paid by the party requesting the services.
 - (ii) One copy of the verbatim transcript will be provided the parent at no cost. Additional copies will be paid for by the parent.
- b. When the impartial due process hearing has been requested by another educational agency, the school district will share equally the costs of the hearing with the other educational agency, except as follows:
 - (i) Expert testimony, outside medical evaluation, witness fees, and cost of council will be paid by the party requesting the services.
 - (ii) One copy of the verbatim transcript will be provided the parent at no cost, upon request. Additional copies will be paid for by the parent.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---|-----------------------------------|--------------------|
| <p>1. If the parent requests an impartial hearing it must be made in writing, giving specific details of the issues to be addressed, either by letter or by completing Form DP-702, and addressed to the Superintendent and the Board of Education. Upon receipt, the district will</p> | <p>Form DP-702 or letter Form DP-706</p> | <p>Superintendent or designee</p> | <p>Immediately</p> |
| <p>a. Review the district's file of attorneys who are available to serve as impartial hearing officers (IHO) to make sure it is up to date.</p> <p>The district will have on file or can secure from the regional special education regional resource center (SERRC) a list of available attorneys, but should check with the SERRC director to ascertain that the list is up-to-date.</p> | <p>IHO list Form DP-706</p> | <p>Superintendent or designee</p> | <p>Immediately</p> |
| <p>b. Send to the parent</p> <ul style="list-style-type: none"> (1) The district's list of potential IHOs; (2) The Due Process Procedures Clarification; (3) The Parent Checklist for Impartial Hearings; and (4) Information regarding free or low-cost legal and other relevant services available in the area | <p>IHO list Form DP-709 Form DP-708</p> | <p>Superintendent or designee</p> | <p>Immediately</p> |
| <p>c. Informs the parent that, if the parties cannot agree within 10 days on a selection of an IHO, the district must request the appointment of an IHO by the State Superintendent of Public Instruction.</p> | <p>Form DP-706 and letter</p> | <p>Superintendent or designee</p> | <p>Ten days</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|-----------------------------------|--------------------|
| <p>2. If an agency or another school district requests an impartial hearing the district will contact the State Superintendent of Public Instruction, to request the appointment of an impartial hearing officer or a list, approved by the Ohio Department of Education from which an IHO can be selected. The district then invites the parent to participate in the hearing and provides the parent with</p> <ul style="list-style-type: none"> a. A copy of Form DP-702 completed by the agency or district requesting the impartial hearing; b. The Due Process Procedures Clarification; and c. Other information relevant to the parent's participation in the hearing. | <p>Form DP-702 or letter Forms DP-704 and DP-707</p> <p>Form DP-702</p> <p>Form DP-709</p> | <p>Superintendent or designee</p> | <p>Immediately</p> |
| <p>3. If the district initiates the request for an impartial hearing, the district sends the parent</p> <ul style="list-style-type: none"> a. A copy of Form DP-703; b. The district's list of approved IHOs; c. The Due Process Procedures Clarification; d. The Parent Checklist for Impartial Hearing; and e. Information regarding free or low cost legal and other relevant services available in the area. | <p>Form DP-703</p> <p>IHO List</p> <p>Form DP-709</p> <p>Form DP-708</p> <p>Form DP-703, IHO list, Form DP-708, free-low cost legal services</p> | <p>Superintendent or designee</p> | <p>Immediately</p> |
| <p>The district informs the parent that, if the parties cannot agree within 10 days on a selection of an IHO, the State Superintendent of Public Instruction will appoint an IHO.</p> | | | |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|-----------------------------------|---|
| <p>4. The district contacts the Impartial Hearing Officer and provides the following information:</p> <ul style="list-style-type: none"> a. The name, telephone number, and address of the superintendent/designee who will assist the IHO in arranging facilities, supplies, equipment, and reimbursement; b. The name and telephone number of the instructional resource center project coordinator (IRC) at the SERRC responsible for providing or certifying the training of the IHO; c. A copy of the written request for an impartial due process hearing, specifying the reason(s) for the hearing; and d. The time line for completion of the hearing, indicating that the hearing, including the submission of the final report, must be completed within 45 days from the date of the request for an impartial due process hearing. | <p>Letter Forms DP-706 and DP-707</p> | <p>Superintendent or designee</p> | <p>Immediately</p> <p>Forty-five days from request, unless extension is granted by IHO.</p> |
| <p>❖5. Discuss with the parent and agency the option of participation in a prehearing conference (mediation) with a representative from the Ohio Department of Education, Division of Special Education or Division of Early Childhood Education, depending upon the age of the student. If a mediation conference is agreed to, carry out the procedures described under Prehearing Conference, on page 6 of this section.</p> | <p>Forms DP-706 and DP-707</p> | <p>Superintendent or designee</p> | <p>Immediately</p> |

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❖ Denotes optional procedure

SECTION: Due Process Procedures

TOPIC: Mediation (Optional)

FEDERAL REGULATION: §300.506 Impartial due process hearing.

Refer to page 1 of this section.

STATE STANDARD: 3301-51-02 E.15 Mediation

Mediation is recommended, but cannot be used to delay or deny an impartial due process hearing that has been requested in writing. In many cases, mediation may lead to resolution of differences without the development of an adversary relationship. The steps in mediation include:

- a. **Case Conference** — Case conference procedures are informal procedures ordinarily used in the evaluation, placement and periodic review process to provide the parents and the school district an opportunity to review and interpret information regarding the child and his or her IEP and to resolve problems encountered during this process.
- b. **Administrative Review** — The child's parent or educational agency other than the school district may request an opportunity to present complaints to the superintendent regarding the evaluation or educational placement of the child or the provision of special education.
 - (i) Upon receipt of a complaint, the superintendent, without undue delay and at a time and place convenient to all parties, shall conduct a review, may hold an administrative hearing, and shall notify all parties in writing of his or her decision within twenty days.
 - (ii) Every effort should be made in the review to resolve any disagreements.
 - (iii) All parties have the right to invite others to participate in the administrative review, including legal counsel.
- c. **Prehearing conference.**
 - (i) After all efforts have been exhausted at the school district level, and ordinarily after an impartial hearing officer has been appointed, a representative of the Ohio Department of Education may be asked to mediate any dispute.
 - (ii) The school district will arrange a time for the prehearing conference in the school's geographical area mutually agreeable to the parent, school personnel, and the representative from the state.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------|----------------------------|-------------------|
| <p>Conflict Resolution</p> <p>1. Mediation Procedures: The school district may provide for three levels of mediation for resolution of issues that may arise in procedures involved in identification, evaluation/assessment, or the development and implementation of the IEP. These are case conference, administrative review, and prehearing conference.</p> <p style="text-align: center;">318</p> | | Superintendent or designee | Prior to hearing. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|--|---|--|
| <p>a. Case Conference: When requested in writing or verbally by a parent, agency, or school district staff, the school district will make arrangements for a case conference to be scheduled at a time convenient to all participating parties. If issues involved in the case conference cannot be resolved, any of the parties involved may request an administrative review or impartial due process hearing. A summary of the case conference may be placed in the child's record and shared with the parent.</p> <p>b. Administrative Review: If the request is verbal, arrangements should be made immediately to secure confirmation in writing (Form DP-701). Note that a 20-day limit is measured from the date and time the initial request was received. The administrative review shall be conducted by the Superintendent or his/her designee and scheduled at a time and place convenient to all parties. The decision of the Superintendent shall be sent by letter to all participants within 20 days of the receipt of the request with a copy placed in the child's file.</p> <ol style="list-style-type: none"> (1) Upon receipt of a complaint, the superintendent, without undue delay and at a time and place convenient to all parties, may hold an administrative review, and shall notify all parties in writing of his or her decision within 20 days. (2) Every effort should be made in the review to resolve any disagreements. (3) All parties have the right to invite others to participate in the administrative review, including legal counsel. | <p>Letter or memorandum and Form DP-705</p> <p>Form DP-701 Decision letter</p> | <p>Special education director or coordinator or principal</p> <p>Superintendent or designee</p> | <p>Without undue delay.</p> <p>Decision within 20 days of request.</p> |
| <p>c. Prehearing Conference: A prehearing conference may be requested after all efforts have been exhausted at the school district level and ordinarily after a hearing officer has been appointed. A prehearing conference may not delay or deny an impartial hearing that has been requested. If both parties agree, a representative from the Ohio Department of Education may be asked to mediate the dispute by contacting the Assistant Director for Procedural Safeguards and Support Services, Division of Special Education, 933 High Street, Worthington, Ohio 43085; or Director, Division of Early Childhood Education, 65 South Front Street, Columbus, Ohio 43215-4183, depending upon the age of the child.</p> <ol style="list-style-type: none"> (1) After all efforts have been exhausted at the school district level, and ordinarily after a hearing has been requested, a representative of the Ohio Department of Education may be asked to mediate any dispute. <p>Note: Mediation cannot be used to delay or deny the impartial due process hearing.</p> | <p>Letter</p> <p>319</p> | <p>Superintendent or designee</p> | <p>Prior to impartial hearing.</p> |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|---------------------------------------|--|
| (2) The school district will arrange a time for the mediation in the school's geographical area mutually agreeable to the parent, school personnel, and the representative from the state. | Records from mediation conference | Ohio Department of Education | |
| (3) Discussions occurring during the mediation session shall be confidential, and no part of the mediation conference shall be electronically recorded. | | | |
| (4) The mediator may not be called as a witness in future proceedings as to any information directly related to the mediation. | | | |
| (5) The designated agency involved in the dispute shall send a representative who has the authority to commit resources. | | | |
| (6) If the mediation requires changes in the IEP, an IEP team shall be convened to incorporate changes into the IEP. | | | |
| (7) When the mediation conference results in the resolution of a dispute, each party shall receive a signed copy of the agreement at the conclusion of the mediation conference. | Mediation agreement and Form IEP-608 | Ohio Department of Education mediator | At conclusion of mediation conference. |
| (8) Upon receipt of a signed copy of the agreement, the party requesting the hearing will submit a letter to the LEA withdrawing the request for a hearing. | Letter | Initiating party | |
| (9) If an agreement is reached and an impartial due process hearing had been requested, letter jointly signed by all parties will be sent to the impartial hearing officer indicating the problem(s) has been resolved and the hearing is canceled. The school district and parent will then complete arrangements to carry out all aspects of the agreement. | Mediation agreement document | Superintendent or designee | Immediately, if required. |
| (10) If an agreement is reached and an impartial due process hearing was not requested, the school and parent will implement all terms of the agreement. | Mediation agreement document Letter to IHO | Superintendent or designee | Immediately, if required. |
| (11) If any issues are unresolved, the school district will continue with arrangements for the due process hearing if it had been requested, or process a request for the due process hearing if either party wishes to pursue the issues. | Form DP-702 | Superintendent or designee | Immediately, if required. |

SECTION: Due Process Procedures

TOPIC: Impartial Hearing Officer

FEDERAL REGULATION: §300.507 Impartial hearing officer.

- (a) A hearing may not be conducted —
 - (1) By a person who is an employee of a public agency that is involved in the education or care of the child; or
 - (2) By any person having a personal or professional interest that would conflict with his or her objectivity in the hearing.
- (b) A person who otherwise qualifies to conduct a hearing under paragraph (a) of this section is not an employee of the agency solely because he or she is paid by the agency to serve as a hearing officer.
- (c) Each public agency shall keep a list of the persons who serve as hearing officers. The list must include a statement of the qualifications of each of those persons.

STATE STANDARD: 3301-51-02 G.3. and 4.

3301-51-02. G.3. Selection of Impartial Hearing Officer

- a. Each school district shall maintain a list of attorneys who serve as hearing officers and include a statement of qualifications of each.
- b. Immediately after receipt of a written request for an impartial due process hearing, the superintendent shall submit such list of attorneys, including qualifications, to the individual requesting the hearing.
- c. The individual requesting the hearing shall select a hearing officer from the list presented. If the parties cannot agree within ten days upon the selection of an impartial hearing officer, the superintendent shall write to the state superintendent of public instruction who shall appoint one.
- d. If an impartial due process hearing is requested by the school district or other educational agency providing special education and related services, the hearing officer will be selected from a list prepared by the Ohio Department of Education in consultation with the Ohio Department of Mental Health and the Ohio Department of Mental Retardation and Developmental Disabilities.

3301-51-02. G.4. Qualifications of Impartial Hearing Officer

- a. A hearing may not be conducted by a person who is an employee of a public agency which is involved in the education or care of the child or by any person having a personal or professional interest which would conflict with his or her objectivity in the hearing.
- b. The impartial hearing officer shall successfully complete training prescribed by the Ohio Department of Education prior to the hearing.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|--|---------------|----------------------------|--|
| 1. Upon receipt of a request for an impartial due process hearing, the district will contact the special education regional resource center to review the impartial hearing officer list for changes and discuss other concerns, if any. The district will submit a list of attorneys, including qualifications, to the individual requesting the hearing. | Letter | Superintendent or designee | Immediately upon receipt of request for the hearing. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|-----------------------|-----------------------------------|--|
| <p>2. The individual requesting the hearing shall select a hearing officer from the list presented. If the parties involved cannot agree within 10 days upon the selection of an impartial hearing officer, the superintendent shall write to the state superintendent of public instruction who shall appoint one.</p> | <p>Copy of letter</p> | <p>Superintendent or designee</p> | <p>At end of 10 days, if IHO selection is not completed.</p> |
| <p>3. The district will contact the SERRC who will provide appropriate training for the IHO, if needed.</p> | <p>Letter</p> | <p>Superintendent or designee</p> | <p>Immediately</p> |

SECTION: Due Process Procedures

TOPIC: Hearing Rights

FEDERAL REGULATION: §300.508 Hearing rights.

- (a) Any party to a hearing has the right to:
- (1) Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities.
 - (2) Present evidence and confront, cross-examine, and compel the attendance of witnesses.
 - (3) Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five days before the hearing.
 - (4) Obtain a written or electronic verbatim record of the hearing.
 - (5) Obtain written findings of fact and decisions. The public agency, after deleting any personally identifiable information, shall—
 - (i) Transmit those findings and decisions to the State advisory panel established under §300.650; and
 - (ii) Make those findings and decisions available to the public.
- (b) Parents involved in hearings must be given the right to—
- (1) Have the child who is the subject of the hearing present; and
 - (2) Open the hearing to the public.

STATE STANDARD: 3301-51-02. G. 7.-9.

- 7. The Impartial Hearing Officer Shall Inform the Parties In an Impartial Due Process Hearing of Their Rights to:**
- a. Be accompanied and advised by counsel and by individuals with special knowledge of or training in the problems of children with disabilities;
 - b. Present evidence and confront, cross-examine, and compel the attendance of witnesses whose testimony is relevant, necessary and material;
 - c. Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five days before the hearing;
 - d. Obtain a written or electronic verbatim record of the hearing;
 - e. Obtain written findings of fact and decisions;
 - f. Have access to educational records; and
 - g. Be informed of how to appeal decisions.
- 8. The Impartial Hearing Officer Shall Inform the Parent Involved In Hearings of the Right to:**
- a. Have the child who is the subject of the hearing present,
 - b. Open the hearing to the public, and
 - c. Receive notices in written language understandable to the public and provided in the native language of the parent or other mode of communication to assure that the parent understands the notice. All hearings and appeals procedures shall be provided in the parent's native language or other mode of communication.
- 9. Parties to an Impartial Hearing Must Be Informed by the Hearing Officer of Their Rights Relative to the Hearing Process Sufficiently In Advance of the Hearing to Provide Adequate Understanding and Preparation.**

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|----------------------------------|--------------------|
| <p>1. The impartial hearing officer ensures parties are informed regarding their right to</p> <ul style="list-style-type: none"> a. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities. b. Present evidence, cross-examine, and compel attendance of witnesses. c. Prohibit evidence not disclosed at least five days before the hearing. d. Obtain written or electronic verbatim records of the hearing, which must be provided to parents free of charge. e. Obtain copies of the written findings and decision (copies are provided to the state advisory panel and made available to the public). <p>2. The parents must also be given the right to have the child who is the subject of the hearing present at the hearing, and to open the hearing to the public.</p> | <p style="text-align: center;">325</p> | <p>Impartial hearing officer</p> | <p>Immediately</p> |

SECTION: Due Process Procedures

TOPIC: Hearing Decision and Appeal Process

FEDERAL REGULATION: §§300.509, 300.510, 300.511, and 300.512

§300.509 Hearing decisions; appeal.

A decision made in a hearing conducted under §300.506 is final, unless a party to the hearing appeals the decision under §300.510 or §300.511.

§300.510 Administrative appeals; impartial review.

- (a) If the hearing is conducted by a public agency other than the SEA, any party aggrieved by the findings and decision in the hearing may appeal to the SEA.
- (b) If there is an appeal, the SEA shall conduct an impartial review of the hearing. The official conducting the review shall:
 - (1) Examine the entire hearing record.
 - (2) Ensure that the procedures at the hearing were consistent with the requirements of due process.
 - (3) Seek additional evidence if necessary. If a hearing is held to receive additional evidence, the rights in §300.508 apply.
 - (4) Afford the parties an opportunity for oral or written argument, or both, at the discretion of the reviewing official.
 - (5) Make an independent decision on completion of the review.
 - (6) Give a copy of written findings and the decision to the parties.
- (c) The SEA, after deleting any personally identifiable information, shall —
 - (1) Transmit the findings and decisions referred to in paragraph (b)(6) of this section to the State advisory panel established under §300.650; and
 - (2) Make those findings and decisions available to the public.
- (d) The decision made by the reviewing official is final unless a party brings a civil action under §300.511.

§300.511 Civil action.

Any party aggrieved by the findings and decision made in a hearing who does not have the right to appeal under §300.510, and any party aggrieved by the decision of a reviewing officer under §300.510, has the right to bring a civil action under section 615(e)(2) of the Act.

§300.512 Timelines and convenience of hearings and reviews.

- (a) The public agency shall ensure that not later than 45 days after the receipt of a request for a hearing—
 - (1) A final decision is reached in the hearing; and
 - (2) A copy of the decision is mailed to each of the parties.
- (b) The SEA shall ensure that not later than 30 days after the receipt of a request for a review—
 - (1) A final decision is reached in the review; and
 - (2) A copy of the decision is mailed to each of the parties.
- (c) A hearing or reviewing officer may grant specific extensions of time beyond the periods set out in paragraphs (a) and (b) of this section at the request of either party.
- (d) Each hearing and each review involving oral arguments must be conducted at a time and place that is reasonably convenient to the parents and child involved.

STATE STANDARD: 3301-51-02 G.5., 12., and 14.

3301-51-02 G.5. Time lines and Convenience of Hearings

- a. Each school district shall adopt written procedures to ensure that, not later than forty-five days after the receipt of a request for a hearing, a final decision is reached and a copy of the decision is mailed to each of the parties.

State Standard (Continued):

- b. A hearing officer may grant specific extensions of time beyond the forty-five days at the request of either party.
- c. Each hearing involving oral arguments must be conducted at a time and place which is reasonably convenient to the parent and child involved.

3301-51-02 G.12. State Level Review

- a. A party aggrieved by the findings and decision rendered as a result of an impartial due process hearing conducted at the local level may appeal in writing to the State Board of Education.
- b. Upon receipt of such an appeal to the State Board of Education, the superintendent of public instruction shall appoint a reviewing officer to issue a final order.
- c. The reviewing officer shall:
 - (i) Examine the entire hearing record;
 - (ii) Ensure that the procedures at the hearing were consistent with the requirements of law;
 - (iii) Seek additional evidence, if necessary, utilizing the powers and duties of the hearing officer specified in paragraph (G)(10)(a) to (G)(10)(h) of this rule; and
 - (iv) Afford, at his or her discretion, the parties an opportunity for oral or written argument. If oral argument is involved, it must be conducted at a time and place reasonably convenient to the parent and child involved; and
 - (v) Issue a final order within thirty days, unless an extension has been granted at the request of either party.

3301-51-02 G.14 Appeal to Courts

Any party aggrieved by the final order of the State Board of Education may appeal the final order to the following courts only after conclusion of an impartial due process hearing and state level review:

- a. The common pleas court of the county of the child's school district of residence, or
- b. The federal district court of competent jurisdiction.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---------------------|----------------------------|---------------------------------|
| 1. The hearing will be conducted and a written decision submitted to each of the parties by the IHO following prescribed policies. | IHO findings | IHO | Forty-five days [or extension]. |
| 2. The district and parent will follow the directives of the IHO whose responsibilities are outlined in the federal regulations and state standard beginning on page 13. | IHO training manual | Superintendent or designee | As IHO requires. |
| 3. The hearing decision is final, unless a party to the hearing appeals in writing for a review by a state-reviewing officer appointed by the Superintendent of Public Instruction. | Letter | Superintendent or designee | Following IHO order. |

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|---|---|--|
| <p>4. If a party appeals, the SEA will conduct an impartial review of the hearing. The official conducting the review shall</p> <ul style="list-style-type: none"> a. Examine the entire hearing record; b. Ensure procedures at the hearing were consistent with the requirements of due process; c. Seek additional evidence, if necessary; d. Afford parties the opportunity for an oral or written argument, or both, at the discretion of the reviewing official; e. Make an independent decision on completion of the review; and f. Give a copy of the written findings and decision to the parties. | <p>Written state-level review</p> <p>Written decision</p> | <p>SEA</p> <p>SEA reviewing officer</p> | <p>Within 30 days [or upon extension].</p> |
| <p>5. The district will respond as appropriate to a state review on an appeal of the IHO's order if filed by the parent or agency/other district.</p> | <p>Written response</p> | <p>Superintendent</p> | <p>In accordance with decision.</p> |
| <p>6. The district will review any final order of a state-level reviewing officer and either</p> <ul style="list-style-type: none"> a. Implement the order if it requires changes of any kind to the actions that were challenged in the review; or b. File an appeal in the common pleas court of the school district or residence of the child, or the federal district court of competent jurisdiction. | | | |
| <p>7. The reviewing official's decision is final, unless a party brings a civil action under §300.511.</p> | | <p>Aggrieved party</p> | |
| <p>8. An aggrieved party may bring civil action in state or federal court.</p> | | | |
| <p>9. The district will respond as appropriate to an appeal by the parent or agency/other school district to the state-level review order in either of the courts identified in item 6.b. above.</p> | <p>Written response appropriate to appeal</p> | <p>Superintendent</p> | <p>Upon request</p> |

SECTION: Due Process Procedures

TOPIC: Attorneys' Fees

FEDERAL REGULATION: §300.515 Attorneys' fees.

Each public agency shall inform parents that in any action or proceeding under section 615 of the Act, courts may award parents reasonable attorneys' fees under the circumstances described in section 615(e)(4) of the Act.

| PROCEDURES | DOCUMENTATION | RESPONSIBILITY | TIME LINE |
|---|--|----------------|-------------------|
| <p>1. The school district will provide the parent with information regarding reimbursement of attorneys' fees should the parent "prevail" in a hearing, subsequent appeal to state-level review, and/or any civil action taken relating to the matters described in section 615(e)(4) of the Act. "The court, in its discretion, may award reasonable attorneys' fees as part of the costs to the parents or guardian of the child or youth with a disability who is the prevailing party."</p> <p>Note: Section 615(e)(4) is now found in IDEA, Section 1415(e)(4).</p> | Form PS-405 (Parent Notice of Procedural Safeguards) | Superintendent | Prior to hearing. |

REQUEST FOR AN ADMINISTRATIVE REVIEW

Date of Request ___/___/___

This administrative review is requested by (check one):

Parent: Name _____
 Address _____ Phone _____
 Agency: Name _____
 Address _____ Phone _____

Name of Child _____ DOB ___/___/___

Reason(s) for which this administrative review is requested:

Name below all persons, other than yourself, who you will invite to attend:

| Name | Relationship to Parent/Agency |
|-------|-------------------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Sign your name in the place provided below to confirm your request:

Signature/Title _____ Date _____

PLEASE RETURN TO _____

DATE REQUEST RECEIVED _____

RETAIN IN CHILD'S FILE

REQUEST FOR AN IMPARTIAL DUE PROCESS HEARING

TO: Superintendent and Board of Education

_____ School District

An impartial due process hearing is hereby requested on behalf of

Child's Name _____ Date of Birth _____

Building of Attendance _____ Grade _____

The impartial due process hearing is being requested for the following reasons:
(Please be specific; attach additional page, if necessary)

This impartial due process hearing is requested by

Name _____ Relationship to Child _____

Agency/Position (if applicable) _____

Address _____ Phone _____

Signature _____ Date _____

FOR OFFICE USE ONLY

Date received _____ By whom _____

THE HEARING MUST BE COMPLETED AND THE HEARING OFFICER'S FINAL REPORT RECEIVED NOT LATER THAN 45 DAYS FROM DATE REQUEST RECEIVED, UNLESS SPECIFIC EXTENSIONS HAVE BEEN MADE BY THE HEARING OFFICER UPON REQUEST BY EITHER PARTY.

NOTICE OF IMPARTIAL DUE PROCESS HEARING

Date _____

To _____

Child's Name _____

This notice is to inform you that I am requesting an impartial due process hearing regarding the above-named child for the following reason(s):

The hearing must be completed no later than 45 days from the date of this request, unless an extension is granted by the hearing officer. A list of potential impartial hearing officers is enclosed. We must mutually select a hearing officer within 10 days from the date of this notice. Please review the list and I will contact you regarding a mutual selection. If we cannot mutually agree on the hearing officer selection, one will be appointed by the Ohio Department of Education.

Please contact me if you have questions.

Sincerely,

Superintendent

School District

Address

City/State/Zip Code

Telephone

PARENT NOTIFICATION OF AGENCY REQUEST FOR IMPARTIAL DUE PROCESS HEARING

Date _____

Dear _____:

An impartial due process hearing has been requested on behalf of your son/daughter,

_____ by _____
(Child's Name) Date of Birth (Requesting Agency)

The reason a hearing has been requested is _____

Under these circumstances, the schools, by due process standards, are required to make the arrangements for the hearing. The school and the agency will consult to agree upon the selection of a hearing officer from a list of persons prepared by the Ohio Department of Education, the Ohio Department of Mental Health, and the Ohio Department of Mental Retardation and Developmental Disabilities.

You are invited to participate in all proceedings and will receive all communication to the above-mentioned agency from the school district and the hearing officer.

If you have any questions concerning this matter, please contact me.

Sincerely,

(Signature, Superintendent)

(School District Address)

CC: Board of Education Members
Agency Requesting Hearing

(Agency)

(Address)

PARENT NOTIFICATION OF AGENCY REQUEST FOR IMPARTIAL DUE PROCESS HEARING

Date _____

Dear _____:

An impartial due process hearing has been requested on behalf of your son/daughter,

_____ by _____
(Child's Name) Date of Birth (Requesting Agency)

The reason a hearing has been requested is _____

Under these circumstances, the schools, by due process standards, are required to make the arrangements for the hearing. The school and the agency will consult to agree upon the selection of a hearing officer from a list of persons prepared by the Ohio Department of Education, the Ohio Department of Mental Health, and the Ohio Department of Mental Retardation and Developmental Disabilities.

You are invited to participate in all proceedings and will receive all communication to the above-mentioned agency from the school district and the hearing officer.

If you have any questions concerning this matter, please contact me.

Sincerely,

(Signature, Superintendent)

(School District Address)

CC: Board of Education Members
Agency Requesting Hearing

(Agency)

(Address)

DUE PROCESS MEDIATION CASE CONFERENCE REPORT

Date _____

Child's Name _____ Date of Birth _____

School _____ Program Placement _____

Parent _____

Participants

Position

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Reason for Conference:

General Areas of Discussion:

Areas of Disagreements, If Any:

Recommendations:

Follow-up Provisions:

Signature, School Representative

District

Address

City/State/Zip Code

School Checklist for Parent-Initiated Impartial Hearings

| ACTIVITIES | COMPLETED | COMMENTS |
|--|-----------|----------|
| 1. The superintendent receives written notice of request for due process hearing. | | |
| 2. The superintendent notes date request is received. THE HEARING MUST BE COMPLETED 45 DAYS FROM DATE OF RECEIPT OF REQUEST, unless an extension is granted by the IHO. | | |
| 3. The superintendent contacts parents and a. sends a list of potential IHOs including their qualifications; | | |
| b. informs parents of any free or low-cost legal and other relevant services; and | | |
| c. inquires about the desirability of mediation (prehearing conference). | | |
| 4. The superintendent contacts a. an attorney (optional); | | |
| b. the Ohio Division of Special Education to report hearing request, to express any concerns, seek information, and/or inquire about mediation; and | | |
| c. the SERRC to report hearing request and alert need for IHO training or updating IHO certification. | | |
| 5. If the parent and school district cannot agree on a selection of a hearing officer within 10 days, the superintendent writes to the state superintendent of public instruction to request that an IHO be appointed. | | |
| 6. The superintendent contacts the selected IHO to a. inform him/her of his/her selection; | | |
| b. give the IHO information who may train or update training and where (the IRC/SERRC); | | |
| c. arrange for use of facilities and supply clerical help; | | |
| d. arrange for reimbursement; | | |
| e. arrange to share the written request for the hearing; and | | |
| f. inform IHO of any prehearing mediation conferences (the IHO is not a participant). | | |

| ACTIVITIES | COMPLETED | COMMENTS |
|--|-----------|----------|
| 7. If the State Superintendent appoints the IHO a. the Ohio Department of Education will contact the IHO; and | | |
| b. the Ohio Department will contact the (SERRC) IRC coordinator to alert him or her that the training may be needed. | | |
| c. The Ohio Department will tell the IHO to contact the district superintendent, and will inform the IHO of who will train him/her and where. | | |
| 8. If the issue is resolved through mediation, the superintendent notifies the parents, the (SERRC) IRC coordinator, and the IHO (written confirmation is important). | | |
| 9. The superintendent should expect that the IHO will contact him/her to a. find a place to hold the hearing; | | |
| b. establish procedures for a verbatim transcript (court reporter or tape recorder); and | | |
| c. determine if an interpreter is needed. | | |
| 10. The superintendent should expect, after initial preparations are made for the hearing, that the IHO will notify the school district with the following information: a. the time, date, and location of the hearing; and | | |
| b. their rights relative to the hearing. | | |
| 11. The IHO will inform the school district a. that the parents have access to the child's records, including the regulations that apply to access; and | | |
| b. the date of the disclosure conference (at least five days prior to the hearing). | | |
| 12. The superintendent will be contacted by the IHO to a. request a list of the district's witnesses; | | |
| b. confirm the hearing arrangements; | | |
| c. request attendance at disclosure conference; and | | |
| d. request that a written statement of the issues to be resolved be prepared to bring to the disclosure conference and to the due process hearing. | | |

School Checklist for School-Initiated Impartial Hearings

| ACTIVITIES | COMPLETED | COMMENTS |
|---|-----------|----------|
| 1. The superintendent receives written notice of request for due process hearing. | | |
| 2. The superintendent notes date request is received. THE HEARING MUST BE COMPLETED 45 DAYS FROM DATE OF RECEIPT OF REQUEST, unless an extension is granted by the IHO. | | |
| 3. The superintendent contacts the state superintendent requesting a list of IHOs. | | |
| 4. When the list prepared by the Ohio Department of Education in consultation with the Ohio Department of Mental Health and the Ohio Department of Mental Retardation and Developmental Disabilities is received, the superintendent: | | |
| a. sends the list of potential IHOs including their qualifications to the parents; | | |
| b. informs parents of any free or low-cost legal and other relevant services; and | | |
| c. inquires about the desirability of mediation (prehearing conference). | | |
| 5. The superintendent contacts | | |
| a. an attorney (optional); | | |
| b. the Ohio Division of Special Education to report hearing request, to express any concerns, seek information, and/or inquire about mediation; and | | |
| c. the SERRC to report hearing request and alert need for IHO training or updating IHO certification. | | |
| 6. If no one on the IHO list is mutually acceptable, the superintendent writes to the state superintendent of public instruction to request that an IHO be appointed. | | |
| 7. The superintendent contacts the selected IHO to | | |
| a. inform him/her of his/her selection; | | |
| b. give the IHO information about who may train or update training and where (the IRC/SERRC); | | |
| c. arrange for use of facilities and supply clerical help; | | |
| d. arrange for reimbursement; | | |
| e. arrange to share the written request for the hearing; and | | |
| f. inform IHO of any prehearing mediation conferences (the IHO is not an participant). | | |

| ACTIVITIES | COMPLETED | COMMENTS |
|---|-----------|----------|
| 8. If the state superintendent appoints the IHO a. the Ohio Department of Education will contact the IHO; and | | |
| b. the Ohio Department of Education will contact the IRC coordinator to alert him or her that the training will be needed. | | |
| c. The Ohio Department of Education will tell the IHO to contact the district superintendent, and will inform the IHO of who will train him or her and where. | | |
| 9. If the issue is resolved through mediation, the superintendent notifies the parents, the (SERRC) IRC coordinator, and the IHO (written confirmation is important). | | |
| 10. The superintendent should expect that the IHO will contact him/her to | | |
| a. find a place to hold the hearing; | | |
| b. establish procedures for a verbatim transcript (court reporter or tape recorder); and | | |
| c. determine if an interpreter is needed. | | |
| 11. The superintendent should expect, after initial preparations are made for the hearing, that the IHO will notify the school district with the following information: | | |
| a. the time, date, and location of the hearing; and | | |
| b. their rights relative to the hearing. | | |
| 12. The IHO will inform the school district | | |
| a. that the parents have access to the child's records, including the regulations that apply to access; and | | |
| b. the date of the disclosure conference (at least 5 days prior to the hearing). | | |
| 13. The superintendent will be contact by the IHO to | | |
| a. request a list of the district's witnesses; | | |
| b. confirm the hearing arrangements; | | |
| c. request attendance at disclosure conference; and | | |
| d. request that a written statement of the issues to be resolved be prepared to bring to the disclosure conference and to the due process hearing. | | |

PARENT CHECKLIST FOR IMPARTIAL HEARINGS

| ACTIVITIES | COMPLETED | COMMENTS |
|---|-----------|----------|
| 1. Parent puts request for a due process impartial hearing in writing to the superintendent and board of education. | | |
| 2. The superintendent will note date the request is received. THE HEARING MUST BE COMPLETED 45 DAYS FROM DATE OF RECEIPT OF REQUEST, unless an extension is granted by the IHO. | | |
| 3. The superintendent will contact the parents and a. send a list of potential IHOs with their qualifications; | | |
| b. inform parent of any free or low-cost legal and other relevant services; and | | |
| c. determine the desirability of mediation (prehearing conference). | | |
| 4. If mediation is desired, the superintendent will make the arrangement with the Ohio Division of Special Education staff, or with other persons, if mutually agreeable between school and parent. | | |
| 5. If the parent and school district cannot agree on a selection of a hearing officer within 10 days, the superintendent writes the state superintendent of public instruction to request that an IHO be appointed. | | |
| 6. The superintendent will contact the IHO and give the IHO information regarding who will train or update the training of the IHO and where (the IRC coordinator of a SERRC will do the training). | | |
| 7. The parents will receive a letter from the IRC coordinator stating that the IHO has received training. | | |
| 8. If the issue is resolved through mediation, the superintendent will notify the parents, the IRC coordinator, the IHO, and the Ohio Division of Special Education. | | |
| 9. The IHO contacts the parent a. to ask if an interpreter is needed; and | | |
| b. to provide basic information about their rights related to the hearing. | | |

| ACTIVITIES | | COMPLETED | COMMENTS |
|-------------------|---|------------------|-----------------|
| 10. | The IHO will notify the parent of | | |
| a. | the date they will be called for a list of witnesses; | | |
| b. | their choice to have an open or closed hearing; | | |
| c. | their choice whether the child attends the hearing; and | | |
| d. | the procedures for disclosure of information. | | |
| 11. | The IHO will contact the parents to request | | |
| a. | a list of their witnesses; | | |
| b. | their decision for an open or closed hearing; | | |
| c. | their attendance at the disclosure conference (at least five days prior to the hearing); and | | |
| d. | that a written statement of the issues to be resolved be prepared to bring to the disclosure conference and to the due process hearing. | | |

DUE PROCESS PROCEDURES CLARIFICATION

A. IMPARTIAL DUE PROCESS HEARING

1. Applicability of Due Process Hearing

An impartial due process hearing may be requested at any time the school district or other educational agency

- a. Proposes to initiate or change the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education to the child; or
- b. Refuses to initiate or change the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education to the child.

2. Initiating a Due Process Hearing

- a. An impartial due process hearing may be initiated by the school district of residence of the child, the parent, or the school district or other educational agency providing the special education and related services.
- b. If the school district of residence, the parent, or the school district or other educational agency providing the special education and related services requests the hearing, they shall do so in writing to the board of education and the superintendent of the school district of residence.
- c. If the hearing has been requested by someone other than the child's parent, the parent shall be informed in writing of the request and shall receive copies of all communications between the school district and hearing officer.
- d. The school district of residence may initiate a hearing by notifying, in writing, the parent and the school district or other educational agency providing or refusing to provide the special education and related services.
- e. All requests initiating hearings shall specify, in writing, the specific issues to be resolved.
- f. If a hearing is initiated or if the parent requests the information, the school district shall inform the parent of any free or low-cost legal and other relevant services available in the area.

3. Selection of Impartial Hearing Officer

- a. Each school district shall maintain a list of attorneys who serve as hearing officers and include a statement of qualifications of each.
- b. Immediately after receipt of a written request for an impartial due process hearing, the superintendent shall submit such list of attorneys, including qualifications, to the individual requesting the hearing.

- c. The individual requesting the hearing shall select a hearing officer from the list presented. If the parties involved cannot agree within ten days upon the selection of an impartial hearing officer, the superintendent shall write to the state superintendent of public instruction who shall appoint one.
- d. If an impartial due process hearing is requested by the school district or other educational agency providing special education and related services, the hearing officer will be selected from a list prepared by the Ohio Department of Education in consultation with the Ohio Department of Mental Health and the Ohio Department of Mental Retardation and Developmental Disabilities.

4. Qualifications of Impartial Hearing Officer

- a. A hearing may not be conducted by a person who is an employee of a public agency that is involved in the education or care of the child or by any person having a personal or professional interest that would conflict with his or her objectivity in the hearing.
- b. The impartial hearing officer shall successfully complete training prescribed by the Ohio Department of Education prior to the hearing.

5. Time lines and Convenience of Hearings

- a. Not later than 45 days after the receipt of a request for a hearing, a final decision is reached and a copy of the decision is mailed to each of the parties.
- b. A hearing officer may grant specific extensions of time beyond the 45 days at the request of either party.
- c. Each hearing involving oral arguments must be conducted at a time and place that is reasonably convenient to the parent and child involved.

6. Child's Status During Proceedings

- a. During the pendency of any impartial due process hearing or subsequent appeals, unless the parent and the school district agree otherwise, the child involved in the complaint must remain in his or her present educational placement.
- b. If the complaint involves an application for initial admission to public school, the child, with the consent of the parent, must be placed in the public school program until the completion of all proceedings.
- c. This does not preclude the school district from using its normal procedures for dealing with children who are endangering themselves or others.

7. The impartial hearing officer shall inform the parties in an impartial due process hearing of their rights to
 - a. Be accompanied and advised by counsel and by individuals with special knowledge of or training in the problems of children with disabilities;
 - b. Present evidence and confront, cross-examine, and compel the attendance of witnesses whose testimony is relevant, necessary, and material;
 - c. Prohibit the introduction of any evidence to that party at least five days before the hearing;
 - d. Obtain a written or electronic verbatim record of the hearing;
 - e. Obtain written findings of facts and decisions;
 - f. Have access to educational records; and
 - g. Be informed of how to appeal decisions.
8. The impartial hearing officer shall inform the parent involved in hearings of the right to
 - a. Have the child who is the subject of the hearing present;
 - b. Open the hearing to the public; and
 - c. Receive notices in written language understandable to the public and provided in the native language of the parent or other mode of communication to assure that the parent understands the notice. All hearings and appeals procedures shall be provided in the parent's native language or other mode of communication.
9. Parties to an impartial due process hearing must be informed by the hearing officer of their rights relative to the hearing process sufficiently in advance of the hearing to provide adequate understanding and preparation.
10. Responsibilities of Hearing Officer

The hearing officer

 - a. Notifies all parties of the date, time, and location of the hearing, and their rights relative to the hearing;
 - b. Notifies, by certified mail, all witnesses compelled to testify at the hearing;
 - c. Arranges a conference between the parties at least five days prior to the hearing to assure that information to be presented is disclosed;

- d. Issues, upon showing that a proposed witness' testimony is relevant, necessary, and material, a subpoena or a subpoena *duces tecum* to compel that the production of any books, records, or papers to be directed to the sheriff of the county where such witness resides or is found, which shall be served and returned in the same manner as a subpoena in a criminal case. Fees and mileage shall be paid by the party requesting the subpoena;
- e. Denies the request for a subpoena if a witness
 - i. Has no direct knowledge of the child;
 - ii. Is not in a position to be aware of the specified proposed placement of stipulated issues to be resolved;
 - iii. Is called to attest a fact uncontested or to corroborate another's testimony which can be provided by affidavit;
 - iv. Is called to verify the authenticity or existence of a document, law, regulation, rule, or policy which can be verified by affidavit, or
 - v. Would, by being compelled to attend, not be reasonably expected to provide information material to the stipulated issues;
- f. Provides an opportunity for evidence to be presented and witnesses to be confronted or cross-examined;
- g. Decides on any procedural issues presented at the hearing;
- h. Orders an independent evaluation at public expense if the hearing officer should require such for the purposes of resolving any stipulated issue; and
- i. Arrives at a written decision based solely on evidence and testimony presented at the hearing no later than forty-five days after the receipt of a request for a hearing and communicates such decision to the parties involved, unless specific extensions have been made by the hearing officer upon request by either party.

11. Costs of Hearings

- a. When the hearing has been requested by the parent, all costs (except as noted below) shall be incurred by the school district. When the hearing has been requested by another educational agency, the school district and agency shall equally share the costs. The following exceptions apply in either case:
 - i. Expert testimony, outside medical evaluation, witness fees, and cost of counsel will be paid by the party requesting the services.

- ii. One copy of the verbatim transcript will be provided to the parent at no cost. Additional copies will be paid for by the parent.
- iii. The parent may petition the court for reasonable attorneys' fees, as part of incurred costs, if the parent initiated the hearing and the hearing officer rules in favor of the parent.

B. STATE-LEVEL REVIEW

1. Any party aggrieved by the findings and decision rendered as a result of an impartial due process hearing conducted at the local level may appeal in writing to the State Board of Education.
2. Upon receipt of such an appeal to the State Board of Education, the state superintendent of public instruction shall appoint a reviewing officer to issue a final order.
3. The reviewing officer shall
 - a. Examine the entire hearing record;
 - b. Insure that the procedures at the hearing were consistent with the requirements of law;
 - c. Seek additional evidence, if necessary, utilizing the powers of the hearing officer (see item A.10);
 - d. Afford, at his or her discretion, the parties an opportunity for oral or written argument. If oral argument is involved, it must be conducted at a time and place reasonably convenient to the parent and child involved; and
 - e. Issue a final order to all parties of record within 30 days, unless an extension has been granted at the request of either party.
4. All decisions rendered in an impartial due process hearing, or at a state-level review, shall be in accordance with Ohio and federal rules and regulations.

C. APPEAL TO COURTS

Any party aggrieved by the final order of the State Board of Education may appeal the final order to the following courts only after conclusion of an impartial due process hearing and state-level review:

1. The common pleas court of the county of the child's school district of residence; or
2. The federal district court of competent jurisdiction.

D. MEDIATION

Mediation is recommended, but cannot be used to delay or deny an impartial due process hearing that has been requested in writing. In many cases, mediation may lead to resolution of differences without the development of an adversarial relationship. The steps in mediation include

1. **Case Conference:** Case conference procedures are informal procedures ordinarily used in the evaluation, placement, and periodic review process to provide the parents and the school district an opportunity to review and interpret information regarding the child and his or her IEP and to resolve problems encountered during this process.
2. **Administrative Review:** The child's parents or educational agency other than the school district may request an opportunity to present complaints to the superintendent regarding the evaluation or educational placement of the child or the provision of special education.
 - a. Upon receipt of a complaint, the superintendent, without undue delay and at a time and place convenient to all parties, shall conduct a review, may hold an administrative hearing, and shall notify all parties in writing of his or her decision within 20 days.
 - b. Every effort should be made in the review to resolve any disagreements.
 - c. All parties have the right to invite others to participate in the administrative review, including legal counsel.
3. **Prehearing Conference:**
 - a. After all efforts have been exhausted at the school district level, and ordinarily after an impartial hearing officer has been appointed, a representative of the Ohio Department of Education may be asked to mediate any dispute.
 - b. The school district will arrange a time for the prehearing conference in the school's geographical area mutually agreeable to the parent, school personnel, and the representative from the state.

SECTION 8
APPENDICES

CONTENTS

- Appendix A** **Sample Request for Assistance Forms
(Assistance Team Models)**
- Appendix B** **Sample Child Information Management System (CIMS)**
- Appendix C** **School-Age Multifactor Evaluation Requirements**
- Appendix D** **Preschool Multifactor Evaluation Planning Chart**
- Appendix E** **Early Intervention Transition Policy**
- Appendix F** **Crisis Intervention Plan**
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Memorandum of April 14, 1989 (Extended School Year
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- Appendix H** **Early Education of the Handicapped Teacher and
Prekindergarten Teacher Certification/Training
April 21, 1995 Memorandum**
- Appendix I** **Definitions**
- Appendix J** **Individual Career Plan (ICP)**

APPENDIX A

SAMPLE REQUESTS FOR ASSISTANCE FORMS

(Assistance Team Models)

APPENDIX A

BUILDING-LEVEL PROBLEM ANALYSIS AND INTERVENTION PLAN

STUDENT: _____ GRADE: _____ DATE : _____

TEACHER: _____ COLLABORATORS: _____

STEP 1. BEHAVIORAL DESCRIPTION OF THE PROBLEM:
(specific and observable behavior)

STEP 2. BEHAVIORAL STATEMENT OF DESIRED GOAL OR OBJECTIVE:
(objective written in precise terms)

STEP 3. BRAINSTORM POSSIBLE INTERVENTIONS:
(list without evaluating)

STEP 4. CLARIFY AND EVALUATE POSSIBLE INTERVENTIONS:
(outline interventions)

STEP 5. DEVELOP AN INTERVENTION PLAN:
(attach intervention plan)

STEP 6. EVALUATE EFFECTIVENESS OF INTERVENTION PLAN:
(dates, modifications, measures of effectiveness)

PROGRESS MONITORING

DEFINITION: Progress monitoring is a systematic procedure for the frequent and repeated collection and analysis of student performance data.

WHAT ARE THE BENEFITS OF PROGRESS MONITORING?

- FOR STUDENTS:**
- Monitoring provides a clear idea of expectations for performance.
 - Continuous feedback on performance enhances motivation.
 - Student outcomes improve.
- FOR TEACHERS:**
- Monitoring provides timely feedback on the effectiveness of an intervention.
 - Data collection provides an objective data base for decision-making.
 - Continuous feedback improves instructional planning.
 - Progress monitoring is an important tool for problem-solving.

WHY SHOULD I MONITOR PROGRESS?

No way to predict that interventions will be successful.

Increased emphasis on the demonstration of outcomes.

Student outcomes improve.

Allows us to make decisions based on the pattern of performance.

BUILDING-LEVEL PROBLEM ANALYSIS AND INTERVENTION PLAN

NAME: _____ **STUDENT NUMBER:** _____

INFORMATION PROVIDED: _____ **SCHOOL:** _____

| Educational Need | Interventions and/or Adaptations | Evaluation | Person Responsible | Review |
|------------------|----------------------------------|------------|--------------------|--------|
| | | | | |

Participants:

353

Duration of Services:

354

APPENDIX A

**Appendix A
Sample 2**

IAT RECORD FORM

STUDENT'S NAME: _____ **TEACHER:** _____

GRADE: _____ **DATE OF BIRTH:** _____ **DATE:** _____

PRESENTING CONCERN: _____

PERTINENT AREAS:

- | | |
|-------------------------------------|------------------------------------|
| _____ Language Skills | _____ Attendance |
| _____ Health/Vision/Hearing | _____ Work Samples |
| _____ Sensorimotor/Motor | _____ Self-Concept |
| _____ Work Skills/Habits | _____ Motivation |
| _____ Age-related skills | _____ Peer Relationships |
| _____ Behavior | _____ Social Interactions |
| _____ Adaptive Behavior (self-help) | _____ Family Issues |
| _____ Academic Skills | _____ Parent Concerns/Needs/Wishes |
| _____ Previous Test Scores | _____ Support Services |
| _____ Grades | |

Explanation/Notes:

DECISION:

- _____ Continue Interventions in the regular classrooms without individual testing. Include Student Intervention Plan.
- _____ Refer the child for an individual evaluation although not a suspected disability. Include rationale below.
- _____ Refer the child as a suspected disability by completing the "Request for Multifactorial Evaluation Packet."
- _____ Other:

APPENDIX A

Student Information Form

**Appendix A
Sample 3
(Page 1 of 3)**

Date _____
 month day year

**Student Information
IAT Referral Process-High School**

Student's Name _____ Sex _____ M F Grade _____ Birthdate _____ Age _____

Address _____ Zip _____ Phone _____

Father's Name _____ Mother's Name _____

Reason Student Referred: _____

Number of School Transfers _____ Grades Repeated _____

Has the student received other special services within our school system, from another school district or agency? If so, specify where and what services:

nurse _____ counselor _____

speech therapist _____ social worker _____

reading consultant _____ school psychologist _____

other _____

Special health problems (physical, vision, hearing, etc.) Explain _____

ACADEMIC CHARACTERISTICS

Do group achievement test scores coincide with classroom achievement? If discrepancies exist, which skill areas are involved? Effect of attitude/work habits/attendance?

Present classroom achievement: Indicate (1) grade (2) effort

Grade Level

| | (1) | (2) | At | Above | Below | Comments |
|----------------|-------|-------|-------|-------|-------|----------|
| Reading | _____ | _____ | _____ | _____ | _____ | _____ |
| Math | _____ | _____ | _____ | _____ | _____ | _____ |
| English | _____ | _____ | _____ | _____ | _____ | _____ |
| Social Studies | _____ | _____ | _____ | _____ | _____ | _____ |
| Science | _____ | _____ | _____ | _____ | _____ | _____ |
| Fine Arts | _____ | _____ | _____ | _____ | _____ | _____ |
| Business Ed. | _____ | _____ | _____ | _____ | _____ | _____ |
| Foreign Lang. | _____ | _____ | _____ | _____ | _____ | _____ |
| IA/Home Ec. | _____ | _____ | _____ | _____ | _____ | _____ |

Other Information:

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**HIGH SCHOOL
INTERVENTION ASSISTANCE TEAM**

Date:
To:
From:
Subject:

Please attend an IAT meeting on:

Date:
Time:
Location:

This meeting has been established to share information and concerns about one of our students. Your input will be most helpful in developing strategies to help this student succeed. If you cannot attend, please contact me.

**HIGH SCHOOL
 Intervention Plan**

Student's Name _____ Date _____

Conference Team Members _____

Target Behavior _____ Long-Range Goal _____

| Short-Term Objectives | Procedures | Measurement Procedures | Date | |
|-----------------------|------------|------------------------|--------------|-------------|
| | | | Instr. Began | Obj. Ach'd. |
| | | | | |

APPENDIX A

**Appendix A
Sample 4
(Page 1 of 2)**

**Student Assistance Team
Intervention Plan**

Student _____ **Grade** _____ **Date** _____
Teacher _____ **Collaborators** _____

Step #1 Behavioral Description of the Concern/Problem:

Step #2 Behavioral Statement of the Desired Goal or Outcome: _____

Step #3 Brainstorm Ways to Alleviate the Concern/Problem Mentioned in Step

#1: _____

Step #4 Devise a Plan of Action that builds upon some of the strategies identified in

Step #3:

Plan of Action

| Who | Does What | When |
|-----|-----------|------|
|-----|-----------|------|

Set a date to evaluate the effectiveness in achieving the stated goal: _____

Step #5 Evaluate how effective the plan was in reaching the goal stated in Step

#2: Date _____

Results of the Intervention:

Teacher rating of the effectiveness of the plan in achieving the goal stated in Step #2:

| | | | | |
|----------------------|---|---------------------------|---|-----------------------|
| 1 | 2 | 3 | 4 | 5 |
| Not Effective | | Somewhat Effective | | Very Effective |

Step #6 Modify the plan:

Plan of Action

| Who | Does What | When |
|-----|-----------|------|
|-----|-----------|------|

Set a date to evaluate the plan's effectiveness in achieving the stated goal:

INTERVENTION TEAM REFERRAL FORM

STUDENT NAME _____ DATE _____

PROGRAM _____ INSTRUCTOR _____

NUMBER OF SUSPENSIONS _____ DAYS OUT _____

DESCRIPTION OF STUDENT PROBLEM:

SIGNED _____

APPRAISAL OF STUDENT BY SUPERVISOR OR TEACHER:

SIGNED _____

STUDENT SERVICES INFORMATION:

| | | | |
|--|------------|-----|----|
| | I.E.P. | Yes | No |
| | Evaluation | Yes | No |

SIGNED _____

OTHER PERTINENT INFORMATION:

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TEAM MEMBERS PRESENT:

TEAM RECOMMENDATIONS:

FOLLOW-UP:

DATE _____

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REQUEST FOR CONSULTATION-ASSISTANCE

ORIGINAL--Student File
COPY--County Office

Student's Name _____ D.O.B. _____ Age _____ Grade _____

Requesting Person _____ Teachers _____

Date Request Initiated _____

SECTION I--Check all that apply

- 1. _____ Poor Retention
- 2. _____ Slow Rate of Work
- 3. _____ Cannot Follow Oral Directions
- 4. _____ Cannot Follow Written Directions
- 5. _____ Doesn't Complete Ass'ts.
- 6. _____ Poor Study Habits
- 7. _____ Poor Attitude
- 8. _____ Poor Peer Relationship
- 9. _____ Inconsistent
- 10. _____ Very Active
- 11. _____ Distractible
- 12. _____ Disorganized
- 13. _____ Off Task Often
- 14. _____ Poor Motor Skills
- 15. _____ Poor Language Development
- 16. _____ Other (Explain)

SECTION II--Reason for Request. Be specific. _____

What classroom adjustments have been made to remediate the problem? _____

Services currently being provided: _____ Remedial Reading _____ Math _____ Counseling
_____ Speech Therapy _____ Other (Explain) _____

Have parents been made aware of the problem? Yes _____ No _____

If yes, their reactions and/or suggestions: _____

SECTION III-- Student Record Review

1. Parent/Guardian Name _____ Relationship _____
2. Language Spoken at Home _____
3. Significant Medical Problems _____
- _____
4. Last Vision and Hearing Screening: Date _____ (v) Date _____ (h)
- Recommendations: _____
- _____

List name, date, grade, and results of the most recent achievement, readiness, and/or aptitude test, or attach copy of that printout.

| Name of Test | Date | Grade | Results |
|--------------|-------|-------|---------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

List present classroom achievement levels: _____ Reading _____ Math
 _____ English _____ Social Studies _____ Science _____ Other (please list) _____

When and what, if any, disciplinary action has been initiated: _____

Attach any relevant work samples and/or additional statements about this student's work habits, behavior, and /or potential.

SECTION IV--To be completed by Principal

IAT Members

1. _____ 5. _____
2. _____ 6. _____
3. _____ 7. _____
4. _____ 8. _____

County Office Personnel needed as IAT member.

Yes _____ No _____

Classroom Observation to be done by:

Building Personnel _____

County Office Personnel _____

IAT Conference Date _____

Time _____ Place _____

Date _____

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(Principal's Signature)

District Teacher Checklist Form

**REQUEST FOR CONSULTATION ASSISTANCE
TEACHER CHECKLIST**

Student's Name _____ Grade Level _____

Teacher's Name _____ School _____ Date _____

Please indicate areas of strength and weakness relative to his/her peer group.

S= Satisfactory U= Unsatisfactory N/A= Not Applicable

Listening Comprehension:

- _____ 1. Can be understood when speaking
- _____ 2. Can tune out noise distractions
- _____ 3. Follows oral directions
- _____ 4. Remembers spoken information

Comments: _____

Reading Skills and Comprehension:

- _____ 1. Identifies alphabet letters presented in random order
- _____ 2. Can discriminate between letter sounds
- _____ 3. Knows letter sound relationships.
- _____ 4. Blends sounds to identify words
- _____ 5. Applies word attack skills
- _____ 6. Does not reverse letters
- _____ 7. Does not reverse words
- _____ 8. Reads vocabulary words at grade levels
- _____ 9. Demonstrates comprehension when reading

Comments: _____

Oral Expression:

- _____ 1. Can be understood when speaking
- _____ 2. Oral vocabulary adequate to express ideas
- _____ 3. Makes sense in conversation
- _____ 4. Use of grammar and sentence structure is as mature as peers
- _____ 5. Relates information in proper sequence
- _____ 6. Makes appropriate responses to questions

Comments: _____

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District IAT Conference Summary Form

REQUEST FOR CONSULTATION-ASSISTANCE
IAT CONFERENCE SUMMARY

I. Student's Name _____ Date _____

II. Recommended instructional, management, and/or material changes to be implemented. To the extent possible, all changes should be measurable.

III. This plan will be implemented by _____ for _____ (period of time). The implementation of this plan will be monitored by the building principal and will be reviewed by the members on Date _____, Time _____, Place _____

IAT Members' Signatures

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

(Principal)

IV. Review Summary of Interventions Recommended

1. What changes were noted in the student during the implementation period (be specific):
2. _____ The recommended intervention strategies produced satisfactory results and no further assistance is needed.
3. _____ Additional intervention strategies are needed. Additional Recommendations:

4. The intervention strategies did not produce satisfactory progress and a multifactored/multidisciplinary evaluation is requested at this time due to a suspected _____ handicap.

Date _____

IAT Members' Signatures:

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

(Principal)

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APPENDIX B

CHILD INFORMATION MANAGEMENT SYSTEM (CIMS)

CIMS-Manual

I. Capabilities and Characteristics of CIMS-Manual

The CIMS-Manual (CIMS-M) is offered as an alternative to the electronic programs for districts whose information management needs are not as extensive as other school districts, but yet must meet federal and state requirements for management of data collected on suspected disabled and identified disabled children. Information is entered by completing the necessary blanks on the CIMS-M card. It is recommended that pencil or erasable ink be used for updating purposes.

II. Overview of System

Materials: The basic component in the CIMS-M is the CIMS-M Card, which is a printed card.

Organization: The CIMS-M may be organized according to school district needs. It may be organized in any of the following ways:

Alphabetic Order - This method is simple filing by alphabetic order. This method will permit users to locate any child in the system by knowing only the name of the child. This method of organization does not permit rapid determination of single or multiple factor items for tasks such as child count, unit application, or reevaluation dates. Districts who maintain lists with classes, related services, birth dates, evaluation dates, may want to consider this method of organization.

Disability in Alphabetic Order - This method involves filing students alphabetically by disability. Divider cards would be used to designate disability. This method would permit rapid collection of data for child count and unit application. However, this method requires that the student's disability be known in addition to name, for location in the system.

School-Disability in Alphabetic Order - This method involves filing students by facility of attendance according to disability. Dividers designate facility and subdivided by disability within the facility. This facilitates child count, unit application, management of data as the child progresses from elementary to high school, and updating of cards for the periodic review section. This method requires that the user know the facility of attendance, disability, and name of student.

School-Class or Program in Alphabetic Order - This method involves filing students by facility of attendance and class alphabetically. Dividers would be used to designate facility, and subdivided into classes within the facility. It may be useful to school districts having two or more classes of the same disability, eg. two SLD classes, in the same building. This method facilitates unit enrollment projections, unit applications, and child count, but the user must know the student's facility of attendance, specific class, and name.

Inactive Files - Regardless of which method districts elect to use, a separate section should be maintained for students who are no longer in the system, or are not disabled. This facilitates drop out and graduation rate studies and retrieval of information regarding students who have been out of the system for long periods of time so that data destruction procedures could be implemented. Use of this method also ensures accuracy of class enrollment projections and child count.

| <u>Data Entered</u> | <u>Data Source</u> |
|--|-------------------------------|
| 1. Enter child's name in terms of last, first, middle initial (if available) | CI-205, CI-206, IEP |
| 2. Enter date of birth by year, month, day | CI-205, CI-206, IEP |
| 3. Enter sex "M" or "F" | CI-205, CI-206, IEP |
| 4. Enter student's legal address by number street or P.O. Box, City, State, and Zip Code | CI-205, CI-206, IEP |
| 5. Enter telephone number. If none, enter "N" | CI-205, CI-206, IEP |
| 6. If appropriate, check box and enter father's full name | CI-205, CI-206, IEP |
| 7. If appropriate, check box and enter mother's full name | CI-205, CI-206, IEP |
| 8. If appropriate, check box and enter legal guardian's full name | CI-205, CI-206, IEP |
| 9. If appropriate, check box and enter surrogate parent's full name | CI-205, CI-206, IEP |
| 10. Enter address of above by street or P.O. Box, City, State and Zip Code | CI-205, CI-206, IEP |
| 11. Enter telephone number. If none, enter "N" | CI-205, CI-206, IEP |
| 12. Enter the legal school district of residence. | CI-205, CI-206, IEP |
| 13. Enter the school district where the child attends school or where the facility is located | CI-205, CI-206, IEP |
| 14. If the child is identified as disabled and is not receiving an appropriate public education, the reason(s) must be recorded and coded as follows: CA - Not compulsory school age O - Other* *There are few legal reasons for this situation to occur. | Superintendent or Designee |
| 15. Enter the child's primary disability as determined by the Multifactorial Evaluation Team Report or area(s) of disability for preschool Evaluation Team Report. Abbreviate as follows: | PS-401 |

Disability - School Age

Deaf-Blind
 Multihandicapped
 Hearing Handicapped
 Visually Handicapped
 Orthopedically and/or Other Health Impaired
 Severe Behavior Handicapped
 Developmentally Handicapped
 Specific Learning Disability
 Speech Handicapped
 Autism
 Traumatic Brain Injury

Enter:

DB
 MH
 HH
 VH
 OHI
 SBH
 DH
 SLD
 SP
 AU
 TBI

Deficit Area - Preschool

Cognitive Ability and
one or more of the areas listed below
Adaptive Behavior and one or
more of the areas listed below
Communication Skills
Hearing Abilities
Motor Functioning
Social-Emotional/Behavioral Functioning
Vision Abilities

Enter:

CA-
Area
AD-
Area
COM
HA
MF
SE
VA

16. Enter the primary program in which the child receives special education by program and program option code as follows:

IEP

Programs - School Age

Multihandicapped
Hearing Handicapped
Visually Handicapped
Orthopedically and/or Other Health Impaired
Severe Behavior Handicapped
Developmentally Handicapped
Specific Learning Disability
Speech Handicapped

Enter:

MH
HH
VH
OHI
SBH
DH
SLD
SP

Program - Preschool

Preschool

Enter:

PRE

Program Options- School Age:

Regular Class
Regular Class with Supplemental Services
Individual/Small Group Instruction
Learning Center
Special Class
Special Class/Separate Facility
Home Instruction
Other

Enter:

RC
SST
ISI
LC
SC
SC/SF
HI
O

Examples - School Age:

LD Student in Special Class
MH Student in 169 Program
SBH Student on Home Instruction
LD Student Phased into Regular Classroom

Enter:

SLD-SC
MH-SC/SF
SBH-HI
RC

Program Options-Preschool:

Center Based Integrated
(Includes typically developing peers)

Enter:

CBI

Center Based Mainstreamed
(Children are mainstreamed into other classes with typically developing peers)

CBM

| | |
|---|-------------|
| Speech and Language Services | SLP |
| Supervisory Services | SUP |
| Vocational Special Education Coordinator Services | VOED |
| Work study Coordination Services | WS |
| Other | O |
| No related services | leave blank |

19. Enter the facility where the student will attend to receive special education and/or related services. Code as follows: IEP

| | |
|---|-----------------------|
| Elementary | (Name of School)ELE |
| Middle School | (Name of School)MS |
| Junior High School | (Name of School)JHS |
| High School | (Name of School) HS |
| Joint Vocational School | (Name of School)JVS |
| County Board of MR/DD | (Name of School)MR/DD |
| Sheltered Workshop | (Name of School)SWS |
| Private Residential Facility | (Name of School)PRF |
| Private School | (Name of School)PRS |
| State Institution | (Name of School)SI |
| Other Facility | (Name of School)O |
| Ohio School for the Deaf | OSD |
| Ohio School for the Blind | OSB |
| Ohio Youth Commission | OYC |
| Day Care Center | (Name of Center)DC |
| Preschool Program Housed in a Separate Facility | (Name of Facility)SF |
| Head Start Program | (Name of Program)HS |
| Home | HOME |

20. Enter the student's original suspected disability or deficit for preschool. Code as follows: MFE-502

| | |
|---|---------------|
| <u>Suspected Disability - School Age:</u> | <u>Enter:</u> |
| Deaf-Blind | DB |
| Multihandicapped | MH |
| Hearing Handicapped | HH |
| Visually Handicapped | VH |
| Orthopedically and/or Other Health Impaired | OHI |
| Severe Behavior Handicapped | SBH |
| Developmentally Handicapped | DH |
| Specific Learning Disability | SLD |
| Speech Handicapped | SP |
| Autism | AU |
| Traumatic Brain Injury | TBI |

| | |
|--|---------------|
| <u>Deficit Area - Preschool:</u> | <u>Enter:</u> |
| Cognitive Ability and one or more of the areas listed below | CA- Area |
| Adaptive Behavior and one or more of the areas listed below | AD- Area |
| Communication Skills | COM |
| Hearing Abilities | HA |
| Motor Functioning | MF |
| Social-Emotional/Behavioral Functioning | SE |
| Vision Abilities | VA |

21. Enter the date that the referral form was completed by the referring person CI-205, CI-206

22. Enter the date that the Special Education Committee or Preschool Special Services Review Committee received the referral. CI-207, CI-208

| <u>Data Entered</u> | <u>Data Source</u> |
|--|--------------------|
| 23. Enter the date that the Parent Permission for Testing form was sent to the parent. | PS-401 |
| 24. Enter the date that the Parent Permission for Testing form was returned | PS-401 |
| 25. Enter the date that the MFE report was completed. | MFE-502, MFE-503 |
| 26. Enter the date that the report of the multifactor team re-evaluation was completed. | MFE-502, MFE-503 |
| 27. Enter the date that the initial IEP conference occurred. | IEP |
| 28. Enter the date that the parent or student permission or refusal for placement was made. | IEP |
| 29. Enter the date that the special education program and/or related services were initiated. | IEP |
| 30. Enter the date that the periodic review was conducted. | IEP |
| 31. Enter the date that the primary program was terminated (i.e, child was phased out or program was changed). | IEP |
| 32. Enter the date that the related service(s) was/were terminated. | IEP |

| | |
|---|---|
| <p>STUDENT STATUS _____</p> <p>DATE(S)</p> <p>MOVED _____ (33) _____</p> <p>RE-ENTERED _____ (34) _____</p> <p>DROPPED OUT _____ (35) _____</p> <p>GRADUATED _____ (36) _____</p> <p>NO LONGER SCHOOL AGE _____ (37) _____</p> <p>OTHER _____ (38) _____</p> <p>_____</p> <p>_____</p> <p>_____</p> | <p>IMPARTIAL HEARING</p> <p>DATE(S) OF REQUEST FOR IMPARTIAL HEARING</p> <p>(✓)</p> <p>___ PARENT(S) _____ (39)</p> <p>___ SCHOOL DISTRICT RESIDENCE _____ (40)</p> <p>___ OTHER EDUCATIONAL AGENCY _____ (41)</p> <p>PARENT NOTIFICATION OF AGENCY REQUEST _____ (42)</p> <p>MEDIATION IF APPLICABLE _____ (43)</p> <p>CASE CONFERENCE _____ (44)</p> <p>ADMINISTRATIVE REVIEW _____ (45)</p> <p>PREHEARING CONFERENCE _____ (46)</p> <p>LIST OF IMPARTIAL HEARING OFFICERS _____ (47)</p> <p>IMPARTIAL HEARING CONDUCTED _____ (48)</p> <p>STATE LEVEL REVIEW CONDUCTED _____ (49)</p> <p>APPEAL TO COURTS _____ (50)</p> |
|---|---|

Data Entered

Data Source

- | | |
|---|---|
| 33. Enter the date that the student moved from the school district. (Do not record moves within the school district. They are documented by address and facility of attendance updates). Card should be placed in Inactive File if student moves from district. | Principal, Teacher, Guidance Counselor |
| 34. Enter the date that a previously enrolled student re-enrolls. Reactivate card and file appropriately. | Principal, Teacher, Guidance Counselor |
| 35. Enter the date that the student officially drops out of school. Card should be placed in Inactive File. | Principal, Teacher, Guidance Counselor |
| 36. Enter the date of graduation. Card should be placed in the Inactive File. | Principal, Teacher, Guidance Counselor |
| 37. Enter the date that the student turns 22 (if this occurs during the school year, the student is eligible for services for the remainder of the year). Card should be placed in Inactive File. | CI-205, IEP |
| 38. This area is for school district use to document additional information that the district needs. | |
| 39. If parent requests an impartial hearing, check this box and enter the date of the request. | DP-702 |
| 40. If school district of residence requests and impartial hearing, check this box and enter the date of the request. | DP-703 |
| 41. If school district of attendance requests an impartial hearing, check this box and enter the date of the request. | DP-703 |
| 42. If another educational agency requests an impartial hearing, check this box and enter the date of the request. | DP-704 |
| 43. Enter the date that the parent was notified of the agency request for impartial hearing. | DP-704 |
| 44. If mediation was attempted enter date of case conference. | DP-705 |
| 45. If an administrative review was held, enter date of review. | Superintendent or Designee |
| 46. If a pre-hearing conference was held, enter data of conference. | Superintendent or Designee |
| 47. Enter date that impartial Hearing Officer list was sent to parent. | Superintendent or Designee |
| 48. Enter the date of the Impartial Hearing. | Superintendent or Designee |
| 49. Enter date of State Level Review, if held. | Superintendent or Designee |
| 50. Enter the date that the case was appealed to the courts. | Superintendent or Designee |

CIMS-Micro

I. Capabilities and Characteristics of CIMS-Micro

CIMS-Micro is designed to interface with the Child Information Management System- Manual (CIMS-M). While it is not essential that CIMS-M be in place, data entry to the CIMS-Micro program will be greatly facilitated, as the information to be entered in the CIMS-Micro program can be the same as that contained on the CIMS-M cards.

If the data is properly entered and maintained, CIMS-Micro will perform the following functions:

1. Storage of data on a limitless number of disabled or suspected disabled children.
2. Retrieval of single or multiple item data on disabled or suspected disabled children.
3. Retrieval of information to generate:
 - a. class lists
 - b. lists of children needing re-evaluation
 - c. address labels
 - d. child count data
 - e. lists of students being provided with specific related services
 - f. periodic review lists
 - g. other information as needed

In order to operate this program, the user must have access to the following:

- a micro computer with adequate memory (RAM)
- a video monitor
- a disk drive and/or hard drive
- a printer
- database software with at least 50 fields

II. Data Entry

Data entry is achieved through the microcomputer. The user needs to become familiar with the rules for data entry and retrieval of the particular database program used. The following page contains a sample format.

III. Data Updating

Specific instructions for updating information will be provided in the database program manual.

IV. Data Retrieval

Retrieval of data may be accomplished by various methods described in the database program manual. Data may be retrieved for individual students, groups of students, or the entire school district.

V. Reports

Various database files may be programmed to generate the following reports:

1. Re-evaluation lists
2. class lists
3. child count data
4. students receiving related services
5. periodic review lists
6. address labels
7. special transportation lists

In addition, some database programs have the capability to merge information from the database into a word processor, thus creating the possibility of printing personalized form letters for reevaluations, periodic review invitations, and other appropriate uses. Prospective users of a CIMS-Micro system are urged to review several programs for their capabilities before purchasing a program.

Sample CIMS-Micro Format

| | | |
|----------------------------|--------|---|
| *Name: | | *Primary Program: Teacher: |
| *Address: | | *Related Services: |
| *City/State/Zip: | | |
| *D.O.B: | Phone: | |
| *Name of: Student: | | *Facility of Attendance: |
| *Father: | | *District of Attendance: |
| *Mother: | | *District of Residence: |
| *Guardian: | | |
| *Surrogate: | | *Service Classification: *Reason(s) for Unserved Status: |
| *Address of Above: | | |
| *City/State/Zip: | | *Suspected Disability/Deficit(s): |
| *Telephone of Above: | Sex: | *Primary Disability//Deficit(s): |
| Dates of: | | Dates of Impartial Hearing: |
| *Referral: | | Request for Hearing by: |
| Receipt by Committee: | | Parent(s): |
| Parent/Student Notice: | | District of Residence: |
| Parent/Student Permission: | | District of Attendance: |
| Parent/Student Refusal: | | Other Ed. Agency: |
| *Multifaceted Evaluation: | | |
| *Re-Evaluation: | | Parent Notification of Agency Request: |
| *IEP Conference: | | |
| Parent/Student Permission | | |
| Parent/Student Refusal: | | Mediation, if Applicable: |
| *Actual Placement: | | Case Conference: |
| *Last Periodic Review: | | Administrative Review: |
| Termination Primary Prog.: | | Pre Hearing Conference: |
| Termination Related Serv.: | | |
| Moved: | | IHO List Sent: |
| Re-Entered: | | |
| Dropped Out: | | Hearing Held: |
| Graduated: | | State Review: |
| Special Transportation: | | Appeal to Court: |

*Items mandated by State Standards

SECIMS

The Special Education Child Information Management System (SECIMS) is a computerized child information management system developed by the Ohio Department of Education. It is designed to operate from a mainframe computer located at the A-site serving the school district.

School districts wishing to review and/or use the system should contact their A-site directly. Additional information may also be secured through VAXNOTES.

APPENDIX C

School-Age Multifactorial Evaluation Requirements

I = Initial Evaluation
 R = Reevaluation
 X = As Needed

| Evaluation Areas | MH | HH | VH | OH/ OHI | SBH | DH | SLD |
|--|-----|-----|-----|------------|-----|-----|-----|
| Physical Examination | I-R | I | I | I | I | | |
| Medical Consultation | X | X | X | X | X | X | X |
| General Intelligence | I-R | I | I | I | I-R | I-R | I-R |
| Academic Performance | I-R | I-R | I-R | I-R | I-R | I-R | |
| Basic Reading Skills | | | | | | | I-R |
| Reading Comprehension | | | | | | | I-R |
| Math Calculation | | | | | | | I-R |
| Math Reasoning | | | | | | | I-R |
| Vision Ability | I-R | I-R | | I-R | I | I-R | I-R |
| Hearing Ability | I-R | | I-R | I-R | I | I-R | I-R |
| Motor Ability | I-R | I-R | I-R | I-R | I | I-R | I-R |
| Communicative Status | I-R | I-R | | I-R | I | I-R | |
| Oral Expression | | | | | | | I-R |
| Listening Comprehension | | | | | | | I-R |
| Written Expression | | | | | | | I-R |
| Adaptive Behavior | I-R | | | | | I-R | |
| Social and Emotional Status | I-R | I-R | I-R | I-R | | | I-R |
| Audiological Status | | I-R | | | | | |
| Eye Condition | | | I-R | | | | |
| Background Information: Educational, Family & Medical History | | | | | I-R | | |
| Informal Behavior Observation by Current Teacher & Other Team Member | | | | | I-R | | |
| Behavior / Personality Measure | | | | | I-R | | |
| Teacher Recommendations | | | | | | I-R | |
| Physical Condition | | | | | | I-R | |
| Social & Cultural Background | | | | | | I-R | |
| Classroom Observation | | | | | | | I-R |
| Page Reference in <u>Rules for the Education of Handicapped Children</u> | 50 | 53 | 56 | 59 | 62 | 66 | 68 |

APPENDIX D

PRESCHOOL MULTIFACTORED EVALUATION REQUIREMENTS

As a committee, make decisions regarding how each area shall be addressed.

In the appropriate box, write the name of the person who will be responsible and the approximate date of expected accomplishment. Check appropriate box when completed.

All areas must be addressed and each area of suspected disability must be assessed in all four (4) areas.

| | Structured Interview | ✓ | Structured Observation | ✓ | Norm Referenced | ✓ | Criterion Referenced | ✓ |
|------------------------------------|----------------------|---|------------------------|---|-----------------|---|----------------------|---|
| a. Background | | | | | | | | |
| b. Adaptive Behavior | | | | | | | | |
| c. Cognitive Ability | | | | | | | | |
| d. Communication | | | | | | | | |
| e. Hearing Abilities | | | | | | | | |
| f. Preacademic | | | | | | | | |
| g. Sensorimotor | | | | | | | | |
| h. Social-Emotional/ Behavioral | | | | | | | | |
| i. Vision Abilities | | | | | | | | |
| j. Medical | | | | | | | | |
| k. Summary | | | | | | | | |

OHIO DEPARTMENT OF HEALTH

246 N. HIGH STREET
Post Office Box 118
Columbus, Ohio 43266-0118
Telephone: (614) 466-3543.



GEORGE V. VOINOVICH
Governor

PETER SOMANI, M.D., Ph.D.
Director of Health

June 23, 1994

TO: Early Intervention Colleagues

FROM: Cindy Oser *COser*, Bureau of Early Intervention
Ohio Department of Health

Jane Wiechel, Director, Division of Early Childhood
Ohio Department of Education *J.W.*

Cynthia Johnson *CJ*, Chief, Office of Family and Children Services
Ohio Department of MR/DD

Susan Rohrbough, Director *SR*
Ohio Head Start Collaboration Project

RE: Transition Policy

In order to clarify the procedures for young children who are leaving the early intervention system and who may be entering preschool programs, we are sending the "Early Intervention Transition Policy" to our colleagues throughout the state. This policy has been approved by the Ohio Interagency Early Intervention Council and by the U.S. Department of Education. This policy has been distributed before, but several minor changes were made last year during the public comment period, and final approval was received by the U.S. Department of Education on April 14, 1994. This is the final, official transition policy for children leaving the early intervention system!

If you need information about the implementation of this policy, please send your questions, in writing, to:

Sue Scott, Program Specialist
Ohio Department of Health
Bureau of Early Intervention
P.O. Box 118
Columbus, Ohio 43266-0118

Transition training and technical assistance will be offered beginning in the fall of 1994.

Thank you for your attention to this very important issue.

Distribution: Early Intervention Collaborative Groups
Special Education Regional Resource Centers
Local Education Agencies
County Boards of MR/DD
Head Start Programs
Family Information Network
Child Advocacy Center
Ohio Coalition for the Education of Handicapped Children

The following policies and procedures have been adopted to ensure a smooth transition for children participating in Part H early intervention programs who are eligible for preschool programs under Part B of P.L. 102-119.

Definition

The Ohio Interagency Early Intervention Council and the Transition Committee have adopted the following definition of transition:

"Transition is the process for movement of infants, toddlers, and their families between or within service delivery systems."

Purpose

The purpose of transition planning is to ensure that continued support and/or early intervention services are provided to the child and family as they move between or within service delivery systems.

Rationale

When planned or unplanned transitions occur, systematic procedures are needed to ensure that continued support and early intervention services are provided to the child and family. Parents have the ultimate choice and decision-making authority regarding early intervention services and transition plans.

Transition plans and procedures are to be family-centered, that is, families and caregivers are empowered to be as involved as they can and want to be in planning and implementing service options and transitions for their child.

The following policies recognize that children, parents, and service providers need preparation for transitions. Preparation may include visiting the new program (before enrollment), discussions about the new program/environment, educating service providers and parents/caregivers about the new setting, and identifying procedures to ease separation from the current program into the new one.

Transition is not a discrete event. Successful transition processes are ongoing and future focused. Therefore, transition should be addressed in every individualized family service plan (IFSP), not just when a service change is anticipated. The IFSP must include steps to be taken to support the transition of the child upon reaching age three, to public preschool programs or other available services.

Early Intervention Transition Policies

A. An organized, systematic transition planning process will be initiated in anticipation of the following types of service changes for children under the age of three and their families:

1. program/service setting changes while the child is under the age of 3 years. This may include changes between:
 - a. hospital (inpatient) to home-based services;
 - b. home-based to community-based services;

- c. one community setting to another community early intervention program setting; or
 - d. program services or providers within the same service system.
2. program/service setting changes on the child's third birthday (including transition to public preschool or other services).
 3. termination of services (including situations in which the child has achieved age appropriate behavior and abilities or where the family no longer wants services).
- B. Future-oriented goals must be included in each IFSP. For children reaching the age of three, a transition plan must be included in the IFSP. The transition plan must include the following activities:
1. Discussions with parents related to planning for the future including program options, financial resources (such as the Bureau for Children with Medical Handicaps), services, personnel, timeframes, and procedures as they relate to the transition of the child;
 2. Procedures to prepare a child for anticipated changes. These should include steps to help him/her separate from the current service/programs and to adjust to and function in the new setting;
 3. With parental consent, the transmission of information about the child to the local educational agency to ensure continuity of service. This information may include evaluation and assessment information and copies of the developed and implemented IFSP's.

The transition plan must be detailed enough to include a sequence of activities, the individual responsible for each step, and a timeline for completion of each step. When the transition involves a change in service setting, the following additional activities should be considered for inclusion in the plan:

1. Explanation to the family of various services and intervention options for which the child might be eligible;
2. Consent and signatures from parents for release of information (including with whom the information is being shared, what it will be used for, and the purpose for sharing the information);
3. Receiving agency or agencies notification;
4. The forwarding of appropriate records, WITH PARENTAL CONSENT, to the receiving agency or agencies prior to entry. Evaluation and assessment records may need to be shared early in the transition process to avoid unnecessary duplication of tests and assessments.

It is the responsibility of the family's early intervention service coordinator to obtain consent from the parents for release of information. For children turning 3, any information that will assist the LEA in determining the child's eligibility and programmatic needs should be considered for release. That information should include at a minimum, the following:

- a. current copy of the entire IFSP which includes present levels of functioning, early intervention services, and transition plan;
- b. all formal assessments that have occurred in the previous year, and if not contained in the child's record, where the information can be obtained;
- c. any written reports from service providers within the last year;
- d. health information (e.g., birth certificate, social security number, immunization record, recent physical exam, hearing and vision screenings); and
- e. other information such as past medical history of the child, other services received, etc.

LEA's should use this information to avoid unnecessary reassessment of young children and to determine the need for additional or current assessments (including parent or caregiver assessments of the child's functioning). In cases where it is determined that a child is eligible for and in need of preschool special education or related services, the IEP process must be completed by the child's third birthday so that no gaps in services occur.

5. Invitations to the receiving service providers to visit the child at the present program or service where possible;
 6. Arrangement for preparation of the parents and the child to include a visit to the receiving program to meet with service providers;
 7. Formal and informal supports needed by the family during the transition process;
 8. With parent's consent, convene a conference with appropriate personnel from the local early intervention system and local education agency at least 120 days prior to the child's third birthday. The purpose of this meeting is to evaluate the need for ongoing service coordination, review records, determine whether any additional assessments are needed, and begin planning the future.
- C. The transition process will be facilitated by the service coordinator who is already working in partnership with the family.
- D. The transition planning meeting may be part of a regularly scheduled IFSP review meeting. The child's family's service coordinator shall initiate a meeting to discuss specific transition activities according to the following timelines:
1. at least 90 days prior to an impending program or service change between early intervention services; or
 2. when the impending transition (including exit by choice of family) becomes known; or
 3. at least 120 days before the child's third birthday.

The family's early intervention service coordinator is responsible for obtaining consent from the parents for the LEA to participate in a transition meeting to be held at least 120 days prior to the child's third birthday. At this time, the parents would be encouraged to contact the LEA personally.

If the parents consent to LEA participation, the child's name, birthdate, address, and telephone number would be sent to the LEA (see form attached). Once the information is received, the LEA will determine, based on this information and/or information provided by the parents, whether it is suspected that the child has a disability as defined by (Ohio) Rules for the Education of Preschool Children with Disabilities. If a disability is suspected, the LEA will obtain consent from the parents to evaluate the child and will provide information regarding the multifactored evaluation, special education and related services for which the child may qualify as well as their due process and procedural rights. The LEA may use recent formalized assessments as part of the multifactored evaluation process. If a disability is not suspected, the LEA will initiate the differentiated referral procedures by linking families to other services within the school and/or community.

If consent for LEA participation in a transition planning meeting is not given by the parents, personally identifiable information will not be shared with the LEA. The information sharing form (attached), with all personally identifying information deleted except date of birth, would be sent to the LEA.

E. All procedural safeguards and educational rights of the family must be assured in the implementation of these policies. Parents must be informed of educational rights and procedural safeguards:

1. by the service coordinator if the transition occurs within early intervention (birth to three) service settings; or
2. by a representative from the local educational agency if the transition involves a referral for a multi-factored evaluation to determine eligibility for a free and appropriate public education at age three; or
3. by the service coordinator in cooperation with a representative from the preschool program if the transition involves a transfer from early intervention to a non-public school preschool program such as Head Start.

Documentation that parents have had their educational rights explained to them must be included in the consent for multifactored evaluation or in the IEP. Written consent must be obtained from parents prior to evaluation, assessment, release of information other than referral information from the EI data collection site to the LEA, or placement. It is the responsibility of the LEA to explain to parents how the rights and policies are implemented within the school district.

F. If a child has been determined by the LEA to be eligible for Free and Appropriate Public Education (FAPE), i.e., is eligible for preschool special education services, and by mutual agreement of the IEP and IFSP team members (including the parents) the child remains in an early intervention setting beyond age, an IEP must be written. All procedural safeguards of public preschool special education apply.

Summer services may be provided to children who have turned 3. Extended school year services, and the individual child needs which necessitate those services, must be specified in the IEP in order to be considered part of FAPE, i.e., provided by the LEA at no cost to the parents.

If it is determined through the above-stated process that a 3 year old will continue to receive services in an early intervention setting, the school district is responsible for 1) assuring that all the requirements for FAPE under Part B of the Individuals with Disabilities Education Act (P.L. 102-119) are provided including the provision of all needed services at no cost to the parent(s); and 2) developing an IEP. The IEP must be developed by the child's third birthday so that no gaps in services occur.

In cases where a child will turn three by December first and begins preschool special education services at the beginning of the school year, an IEP must be developed by the school district. The school district must assure that the child will not be counted to generate preschool special education unit funding if the child is not age three during the first full week of October and that the child will not be counted to generate federal dollars if the child is not age three by December 1.

G. The role of the family's service coordinator in the transition process includes:

1. initiating the transition planning meeting described in item D above;
2. assuring that the transition plan is incorporated into the child's IFSP;
3. assuring that the parents are informed of all procedural safeguards and educational rights;
4. contacting the service providers in the new setting 30 days after the transition has occurred to obtain follow-up information; and
5. assessing, with other team members, the parent's desire and need for ongoing service coordination and attempting to link the family (with parental consent) to other sources of service coordination.

H. Evaluation of the transition planning process will result in evidence of the process and outcomes of the transition process and may include:

1. keeping track of referrals and placements made;
2. data collection 30 days after the child's transition has occurred (to determine: a) whether the child is enrolled in the program; b) the success of the placement; c) support services being received; and d) family satisfaction with the transition process); and
3. data collection at age 3 and 6 years regarding child's developmental status, outcomes, and program setting.

I. Data regarding the numbers and birthdates (and names of children if parents consent) of children who are currently receiving early intervention services will be shared by the early intervention data collection site with the local education agency (LEA). The numbers reported to the LEA represent children under the age of 3 who are eligible for early intervention services and have an IFSP. Sharing this information with the LEA is not intended to imply that these children are eligible for preschool special education services. Each county EI data collection site must send a report of the total number of the children receiving early intervention services in the county, their birthdates, and the school district in which they reside to the LEA each year on February 1.

rev. 2/23/93

Approved by the Ohio Interagency Early Intervention Council - 5/25/93

Approved by the U.S. Department of Education - 4/14/94

APPENDIX F

CRISIS INTERVENTION PLAN

For students whose disability includes behavior(s) that are unsafe to him/herself or significantly interfere with the learning environment of others, a crisis intervention plan shall be developed to ensure safety and support for the student, other students, and the staff. The plan shall include the following:

| Rule | Interpretation |
|---|--|
| There should be a plan on file and in operation in the school district to provide appropriate classroom management and crisis intervention support to the special class/learning center teacher. Included in the plan shall be the following: | Must be on file in central office and where the person who oversees the plan is housed. |
| (i) Identification of Units, | (i.e., building, level of unit, and teachers name) |
| (ii) Name of the administrator or supervisor responsible for the plan, | What administrator by title oversees development, changes, and evaluation of the plan (i.e., supervisor, principal, superintendent, etc.) |
| (iii) Titles of personnel providing classroom management support to the teacher, | Who supports the classroom teacher with advice, technical assistance, counseling, additional suggestions for dealing with behavior (i.e., supervisor, psychologist, counselors, principal, etc.) |
| (iv) Titles of building personnel assisting the teacher with crisis intervention (the assigned person shall not have the responsibility of instructing children. For multiple units of severe behavior disabled children, the plan shall designate procedures for utilizing personnel for intervention in the event of more than one unit simultaneously needing assistance), and | Persons actively providing the intervention as the district specifies. This person may not be a teacher, therapist, or tutor who is assigned to direct services of children. If they are assigned during free periods and do not object, this is OK. Multiple units must have a plan in effect if they are sharing an aide for the time the aide is not assigned to a particular unit. Since this provision does not require any type of qualification, the building principal, secretary, custodian, or volunteers could also be utilized. We would specify that specific policies and procedures shall be in place describing such person's training to intervene. Persons assigned must be in the building. |
| (v) A description of the role/function of the personnel assisting the teacher. | This should be the most detailed part of the plan. What exactly does the crisis person do when they enter the situation? How are they activated immediately to be available? What steps are followed to bring the situation under control? What does the teacher do? What does the crisis person do up to the moment the situation is stable? |
| (vi) A copy of the plan shall be provided to all personnel involved. The plan shall be evaluated at least annually and a written evaluation report shall be on file. | All persons named in the plan must have a copy. All districts using a plan shall show evidence of an evaluation, written and filed with the plan no later than the end of the school year. The evaluation should include information regarding the effectiveness, use of, and need for the plan. |
| (vii) In the absence of a plan, the school district shall employ at least one full-time aide in each special class/learning center. | If you don't have a full-time aide, you have to have a plan. It is preferable for you to have both. |

APPENDIX G

STATE STANDARD: State Superintendent of Public Instruction Memorandum of April 14, 1989.

Koch v. Walter

On March 28, 1989, the U.S. District Court approved the release and settlement agreement entered into between plaintiffs and state defendants in Koch. This case relates to extended school year services for children with disabilities. Enclosed you will find specific guidelines.

Introduction

It is expected that children with disabilities will receive a free appropriate public education by being provided special education and/or related services during the approximately 180 days of instruction which a school district provides for all students. For some children with disabilities, 180 days of instruction is not sufficient for them to receive a free appropriate public education; these children are eligible for extended school year services in accordance with the guidelines set forth below.

For purposes of this memorandum, extended school year services means special education and/or related services which are provided outside of the normal 180 day school year. All terms, definitions, and procedures included in this memorandum are subject to the Ohio Rules for the Education of Handicapped Children, O.A.C. Chapter 3301-51.

Guidelines for School Districts

In addressing the issue of extended school year services, school districts shall consider the following guidelines:

1. The provision of extended school year services to a particular child with disabilities shall be determined on an individual basis, based upon the judgment and decision-making process of the participants in the individualized education program (IEP) conference.
2. In determining whether a particular child with disabilities should receive extended school year services, the IEP conference participants shall consider whether the child is failing, or is likely to fail, to achieve short-term instructional objectives on the IEP due to interruption of instruction between school years.
3. A decision at an IEP conference that extended school year services should be provided to a particular child with disabilities may be made prospectively, based on the judgment of the IEP conference participants.
4. The provision of extended school year services to a particular child with disabilities is not automatic year after year.
5. If extended school year services are identified by the IEP conference participants as needed, such services must be placed on the IEP, and must be provided at no cost to the child or the child's parents.
6. School districts shall provide written notice to parents of children with disabilities that extended school year services may be considered at the IEP conference.
7. The Ohio Department of Education will review a school district's compliance with the memorandum as part of the Department's Program Review and Evaluation Procedures (P.R.E.P.) [School Improvement Review (SIR)].



TED SANDERS
SUPERINTENDENT OF
PUBLIC INSTRUCTION

STATE OF OHIO
DEPARTMENT OF EDUCATION

COLUMBUS
43215-4183

Appendix H
(Page 1 of 5)

APPENDIX H

JANE WIECHEL
DIRECTOR
Division of Early Childhood Education
Room 309
65 South Front Street
(614) 466-0224

To: City, Exempted Village, Local, County, MR/DD, JVS, and
Chartered Nonpublic School District Superintendents

From: Jane Wiechel, Director
Division of Early Childhood Education
Jerry Klenke, Director
Teacher Education and Certification

Subject: Early Education of the Handicapped Teacher

Date: April 21, 1995

This memorandum addresses requirements for Prekindergarten Teacher Certification/Training that became effective 7/1/93. The Ohio Department of Education is delaying the requirements until 7/1/97 (through the next biennium) for employing agencies that meet qualifying requirements. Detailed information relating to these certification requirements and the required written plan is provided in the remainder of this memorandum.

Subsequent memoranda will provide updates on activities related to the revision of Teacher Education and Certification Standards, including those relating to preschool teachers, and their implication for further teacher requirements. Further information may be obtained by contacting the Division of Teacher Education and Certification, or the Division of Early Childhood Education central office or regional consultant serving your county.

Early Education of the Handicapped Teacher Certification

Ohio Rules for the Education of Preschool Children with Disabilities also contain requirements for the certification of preschool special education teachers. Rule 3301-31-04 states that, no later than July 1, 1993, a preschool special education teacher shall hold a valid Ohio special education or prekindergarten teacher's certificate, with validation in Early Education of Handicapped Children (EEH).

The Ohio Department of Education is delaying implementation of this requirements until July 1, 1997. Schools or school districts may continue to apply for temporary certificates in EEH for the 1995-96, 1996-97 school years that meet the qualifying requirements.

Qualifying Requirements

In order to qualify for the above stated special conditions regarding the delay of 7/1/93 requirements relating to the delay of 7/1/93 requirements relating to validation in Early Education of Handicapped Children, each employing agency must develop a written plan that addresses the following:

- 1) A list of currently employed teachers and their credentials and certification/training;
- 2) A list of the teachers working toward the required certification/training and the anticipated timeline for course attendance and completion;
- 3) Documentation that verifies enrollment in an approved program.
- 4) The financial implications, if any, associated with higher levels of certificated staff and plans for meeting corresponding salary requirements.

The written plan must be on file and made available to the Division of Early Childhood Education field representatives conducting onsite inspections required for continued program licensure.



TED SANDERS
SUPERINTENDENT OF
PUBLIC INSTRUCTION

STATE OF OHIO
DEPARTMENT OF EDUCATION
COLUMBUS
43215-4163

JANE WIECHEL
DIRECTOR
Division of Early Childhood Education
Room 309
65 South Front Street
(614) 466-0224

TO: City, Exempted Village, Local, County, MR/DD, JVS, and Chartered
Nonpublic School District Superintendents

FROM: Jane Wiechel, Director
Division of Early Childhood Education
Jerry Klenke, Director
Teacher Education and Certification

SUBJECT: Prekindergarten Teacher Certification/Training

DATE: April 21, 1995

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Prekindergarten Teacher Certification

The Ohio Department of Education is delaying implementation of these requirements relating to the certification and training of prekindergarten teachers and "qualified preschool staff members" until July 1, 1997.

Ohio Rules for Preschool Programs contain requirements for the certification of prekindergarten teachers. Rule 3301-37-03 (E) states that each class/group in a preschool program on or after 7/1/93 shall have assigned a head teacher or teacher and that head teacher or teacher shall have one of the following:

- (1) Valid Prekindergarten Associate Certificate issued under Section 3301.51 of the Revised Code; or
- (2) Valid Prekindergarten Teaching Certificate issued under Section 3301.50 of the Revised Code; or
- (3) Valid Kindergarten-Primary Certificate issued under Sections 3319.22 to 3319.29 of the Revised Code and have completed at least four courses in child development or early childhood education from an accredited college, university, or technical college; or
- (4) A Bachelor's Degree in child development or early childhood education earned from an accredited college or university with a minimum of thirty quarter or twenty semester hours in child development/preschool program planning and methods including a supervised practicum with preschool children; or
- (5) If the person is employed as a head teacher or teacher in a preschool program operated by an eligible nontax-supported nonpublic school, he shall be considered to meet the requirements of this rule if he holds a valid teaching certificate issued in accordance with Section 3301.071 of the Revised Code.

In addition, Ohio Rules for the Education of Preschool Children with Disabilities (Rule 3301-31-03) (C) (1)) state that itinerant preschool special education services may be delivered to a preschool child with a disability attending a preschool program administered by a public school or a community based preschool or child-care program where a "qualified preschool staff member" is assigned to the child. Rule 3301-31-01 (J) defines a "qualified preschool staff member" as a staff member that meets one of the above stated criteria of Rule 3301-37-03 (E). These requirements relating to the certification and training of "qualified preschool staff members" also became effective 7/1/93.

Qualifying Requirements

In order to qualify for the above stated special conditions regarding 1) the delay of 7/1/93 requirements relating to the certification/training of prekindergarten teachers (rule 3301-37-03 (E)); and 2) the delay of 7/1/93 requirements relating to "qualified preschool staff members" (Rules 3301-31-03 (C) (1) and 3301-31-01 (J)). Each employing agency must develop a written plan that addresses the following:

- 1) A list of currently employed teachers and their credentials and certification/training;
- 2) A list of the teachers working toward the required certification/training and the anticipated timeline for course attendance and completion;
- 3) Documentation that verifies enrollment in an approved two or four year program; and
- 4) The financial implications, if any, associated with higher levels of certificated staff and plans for meeting corresponding salary requirements.

The written plan must be on file and made available to the Division of Early Childhood Education field representatives conducting onsite inspections required for continued program licensure.

APPENDIX I

DEFINITIONS

THE FOLLOWING TERMS ARE DEFINED AS THEY ARE USED IN THESE PROCEDURES:

- A. **"ADAPTATIONS"** means any procedure intended to meet an educational situation with respect to individual differences in ability or purpose.
- B. **"ADAPTIVE BEHAVIOR"** means the effectiveness with which the individual copes with the natural and social demands of his or her environment. It has the following two major facets:
 - 1. The degree to which the individual is able to function and maintain himself or herself independently, and
 - 2. The degree to which he or she meets satisfactorily the culturally-imposed demands of personal and social responsibilities.
- C. **"AGE"** means chronological age.
- D. **"ANNUAL GOAL"** means a statement that describes what a child with a disability can reasonably be expected to accomplish within a twelve-month period in the child's special education program. There should be a direct relationship between the annual goals and the present levels of educational performance.
- E. **"ASSISTIVE TECHNOLOGY DEVICE"** means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized that is used to increase, maintain, or improve the functional capabilities of children with disabilities.
- F. **"ASSISTIVE TECHNOLOGY SERVICES"** means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. These services may be considered both a related service and/or supplementary aids and services. The term includes
 - 1. The evaluation of the educational needs of a child with a disability, including a functional evaluation of the child in the child's customary environment.
 - 2. Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities.
 - 3. Selecting, designing, fitting, customizing, adapting, applying, retaining, repairing, or replacing assistive technology devices.
 - 4. Coordinating and using other therapies, educational interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs.
 - 5. Training or technical assistance for a child with a disability or, if appropriate, that child's family.
 - 6. Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to employ, or are otherwise substantially involved in the major life functions of children with disabilities.
- G. **"AT NO COST"** means all specially designed instruction is provided to children with disabilities without charge, but does not preclude incidental fees that are normally charged children who are not disabled or their parents as a part of the regular education program.

- H. **"AUTISM"** means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has a serious emotional disturbance as defined in paragraph PPPP. of these definitions.
- I. **"AVERAGE DAILY MEMBERSHIP"** means the number of children that are counted to generate state funds under the Ohio School Foundation Funding Program.
- J. **"AWARENESS ACTIVITIES"** means those procedures designed to inform the school community and the general public of the school district's current efforts to identify children with disabilities who may need special education programs and related services.
- K. **"BASELINE"** means information on a subject(s) before change is introduced that allows one to measure the rate of effect of change.
- L. **"BRAILLE"** unless otherwise specified, means a tactile system of reading and writing for individuals with visual impairments commonly known as standard English Braille.
- M. **"CASELOAD FOR ONE PRESCHOOL SPECIAL EDUCATION TEACHER"** means the number of children who each account for one full-time equivalent child and who collectively comprise the number of children required for funding.
- N. **"CAREER PASSPORT"** means an individual portfolio containing formal documents that identify and describe the marketable skills of secondary and adult full-time vocational completers. The passport includes such items as documentation of work and/or community experiences, a competency profile, student achievement, attendance records, leadership experiences, and an outline of continuing education needs and career credentialing.
- O. **"CASE MANAGER"** means a person who may be assigned the responsibility of the due process and follow-through activities for a child with a disability. The person initiates and keeps records, arranges for IEP meetings and other meeting dates, and communicates between home and school. Districts may assign a case manager to an individual child (e.g., a classroom teacher) or a district may have a case manager for a building or group of children. If the person is certificated, he/she may be designated as the district representative.
- P. **"CHILD INFORMATION MANAGEMENT SYSTEM" (CIMS)** means a written set of procedures utilized in the identification, evaluation, individualized education program, placement, and periodic review processes to provide for systematic data collection, classification, maintenance, updating, and reporting, and which assists in making appropriate educational program decisions for children with disabilities who may need special education and related services.
- Q. **"CHILD WITH A DISABILITY"** means a child who has been evaluated in accordance with federal regulations and state standards and determined to have a disability, as defined in federal regulations and state standards, and who, because of the disability, needs special education and related services.
- R. **"CONSENT"** means that (a) the parent has been fully informed in his or her native language or other mode of communication, of all information relevant to the activity for which consent is sought; (b) the parent understands and agrees in writing to the carrying out of the activity for which consent is sought, and the consent describes that activity and lists records (if any) which will be released and to whom; and (c) the parent understands that granting of consent is voluntary on the part of the parent and may be revoked at any time.

- S. **"CONTINUUM" for preschool children**, ages three through five, means the availability of different types of settings where specialized services may be delivered. The list of settings identified below is not intended to reflect a continuum from least to most restrictive.
1. Early childhood setting such as Head Start, daycare program, public school preschool program
 2. Early childhood special education setting
 3. Home
 4. Part-time early childhood/part-time early childhood special education setting
 5. Residential facility
 6. Separate school
 7. Itinerant service outside the home such as hospital or clinic
 8. Reverse mainstreaming setting
- T. **"CONTINUUM" for school-age children** means the availability of different types of educational environments, including, but not limited to
1. Regular class;
 2. A learning center located in
 - a. A public school building;
 - b. A separate school in the school district; or
 - c. A separate facility, such as
 - (i) A county board of mental retardation and developmental disabilities facility;
 - (ii) The Ohio State School for the Blind or the Ohio School for the Deaf; or
 - (iii) A state institution operated by the Ohio Department of Mental Health, the Ohio Department of Mental Retardation and Developmental Disabilities, the Department of Youth Services, or Department of Corrections.
 3. Hospital/institution;
 4. Home;
 5. Other appropriate environments.
- U. **"COOPERATIVE AGREEMENT"** means a written agreement between two or more school districts or agencies to provide services for children with disabilities.
- V. **"COUNSELING SERVICES"** means services provided by social workers, school psychologists, guidance counselors, or other qualified personnel.
- W. **"CREDENTIALLED"** means a person holding a license or other validation of qualification as required by the respective employing agency.
- X. **"CURRICULUM"** means the aggregate of written courses of study designed to address academic and vocational competencies.
- Y. **"DAYS"** means calendar days, unless otherwise specified.
- Z. **"DEAF-BLINDNESS"** means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational problems that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.
- AA. **"DEAFNESS"** means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a child's educational performance.
- BB. **"DESTRUCTION"** means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

- CC. **"DEVELOPMENTAL DOMAINS"** refers to the following curricular areas that represent early childhood development:
1. **"ADAPTIVE DOMAIN"** means the area of the curriculum that addresses self-help, independent functioning, and personal and social responsibility.
 2. **"AESTHETIC DOMAIN"** means the area of the curriculum that addresses opportunities for creativity through such activities as art, music, movement, and literature.
 3. **"COGNITIVE DOMAIN"** means the area of the curriculum that addresses mathematical, physical, representational, and social knowledge.
 4. **"COMMUNICATION DOMAIN"** means the area of the curriculum that addresses the form, content, and use of language including oral and written language.
 5. **"SENSORIMOTOR DOMAIN"** means the area of the curriculum that addresses sensory awareness, exploration, and differentiation based on sensory input, and small and large muscle development.
 6. **"SOCIAL-EMOTIONAL DOMAIN"** means the area of the curriculum that addresses management of self as well as relationships with peers and adults.
- DD. **"DEVELOPMENTALLY APPROPRIATE"** means a theoretical framework through which instruction and activities are selected to reflect the cognitive, social, and emotional level of the child. To be developmentally appropriate, instruction should be both:
1. "Age appropriate" which refers to curriculum and practices that meet the needs of a particular chronological age span; and
 2. "Individually appropriate" which refers to curriculum and practices that are based on the unique abilities or characteristics of a child or group, including ethnic and/or cultural characteristics and life experiences.
- EE. **"DIFFERENTIATED REFERRAL PROCEDURES"** means the planning, implementation, and evaluation of interventions conducted prior to referral for a multifaceted evaluation.
- FF. **"DISTRICT REPRESENTATIVE"** means a person who represents the school district and who is qualified to provide or supervise the provision of special education and related services.
- GG. **"DUE PROCESS"** means the safeguards to which a person is entitled in order to protect his or her rights.
- HH. **"DOCUMENTED DEFICIT"** means an area of development or functioning that has been determined to be deficient based on data obtained through structured interview, structured observation, and norm-referenced and criterion-referenced curriculum-based assessments.
- II. **"EARLY CHILDHOOD EDUCATION FOR CHILDREN WITH DISABILITIES"** means special education and related services for children below six years of age.
- JJ. **"EDUCATION MANAGEMENT INFORMATION SYSTEM" (EMIS)** means an Ohio Department of Education data-based system for aggregating (prekindergarten through grade 12) education-related data.
- KK. **"EDUCATION RECORDS"** means those records that are directly related to a child and are maintained by an educational agency or institution or by a party acting for the agency or institution. The term does not include those records that are excluded under 34 Code of Federal Regulations (CFR) 99.3.
- LL. **"EVALUATION"** means a procedure used to determine the child's present level of performance.

- MM. **"FREE APPROPRIATE PUBLIC EDUCATION" (FAPE)** means special education and related services that
1. Are provided at public expense, under public supervision and direction, and without charge;
 2. Meet rules for special education adopted by the State Board of Education;
 3. Include preschool, elementary, or secondary education;
 4. Are provided in conformity with an individualized education program;
 5. Provide, a free appropriate education to all children with disabilities three through twenty-one years of age, unless the child has completed the twelfth grade and been issued a diploma.
- NN. **"HEARING IMPAIRMENT"** means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance, but that is not included under the definition of "deafness," as defined in paragraph AA. of these definitions.
- OO. **"HOME ENVIRONMENT"** means the residence of the child and the child's parent(s).
- PP. **"IDENTIFICATION"** means those activities designed to identify, locate, and evaluate children with disabilities or children suspected of being disabled.
- QQ. **"IN-SCHOOL"** means the child is enrolled in and attends a public or a nonpublic school, receives home instruction, or has been placed in an educational program administered by an other educational agency for the purpose of receiving special education and related services.
- RR. **"INDIVIDUAL CAREER PLAN" (ICP)** means an educational plan, which is revised at least annually and helps students identify, explore, and describe their career goals.
- SS. **"INDIVIDUALIZED EDUCATION PROGRAM" (IEP)** means a written statement for a child with a disability that is developed and implemented in accordance with federal and state laws and regulations.
- TT. **"INDIVIDUALIZED EDUCATION PROGRAM MEETING" (IEP)** means a meeting of appropriate persons in order to
1. Review the multifaceted evaluation team report;
 2. Determine the nature and degree of special education and related services needed by the child, if any;
 3. Develop an IEP for a child determined to be in need of special education in accordance with all requirements of the Administrative Code; and
 4. Determine the least restrictive environment in which to deliver educational services in accordance with the IEP.
- UU. **"INFANT/TODDLER WITH A DISABILITY"** means children birth to age three
1. Who are experiencing developmental delays, as defined in this rule and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas:
 - a. Physical development
 - b. Cognitive development
 - c. Communication development
 - d. Social or emotional development
 - e. Adaptive development
 2. And who, for that reason, need early intervention services.

- VV. **"INTERPRETING"** means the incidental or substantial rewording of the speaker's remarks so that the content and spirit of the speaker's communication is accurately conveyed to the person with a hearing impairment, using the language and communication mode that is most readily understood by the person for whom they are interpreting.
- WW. **"INTERVENTION"** means alternative or supplementary instruction to remediate, reinforce, enrich, or otherwise support learning relative to specified performance objectives.
- XX. **"INTERVENTION-BASED MULTIFACTORED EVALUATION" (IBMFE)** means a process that includes
1. Defining an educational concern in measurable terms;
 2. Developing and implementing an intervention plan to address targeted goals and objectives;
 3. Measuring and collecting data about the child's performance on a regular and ongoing basis on relevant tasks and in the natural learning environments for the child;
 4. Evaluating the results and need for further interventions; and
 5. Analyzing the intervention results and any other information necessary to determine the child's eligibility to receive special education and related services.
- YY. **"ITINERANT SERVICES"** means services provided by preschool special education teachers or related services personnel that occur in the setting where the child or the child and parent is/are located, as opposed to providing services at a centralized location.
- ZZ. **"LANGUAGE DEVELOPMENT"** means the process of acquiring the listening, speaking, reading, and writing skills required to communicate effectively in social and academic settings. The stage of a particular child's English language development, regardless of whether English is the child's first or second language, needs to be taken into account when making curricular and instructional decisions.
- AAA. **"LEARNING CENTER"** means an environment, within the school setting, other than the regular classroom setting, where instruction is provided based on the individual needs of children.
- BBB. **"LEAST RESTRICTIVE ENVIRONMENT" (LRE)** means that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled; and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- CCC. **"MEDICAL SERVICES"** means those diagnostic and evaluation services that are required for initial or continued placement in an appropriate special education program .
- DDD. **"MENTAL RETARDATION (DEVELOPMENTAL HANDICAP)"** means significantly subaverage intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.
- EEE. **"MULTIDISCIPLINARY TEAM"** means a group of persons, across disciplines, that could include parents, teachers, support personnel and, where appropriate, other agency personnel and/or the child.

- FFF. **"MULTIFACTORED EVALUATION"** means an evaluation, conducted by a multidisciplinary team, of more than one area of a child's functioning so that no single procedure shall be the sole criterion for determining an appropriate educational program placement. This process shall be designed to assure that children are not misclassified or unnecessarily labeled as being disabled because of inappropriate selection, administration, or interpretation of evaluation materials and shall be implemented in accordance with federal and state laws and regulations.
- GGG. **"MULTIPLE DISABILITIES"** means concomitant impairments (such as mental retardation-blindness, mental retardation-orthopedic impairment, etc.) the combination of which causes such severe educational problems that they cannot be served in special education programs solely for one of the impairments. The term does not include deaf-blindness.
- HHH. **"NATIVE LANGUAGE"** means the language normally used by a person, or in the case of a child, the language normally used by the parent(s) of the child.
- III. **"NOTICE" or "NOTIFICATION"** means a statement written in language understandable to the general public and provided in the native language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, steps shall be taken to ensure that:
1. The notice is translated orally or by other means to the parent in his or her native language or mode of communication; and
 2. The parent understands the content of the notice.
- JJJ. **"NON-AVERSIVE"** means practices used to change child behavior, that are not degrading, potentially painful or harmful, and that do not include methods such as verbal and physical abuse, the use of noxious substances (e.g., spraying tobasco sauce), the use of mechanical restraints, and locked isolation.
- KKK. **"ORTHOPEdic IMPAIRMENT"** means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).
- LLL. **"OTHER APPROPRIATE ENVIRONMENTS"** means any environment where children with disabilities may receive special education and related services other than a typical classroom setting, if this environment is deemed appropriate by the IEP team and clearly defined on the child's IEP.
- MMM. **"OTHER EDUCATIONAL AGENCY"** means a department; division; bureau; office; institution; board; commission; committee; authority; state residential schools; private schools providing special education to children from public schools; other state or local agency; or an agency administered by the Ohio Department of Mental Health, the Ohio Department of Mental Retardation and Developmental Disabilities, the Department of Youth Services, or the Ohio Central School System, other than a school district, that provides or seeks to provide special education and related services to children with disabilities.
- NNN. **"OTHER HEALTH IMPAIRMENT"** means having limited strength, vitality, or alertness, due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes, that adversely affects a child's educational performance.
- OOO. **"OUT-OF-SCHOOL"** means that the child is neither enrolled in nor attends a public or a nonpublic school, nor receives home instruction, nor has been placed in an educational program administered by another educational agency for the purpose of receiving special education and related services.

- PPP. **"PARENT(S)"** refers to either parent. If the parents are separated or divorced, "parent" means the parent who is the residential parent and legal custodian of the child. It also means a person or government agency having responsibility for a child as defined by section 3321.01 of the Revised Code.
- QQQ. **"PARENT COUNSELING AND TRAINING"** means procedures utilized to assist the parent in understanding the special needs of the child.
- RRR. **"PARENT MENTOR"** means a parent of a child with disabilities employed to assist school districts and families through the provision of training, support, and information services.
- SSS. **"PARTICIPATING AGENCY"** means a state or local agency, other than the school district responsible for a student's education, that is financially and legally responsible for providing transition services to the student.
- TTT. **"PERIODIC REVIEW"** means those activities involved in reviewing each child's IEP and, if appropriate, revising its provisions. A meeting must be held for this purpose at least once a year.
- UUU. **"PERSONALLY IDENTIFIABLE INFORMATION"** means
1. The name of the child, the child's parent, or other family member;
 2. The address of the child;
 3. A personal identifier, such as the child's date of birth, social security number, or student number; and
 4. A list of personal characteristics or other information which would make it possible to identify the child with reasonable certainty.
- VVV. **"PHYSICAL EDUCATION"** means the development of (a) physical and motor fitness; (b) fundamental motor skills and patterns; and (c) skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports). The term includes special physical education, adaptive physical education, movement education, and motor development.
- WWW. **"POLICIES"** means written statements established and adopted by the board of education that govern the operation of the school(s).
- XXX. **"PRESCHOOL CHILD WITH A DISABILITY"** means a child who has not entered kindergarten and is not of compulsory school age who is determined eligible for special education services when
1. There has been a deficit documented in one or more of the following areas:
 - a. Communication skills (form, content, and use of language);
 - b. Hearing abilities;
 - c. Motor functioning;
 - d. Social-emotional/behavioral functioning;
 - e. Vision abilities;
 - f. Cognitive ability and one or more of the areas listed as (a), (b), (c), (d), and (e) in this definition; and
 - g. Adaptive behavior and one or more deficits listed as (a), (b), (c), (d), and (e), in this definition.

2. Except in the areas of hearing and vision, deficits must be documented by determining that the child evidences a significant discrepancy between chronological age and current level of functioning. This determination must be supported by data obtained through structured interview, structured observation, and other assessment measures that must include norm- and/or criterion-referenced assessments.
3. In the area of hearing, a deficit must be determined in accordance with the definition of hearing impairment included in paragraph NN. of these definitions.
4. In the area of vision, a deficit must be determined in accordance with the definition of visual impairment including blindness in paragraph CCCCC. of these definitions.

YYY. **"PRESENT LEVELS OF EDUCATIONAL PERFORMANCE"** means statements that accurately describe the effect of a child's disability on the child's performance in any area of education that is affected, including academic areas and nonacademic activities. This should

1. Be determined individually for each child;
2. Be written in objective, measurable terms and derived from evaluation data;
3. Include prior test scores if appropriate and written in understandable terms; and
4. Be used to develop other components of the IEP.

ZZZ. **"PROCEDURES"** means (a) a listing of the activities to be conducted, (b) the schedule identifying when the activities will be accomplished, and (c) a written statement identifying the persons responsible for conducting the activities.

AAAA. **"PUBLIC EXPENSE"** means that the public agency either pays for the full cost of the educational evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.

BBBB. **"QUALIFIED"** means a person holding an appropriate state certificate or license that applies to the area in which he or she is providing special education and related services. Braille instruction requires teachers who are certified to teach children with visual impairments to demonstrate competency in reading and writing Braille. The standards for demonstrating competency must be consistent with those adopted for teachers by the National Library Service for the Blind and Physically Handicapped of the Library of Congress.

CCCC. **"QUALIFIED PRESCHOOL STAFF MEMBER"** means a staff member that holds one of the following:

1. A valid prekindergarten teaching certificate issued under section 3301.50 of the Revised Code;
2. A valid kindergarten-primary certificate issued under sections 3319.22 to 3319.29 of the Revised Code and has completed at least four courses in child development in early childhood education from an accredited college, university, or technical college.
3. A bachelor's degree in child development or early childhood education earned from an accredited college or university with a minimum of thirty quarter or twenty semester hours in child development/preschool program planning and methods, including a supervised practicum with preschool children;
4. A valid teaching certificate issued in accordance with section 3301.071 of the Revised Code in cases where the person is employed in a preschool program operated by an eligible, nontax-supported, nonpublic school;
5. A valid prekindergarten associate certificate issued under section 3301.51 of the Revised Code; or

6. A child development associate certificate issued in accordance with the National Association for the Education of Young Children standards until July 1, 1993, at which time the requirements of preschool rules must be met (refer to Appendix H).

DDDD. **"REEVALUATION"** means a multifactored evaluation or an intervention-based multifactored evaluation conducted after provision of initial special education services. This reevaluation must be conducted every three years or more frequently if conditions warrant or if the child's parent or teacher requests a reevaluation. Parental consent is not necessary as a condition of reevaluation, providing consent for evaluation has not been revoked.

EEEE. **"REFERRAL"** means the established process whereby the names of children who are suspected of having disabilities and who may require special education and related services are forwarded by parents, educators, and other persons knowledgeable about the child, to a designated person, in writing, for an IBMFE.

FFFF. **"RELATED SERVICES"** means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education. If a related service is the only service necessary for a child with a disability (as defined in standards) to benefit from instruction, then the service is provided as the child's primary special education. Neither the list nor the description of related services presented below is exhaustive.

1. Aide services include helping teachers, intervention specialists, and related services specialists provide a range of services to meet the needs of children with disabilities.
2. Attendant services include assisting children with personal health care needs.
3. Assistive technology services include any service that directly assists a child with a disability in selecting, acquiring, or using an assistive technology device as defined in paragraph E. of these definitions.
4. Audiological services include the identification of learners with hearing loss; determining the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing; providing habilitative activities, such as auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation; counseling and guidance of children, parents, and teachers regarding hearing loss; and determining the child's need for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.
5. Early childhood unified service coordinator services include all the services listed under "supervisory services;" assistance in the provision of developmentally and exceptionally appropriate practices and comprehensive service-delivery systems, including the integration of education, health, social services, and parent education; participation in the development and evaluation of professional development plans and induction programs as they apply to early childhood personnel; and collaboration with other early childhood service providers.
6. Guide services include assisting children who are disabled in their travels within the appropriate learning environment.
7. Interpreter services include assisting children with hearing impairments by providing manual and oral interpretation, including interpreting, translating, reverse interpreting, and reverse translating.
8. Job coach services include providing children with specific job skill training support at a community job site in order to help them master the skills necessary to perform a job.
9. Medical services include services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.

10. Occupational therapy services include designing and/or implementing programs to improve, develop, or restore functions that are impaired or delayed; or to prevent, through early intervention, the loss of function in areas that may include, but are not limited to, sensory and motor development, manipulation and hand use, visual-perceptual skills, motor planning and coordination, daily living skills, work skills, organization, socialization, and use of assistive technology and adaptive equipment.
11. Occupational therapy assistant services include assisting in the practice of occupational therapy and working under the direction and supervision of an occupational therapist.
12. Orientation and mobility services include providing children who have visual impairments with an understanding of their environments, and with formalized skills for traveling safely and efficiently within the environments.
13. Physical therapy services include designing and/or implementing programs to improve, develop, or restore functions that are impaired or delayed; or to prevent, through early intervention, the loss of function in areas that may include, but are not limited to, posture, ambulation, mobility, strength, joint flexibility, balance, coordination, gross motor skills, daily living skills, and assistive technology and adaptive equipment.
14. Physical therapy assistant services include assisting in the practice of physical therapy and working under the direction and supervision of a physical therapist.
15. Reader services include assisting children with visual impairments by orally reading written materials.
16. School psychological services include but are not limited to consulting with others to plan and develop school programs and interventions to meet specific needs of children or groups of children; conducting and monitoring interventions; conducting interviews; performing observations; administering psychological tests and other assessment procedures; interpreting assessment results; obtaining, integrating, and interpreting information about child behavior related to learning; participating in the provision of a program of mental health services, including counseling for child's and/or parents. The school psychological intern program shall be organized under guidelines approved by the Ohio Department of Education, Division of Special Education. Employing school districts that will provide training experiences shall be approved by the Ohio Department of Education, Division of Special Education.
17. School social work and counseling services include
 - a. Preparing a social or developmental history on a child with a disability;
 - b. Conducting group and individual counseling with the child and family;
 - c. Working with those problems in a child's living situation (home, school, or community) that affect the child's adjustment in school; and
 - d. Mobilizing school and/or community resources to enable the child to learn as effectively as possible in his or her educational program.
18. Speech and language services include administering speech, language, and other educational assessment procedures necessary for the identification of children with speech and language impairments, as they relate to listening, speaking, written expression, and social pragmatics; diagnosis and appraisal of specific speech or language impairments; referral for medical or other professional attention that is necessary for the habilitation or prevention of speech and language impairments; consulting with other staff members in planning school programs to meet the special needs of children, as indicated by speech and language assessments and interviews; planning and managing a program of speech and language services, including counseling and guidance of parents, children, and teachers regarding speech and language impairments.

19. Supervisory services include providing information and explanation regarding state and federal laws, regulations, and suggestions for exemplary practice, as well as other topics essential for the delivery of services to children with disabilities; helping school district personnel evaluate the effectiveness of special education and related services, as required, and providing inservice education to parents and personnel involved in educating children with disabilities.
20. Vocational special education services include helping implement the IEP for a child who is placed in a vocational setting that promotes school to postschool activities, and serving as a liaison between persons involved with the child's educational program, including the parent and home-school personnel.
21. Work-study services include ensuring the provision of career education employability skill training, vocational training, and integrated employment, and helping develop and deliver services that promote movement from school to postschool activities.

GGGG. **"RESPONSIBLE INDIVIDUAL"** means a person who is

1. At least eighteen years of age; or
2. Less than eighteen years of age if he or she is
 - a. A graduate of a two-year vocational child-care training program; or
 - b. A student enrolled in a high school or university-related program provided that the student performs duties under continuous supervision from a staff member of that program.

HHHH **"REVERSE INTERPRETING"** means the verbal rephrasing of the message of a person with a hearing impairment whose speech may not be intelligible to a hearing person.

IIII. **"REVERSE TRANSLATING"** means the intelligible vocal presentation of the exact words of a speaker with a hearing impairment to a hearing audience.

JJJJ. **"REVIEW"** means those activities involved in reviewing each child's IEP and, if appropriate, revising its provisions. A meeting must be held for this purpose at least once a year.

KKKK. **"SCHOOL-AGE PROGRAM"** means a special education program operated in accordance with Administrative Code.

LLLL. **"SCHOOL DISTRICT"** means a city, county, exempted village, or local school district.

MMMM. **"SCHOOL DISTRICT OF RESIDENCE"** means

1. The school district in which the child's parent resides whether in a public or private dwelling or institution, or if not so determined;
2. The last school district in Ohio in which the child's parent is known to have resided if the parent's whereabouts are unknown, or if not so determined;
3. The school district as determined by the probate court of the county in which the child resides, or if not so determined;
4. The school district required by section 3313.65 of the Revised Code to pay tuition for a child.

NNNN. **"SCHOOL HEALTH SERVICES"** means service provided by a qualified school nurse or other qualified persons.

- OOOO. **"SCREENING"** means a testing procedure whereby a general population is divided into two groups based on the results of the testing procedure. The persons in one subgroup meet the established screening criteria, and the persons in the other subgroup fail to meet the established screening criteria and require further evaluation. Parental consent is not required for screening procedures.
- PPPP. **"SERIOUS EMOTIONAL DISTURBANCE"** is defined as follows
1. The term means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:
 - a. An inability to learn that cannot be explained by intellectual, sensory, or health factors;
 - b. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
 - c. Inappropriate types of behavior or feelings under normal circumstances;
 - d. A general pervasive mood of unhappiness or depression; or
 - e. A tendency to develop physical symptoms or fears associated with personal or school problems.
 2. The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have a serious emotional disturbance.
- QQQQ. **"SERVED"** means that a child with a disability is provided special education in accordance with his or her IEP.
- RRRR. **"SHORT-TERM INSTRUCTIONAL OBJECTIVES"** means the intermediate steps leading to the accomplishment of the stated annual goals. They are measurable and can be used for measuring progress, and are closely linked to classroom instructional plans.
- SSSS. **"SPECIAL EDUCATION"** means specially designed instruction, at no cost to the parent, to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals, and in other settings; and instruction in physical education. The term includes speech pathology or any other related service, if the service consist of specially designed instruction, at no cost to the parent, to meet the unique needs of a child with a disability, and is considered special education rather than a related service under state standards. The term also includes vocational education if it consists of specially designed instruction, at no cost to the parent, to meet the unique needs of a child with a disability.
- TTTT. **"SPECIFIC LEARNING DISABILITY"** means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.
- UUUU. **"SPEECH OR LANGUAGE IMPAIRMENT"** means a communication disorder such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.
- VVVV. **"SUPERINTENDENT"** means the administrative head of the school district in which the child's parent resides, or his or her designated representative, unless otherwise indicated.

WWWW. **"TEACHER"** for the purpose of IEP meetings means

1. The general and/or special education teacher(s) who have primary responsibility for teaching the child; or
2. The teacher designated by the school district or other educational agency for a child who (a) is not in school, or (b) has more than one teacher.

XXXX. **"TRANSITION"** means points of change in services and in the personnel who coordinate and/or provide services.

YYYY. **"TRANSITION SERVICES"** means a coordinated set of activities for a student, designed within an outcome-oriented process, that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment, (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based on the individual student's needs, taking into account the student's preferences and interests; and include needed activities in the areas of instruction, community experiences, the development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills and functional vocational evaluation. Transition services for student's with disabilities may be special education, if they are provided as specially designed instruction, or related services, if they are required to assist a student with a disability to benefit from special education. The list of activities provided in this definition is not intended to be exhaustive.

ZZZZ. **"TRANSLATING (TRANSLITERATING)"** means the verbatim repetition of the speaker's remarks in a communication mode most familiar to the person with a hearing impairment for whom the interpreting is being provided.

AAAAA. **"TRANSPORTATION"** means those transportation services that are required because of the child's special characteristics or the location of the special education program and related services and which are in addition to the regular transportation services provided by the school district. The term includes

1. Travel to and from school and between schools;
2. Travel in and around school buildings; and
3. Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

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

CCCCC. **"VISUAL IMPAIRMENT INCLUDING BLINDNESS"** means an impairment in vision determined through an eye examination, including assessment of low vision, by an appropriate vision specialist, which has an adverse effect upon the child's educational performance and that is evidenced through one of the following:

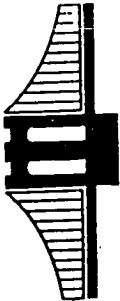
1. The individual has a visual acuity of 20/200 or less in the better eye with correcting lenses or has a limited field of vision in the better eye such that the widest diameter subtends an angular distance of no greater than twenty degrees, or
2. The individual has a medically indicated expectation of meeting the requirements of the preceding paragraph over a period of time, or

3. The individual has a medically diagnosed and medically uncorrectable limitation in visual functioning that adversely affects the individual's ability to read and write standard print at levels expected of the individual's peers of comparable ability and grade level.

DDDDD. "**VOCATIONAL EDUCATION**" means the organized educational programs offering a sequence of courses which are directly related to the preparation of individuals in paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree. Such programs shall include competency-based applied learning which contributes to an individual's academic knowledge, higher-order reasoning, and problem-solving skills, work attitudes, general employability skills, and the occupational specific skills necessary for economic independence as a productive and contributing member of society.



Individual Career Plan Folder



This folder is yours. It will be kept for you in the school file. When you graduate or transfer to another school, you will take it with you. What you record in this folder will help you complete your educational and career plans. It will also help you complete job applications and resumes. You do not have to fill in any information that you choose to exclude. However, the information recorded in this folder will help you monitor your educational progress and your educational and career planning activities.

Personal Information

Name _____

Address _____

Social Security Number _____

Birth Date _____

Educational History

| Name of School | City and State |
|---|----------------|
| Elementary School(s) | |
| | |
| | |
| Middle School(s) | |
| | |
| | |
| High School(s) and/or Vocational School(s) | |
| | |
| | |
| Technical School and/or College and/or University | |
| | |
| | |
| | |

CONTENTS

Required

- Career Planner
- Educational Planner
- Career Skills Checklist
- Cumulative Record of Assessments
 - Results of Career Interest Surveys and Assessments
 - Results of "Ohio Ninth-Grade Proficiency Tests" and "Ohio Twelfth-Grade Proficiency Tests"

Recommended

- Photocopy of Annual Progress Reports
- Record of Awards Earned
- Vocational Competency Test Results (if applicable)
- Vocational Evaluation Results (if applicable)
- College and/or Postsecondary Admission Test Results (if applicable)
- Completed Job Application
- Student's Resume
- Letters of Recommendation
- Other Items Deemed Appropriate



Career Skills Checklist

Name _____
Date _____

This checklist can be used to help insure that you have the skills to develop educational plans and career goals. When you demonstrate specific skills, both you and an adult (your counselor, teacher, or parent) will initial them. Keep this form in your Individual Career Plan Folder so you can assess your skills each year.

| Adult (please initial) | Student (please initial) | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| | 9th | 10th | 11th | 12th |
| <input type="checkbox"/> I have reviewed (and changed, if needed) my Educational Planner (required annually) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I can identify attitudes and skills that employers look for in job applicants | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I know how to use career information resources in the resource center | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I know my work traits and interests | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I know my academic strengths | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I can describe the educational programs available to me | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I can describe the entrance requirements for these programs (including vocational, technical, and college) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I know the high school graduation requirements | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I can identify local job opportunities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I can identify job-seeking and application skills | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I can use at least four sources to find educational and career information | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I can describe my academic strengths | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I know how to plan for long-range goals | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I am in a course of study that leads to my career goals | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I can demonstrate positive job interviewing skills | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I have discussed my current educational plans and career goals with parents and a counselor and/or teacher | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I have had one or more work, leisure, and/or educational experience(s) outside of school that relates to my career goals | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I have discussed my post-high school plan with my parents and a counselor and/or teacher | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> I have taken action on my post high school plan | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



Cumulative Record of Assessments

Name _____

Date _____

| Proficiency Tests | Career Interests | Career Aptitudes | Other |
|--|--|--|--|
| 9th Grade Reading _____ <i>(Indicate date passed)</i> Writing _____ <i>(Indicate date passed)</i> Math _____ <i>(Indicate date passed)</i> Citizenship _____ <i>(Indicate date passed)</i> Science _____ <i>(Indicate date passed)</i> | Grade Level _____ Instrument _____ Results _____ | Grade Level _____ Instrument _____ Results _____ | Grade Level _____ Instrument _____ Results _____ |
| 12th Grade Reading _____ <i>(Indicate date passed)</i> Writing _____ <i>(Indicate date passed)</i> Math _____ <i>(Indicate date passed)</i> Citizenship _____ <i>(Indicate date passed)</i> Science _____ <i>(Indicate date passed)</i> | Grade Level _____ Instrument _____ Results _____ | Grade Level _____ Instrument _____ Results _____ | Grade Level _____ Instrument _____ Results _____ |
| Comments: | Grade Level _____ Instrument _____ Results _____ | Grade Level _____ Instrument _____ Results _____ | Grade Level _____ Instrument _____ Results _____ |
| Notes: | Grade Level _____ Instrument _____ Results _____ | Grade Level _____ Instrument _____ Results _____ | Grade Level _____ Instrument _____ Results _____ |

Name _____
Date _____

Career Planner
Circle one: Grade 8 9 10 11 12

Planning will help you enter and succeed in a career. Begin your career planning by completing the statements below. Since your career plans may change over time, you will have a chance to complete this form again each year. This document is only a tool to identify career and educational goals. It will not guarantee you employment in a specific job. After completing this form, go on to the Educational Planner.

| | | |
|--|--|--|
| <p>After High School I plan to</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1. Work full-time <input type="checkbox"/> 2. Work part-time and attend school <input type="checkbox"/> 3. Attend college full-time <input type="checkbox"/> 4. Attend technical school <input type="checkbox"/> 5. Enter the military as a career <p>My career goals are to</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> | <p>To fulfill my career goals, I will need additional skills and knowledge in</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> | <p>I will need a degree, certification and/or specialized training in</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> |
| <p>My interests, skills and knowledge supporting my career goals are</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> | <p>I will obtain the additional skills and knowledge by taking part in the following educational activities:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> | <p>The information I have given on this form indicates that I will be selecting courses that are primarily</p> <p><input type="checkbox"/> College path</p> <p><input type="checkbox"/> Vocational path</p> <p><input type="checkbox"/> Combination</p> |

• Continue on to the Educational Planner •



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Office of Educational Research and Improvement (OERI)
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