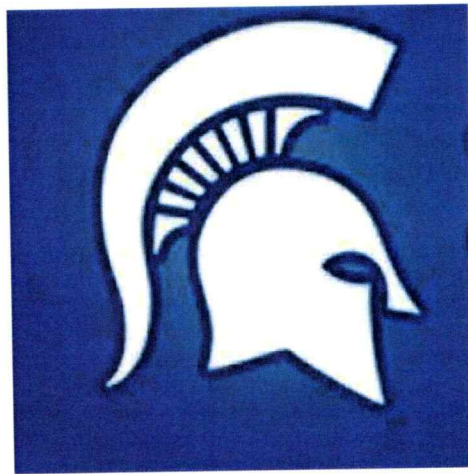


**Richmond Heights Local School District
Special Education Policy and Procedures
2021-2022**



**LaKisha Davies M.Ed.
Director of Special Education**

Book Policy Manual
Section 2000 Program
Title SPECIAL EDUCATION
Code po2460
Status Active
Adopted July 1, 2006
Last Revised November 28, 2016

2460 - SPECIAL EDUCATION

The Board of Education is committed to providing a free appropriate public education (FAPE) to children with disabilities identified in accordance with applicable State and Federal laws, rules, and regulations. This includes students who are confined to community corrections facilities or juvenile detention centers. The District shall provide students with disabilities the services to which they are entitled pursuant to their individualized education programs (IEPs) and in accordance with the Operating Standards for Ohio Educational Agencies Serving Children with Disabilities, including Child Find and Evaluation requirements. Students with disabilities who are in adult county jails shall continue to receive FAPE during incarceration subject to their continued eligibility for services and subject to exceptions related to security and safety.

In order to satisfy the requirements of the *Operating Standards for Ohio Educational Agencies Serving Children with Disabilities* ("Ohio Operating Standards"), the Board of Education adopts the model policies and procedures promulgated by the Ohio Department of Education's Office of Exceptional Children (ODE-OEC), which is incorporated by reference into this policy. While the Special Education Model Policies and Procedures ("Model Policies") issued by the ODE-OEC are comprehensive, the document does not include every requirement set forth in the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA"), the regulations implementing the IDEIA, the Operating Standards, the Ohio Revised Code, and/or the Ohio Administrative Code. As such, the Board affirms its obligation to follow these laws and regulations, regardless of whether their provisions are restated in the Model Policies.

Copies of Model Policies and Procedures relevant policies and procedures are available at the office of the Board of Education.

© Neola 2016

Legal

R.C. 3323.05, 3323.051, 3323.08

A.C. 3301-51-01 et seq., 3301-51-02(F)

IDEIA, 20 U.S.C. 1400 et seq.

34 C.F.R. Part 300

SPECIAL EDUCATION PROCEDURES

NEWLY ENROLLED STUDENTS TO THE SCHOOL WITH AN IEP - TRANSFER IEP/ETR

- 1) The Director of Special Education will notify the intervention specialist and school psychologist of newly enrolled students with disabilities
- 2) The Registrar will make initial attempts to obtain copies of the ETR/IEP
- 3) The intervention specialist will follow up with the parent and/or prior school district for copies of the IEP/ETR
- 4) ETR/IEP transfer meeting must be scheduled within 30 days of enrollment during the school year
- 5) If enrollment occurs during the summer, the transfer IEP meetings must be held within 30 days of the start of school
- 6) The intervention specialist is responsible for coordinating transfer meetings with the school psychologist, parent and other team members

NEWLY ENROLLED SPECIAL EDUCATION STUDENTS TO THE SCHOOL WITHOUT AN IEP

- 1) The Registrar will notify the Director of Special Education of any student with a disability enrolling in the district without supporting documentation
- 2) The Registrar shall enroll the student as a regular education student until documentation obtained supporting special education eligibility is obtained
- 3) The Director of Special Education will notify the school psychologist and the intervention specialist of any student with a disability enrolling without documentation
- 4) If there is no copy of the IEP and ETR documentation:
 - a) School psychologist will begin intervention and documentation immediately.
 - i) Within 30 days if the data shows that adequate progress is not being made, then begin Child Find.
 - ii) Within 30 days, a planning and consent meeting must be held; written parental consent must be obtained
 - iii) Within 30 days of receiving written parental consent, an ETR must be completed
 - iv) Within 30 days of ETR signing, the IEP must be completed
 - v) If parent provides a copy of the ETR and IEP subsequent to the start of the evaluation process, follow the transfer IEP/ETR process

If students enroll with an outdated IEP/ETR—same procedure as not having an IEP/ETR will be followed

REQUESTS FOR SPECIAL EDUCATION TESTING

- 1) The parent request for an evaluation can be either in writing or verbal, if the parent verbally requests assessment the staff member must document date and time of

request and notify the Director of Special Education and the School Psychologist within 2 school days

- 2) Within 30 days of the receipt of the request
 - a. Intervention Assistance Team contacts the parents to set a team meeting
 - i. Intervention Assistance Team (IAT) is comprised of:
 1. Intervention Specialist
 2. District Representative
 3. General Education Teacher(s)
 4. School Psychologist
 5. Parent
 6. Related Service Providers (as needed)
- 3) During the IAT meeting
 - a. The IAT will discuss the concerns of the parent and/or teacher regarding the student
 - b. The IAT will review all relevant data regarding the nature of the suspected disability
 - c. If there is insufficient data available, the student will be referred to the Intervention process, with parent consent
 - i. The intervention assistance process will be reviewed and enacted
 - ii. A follow-up date for intervention data review will be set
 - d. If sufficient data is available to support TIER III support, the evaluation planning and consent process will be explained by the school psychologist and a subsequent planning and consent meeting date will be set
 - e. During the planning meeting, the suspected disability(ies) must be documented on the planning form
 - f. The planning form must detailed all proposed testing and/or data collection, and related responsibilities for completing the information
 - g. The planning form must be signed by the involved parties, including the parent/guardian(s)
 - h. Written parental consent must be obtained after the planning meeting and prior to beginning the evaluation process
 - i. If a disability is not suspected process is ended
 - j. A PR-01 is sent to family by the school psychologist detailing the meeting
 - k. If a disability is suspected, the team set a date within 60 calendar days to review the findings

INITIAL ETR AND REVIEW ETR PROCESSES

- 1) The school psychologist will lead the ETR process. If the suspected disability involves speech and language only concerns, the speech and language pathologist can chair the meeting

- 2) Planning meeting will be scheduled to include all members of the ETR team by the school psychologist.
- 3) During the planning meeting, the suspected disability(ies) must be documented on the planning form
- 4) The planning form must detailed all proposed testing and/or data collection, and related responsibilities for completing the information
- 5) The planning form must be signed by the involved parties, including the parent/guardian(s)
- 6) Written parental consent must be obtained after the planning meeting and prior to beginning the evaluation process
- 7) All documentation for the Evaluation Team Report must be completed and reviewed 7 school days before the scheduled meeting date
- 8) A draft of the ETR must be submitted to the Director of Special Education for compliance review prior to submission to other team members
- 9) The Director of Special Education will select a minimum of one ETR for academic quarter to be submitted to the Internal Monitoring Team for additional compliance review
- 10) Draft copies of the ETR must NEVER contain a completed eligibility determination page
- 11) The school psychologist contacts the family and sets date for the ETR meeting
- 12) The school psychologist is responsible for sending the parent invite, Guide to Parents Rights and a PR-01 explaining the purpose of the ETR meeting within 2 school days of setting the ETR meeting date
- 13) The school psychologist invites, via electronic invitation and/or US Mail, all individuals of the ETR team to the meeting
 - a. The Evaluation Team Report meeting is comprised of the following members:
 - i. Parent/guardian*
 - ii. At least one General Education Teacher*
 - iii. Intervention Specialist*
 - iv. District Representative*
 - v. Related Service providers with whom the student will be receiving services*
 - vi. Surrogate parent (foster child)*
 - vii. The student (depending on age)
 - viii. County and/or State agencies if services are being provided
 - ix. Other invited persons per Team request

***Indicates mandatory ETR Team members**
- 14) School Psychologist manages the assessments process of any other therapists associated with the evaluation process
- 15) School Psychologist creates the necessary planning pages
- 16) School Psychologist will ensure all required Related Service Providers and Intervention Specialists are informed of assessments and deadlines

Evaluation Team Report Process:

- 1) ETR review meetings must be scheduled at least 30 days prior to the expiration of the current ETR;
- 2) ETRs of currently enrolled students set to expire prior to September 15th should have the planning and consent meetings and testing completed prior to the conclusion of prior school year
- 3) One week before scheduled meeting the school psychologist will contact the parent/guardian/surrogate to remind them of the meeting
- 4) If a request is made to change the original meeting date, the school psychologist informs the team of the request and amends meeting date; the meeting must still fall within legal deadlines. A subsequent parent invite must be sent within one school day
- 5) All members of the ETR team will be at the meeting; If all mandatory team members are not present the meeting must be rescheduled within legal deadline timeframes
- 6) If the ETR meeting is rescheduled due to absence of parent, the school psychologist will contact the parent, schedule another meeting, forward the parent invite and send a PR-01 detailing the desired participation of the parent in the ETR process
- 7) All eligibility determinations will be made during the meeting
- 8) The data and assessment findings from Part I of the ETR will be summarized in Part II. This should not contain a "cut and paste" of Part I
- 9) All areas designated on the planning form should be addressed in summary form on the ETR
- 10) The educational needs must be addressed and documented
- 11) The implications for instruction must relate to the educational needs and not merely by a checklist of proposed interventions
- 12) The school psychologist is responsible for collecting all signatures and dates on the Section 5 "Signature Page"
- 13) The school psychologist must complete a Medicaid Consent form during the ETR meeting
- 14) The school psychologist must provide a final copy of the ETR to the parent within three school days of the meeting
- 15) The school psychologist must complete a Post PR-01 detailing the eligibility determination within three school days of the ETR meeting
- 16) The school psychologist is responsible for completion of the EMIS forms within three school days of the ETR meeting
- 17) The school psychologist is responsible for ensuring that "Section 1" of the ETR contains a separate page for all required testing and additional information outlined in the Planning form
- 18) The school psychologist is responsible for ensuring that all "Section 1" of the ETR have educational needs and implications for instruction sections completed

- 19) The school psychologist is responsible for ensuring that "Section 2" of the ETR is a summary of all the assessments and not a "copy and paste" of "Section 1."
- 20) The school psychologist must upload a completed copy of the ETR within 7 school days of the meeting
- 21) The school psychologist must complete the ETR checklist when turning in hardcopy files within 7 days of sending the post PR-01
- 22) The school psychologist must complete the ETR in Special Services within 30 days of the ETR meeting
- 23) The school psychologist must share and maintain an updated caseload evaluation list with the Director of Special Education

IEP Process

- 1) The IEP process will be lead by the intervention specialist
- 2) IEP team members shall be comprised of the following:
 - a) Parent/Guardian/Surrogate(foster students)*
 - b) Intervention Specialist*
 - c) District Representative*
 - d) At least one General Education Team (excusal form required)
 - e) Student (age dependent)
 - f) Related Service Providers (excusal form required)
 - g) County and/or State Agencies providing services to the student
 - h) Other invited persons per Team request

***Indicates mandatory ETR Team members**
- 3) IEP review meetings must be scheduled no later than two weeks prior to the end of the current IEP
- 4) The intervention special must send the Parent Invite, the pre-meeting PR-01 and the Guide to Parents Rights no later than two school days after setting the IEP meeting date
- 5) A draft of the IEP must be submitted to the Director of Special Education for compliance review prior to submission to the IEP team no later than 7 days prior to the IEP meeting
- 6) The Director of Special Education will select a minimum of one IEP per academic quarter for additional compliance review by the Internal Monitoring Team
- 7) IEP's submitted to the Internal Monitoring Team containing transition plans, must complete the Indicator 13 checklist
- 8) The present levels of performance (PLOPs) should contain data from the following:
 - (a) District Testing
 - (b) Performance Assessments
 - (c) Short cycle assessments
 - (d) Checklists

- (e) Running records
 - (f) Inventories
 - (g) Student Work Samples
- 9) Present Levels of Performance must contain data on the performance of typical peers relating to the goal
 - 10) Present Levels of Performance must contain baseline data relating to the goal
 - 11) A draft of the IEP must be provided to the parents and other team members no later than 3 days prior to the IEP meeting
 - 12) The intervention specialist must obtain parent consent to proceed with an IEP meeting in the absence of general education teachers or related service providers
 - 13) The intervention specialist will amend draft IEPs during the IEP meeting as necessary
 - 14) All IEPs must contain the following three components
 - a) Clearly defined behavior
 - b) Conditions under which the behavior will occur
 - c) Criteria used to evaluate the performance
 - 15) Specially designed instruction must detailed the direct instruction provided to the student that is in addition to what typical peers receive
 - 16) Specially designed service location must only state one service location per corresponding minutes; if more than one location of service will be provided, list each location separately
 - 17) Specially designed instruction must state the time and frequency of the the instruction
 - 18) The IEP must document the need for assistive technology in Section 2 and Section 7 of the IEP
 - 19) The IEP must document the accommodations both the Profile section and the Specially Designed Instruction section of the IEP
 - 20) The IEP must document the need for modifications to curriculum in the Profile section of the IEP. The modifications must also be documented in the specially designed instruction section of the IEP
 - 21) If the student receives support for other school personnel, such as instructional aides and/or certified occupational therapy assistants, this must be documented in specially designed instruction
 - 22) The intervention specialist is responsible for completion of Section 14 - "Meeting Participants" and Section 15 - "Signature" pages during the IEP meeting
 - 23) The intervention specialist is responsible for completing the "Transfer of Rights at Majority" section of the IEP if the student turns 17 years of age during the IEP term
 - 24) The IEP start date must start at least one day after the meeting date
 - 25) The intervention specialist is responsible for ensuring the IEP start dates are in compliance
 - 26) The intervention specialist must document student progress towards past IEP goals in the "Profile" section of the IEP
 - 27) The IEP review date should be one year minus 1 day from the the meeting date

- 28) An initial IEP (IIEP) must be completed within 30 days of the IETR
- 29) The IEP must contain the educational needs and implications for instruction information from the ETR in the "Profile" section of the IEP
- 30) The IEP must contain data from prior districts and state assessments where applicable
- 31) The intervention specialist will coordinate with the school psychologist regarding transfer IEP/ETR meetings within 30 days of enrollment
- 32) The special education scholarship information should be listed in the "Other Information" section on the cover page of the IEP
- 33) The intervention specialist is responsible for completing the transition section of the IEP if the student turns 14 years of age within the timeframe of the IEP
- 34) The intervention specialist must provide a signed copy of the IEP and a post-meeting PR-01 within three school days of the meeting.
- 35) The intervention specialist must submit a completed EMIS form within 3 school days of the IEP meeting
- 36) The intervention specialist must upload the completed IEP, with signatures and EMIS forms no later than 7 days after the IEP meeting
- 37) The intervention specialist and Related Service Providers must complete progress reports no later than 14 days after district report cards have been issued
- 38) The intervention specialist must complete the Medicaid Consent form during all IEP meetings
- 39) The intervention specialist must complete the IEP in Special Services within 30 days of the IEP meeting
- 40) The intervention specialist must maintain "data binders" for all students detailing progress towards IEP goals
- 41) Progress Reports should be sent out no later than 1 weeks after the issuance of District report cards.
- 42) With every RIEP, the prior progress report must be closed and a new Progress Report must be opened aligning with the RIEP
- 43) The Intervention specialist is responsible for meeting with the IEP team when revisions to the IEP are deemed necessary. Revisions may be necessary for, but not limited to,
 - (1) Review placement
 - (2) Address academic goals
 - (3) Address specially designed instruction
 - (4) Address transportation

- 44) The IEP must justify instruction that does not occur in the regular education classroom in the Least Restrictive Environment section of the IEP
- 45) The intervention specialist and speech and language pathologists are responsible for updating their caseload list monthly in Google Documents
- 46) The intervention specialist must complete the IEP checklist and attach it to the hardcopy file no later than 7 days after the post PR-01 is issued.

INTERNAL MONITORING TEAM

1. The members of the District Leadership Team (DLT) will also serve as members of the of the internal monitoring team
2. The Internal Monitoring Team will meet at least once per academic quarter
3. The Internal Monitoring Team will consist of members of the administrative team, at least one general education teacher from the elementary school and the upper school, intervention specialist, guidance counselor and the school psychologist
4. The Internal Monitoring Team will randomly select at least one IEP and one ETR to review during the team meetings.
5. The Internal Monitoring Team will review a pre-selected component of the IEP and ETR to review for compliance based on the recommendations of the Director of Special Education
6. The Internal Monitoring Team will collect and report trend data to the building leadership teams
7. A systematic tier of support plan for all ETRs and IEPs compliance reviews will be followed

SPECIAL EDUCATION ACRONYMS

IEP - Individualized Education Plan

IIEP - Initial Individualized Education Plan

ETR- Evaluation Team Report

IETR - Individualized Evaluation Team Report

IAT - Intervention Assistance Team

IMT - Internal Monitoring Team

IS - Intervention Specialist

EMIS - Education Management Information System

SpS - Services Services IEP writing program

PR-01 - Prior Written Notice Form

Gen Ed - General Education

SDI - Specially Designed Instruction