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McNary Elementary School District #23

Exceptional Student Services Process Guide 2022/2023 School Year

Introduction

The Exceptional Student Services Process Guide outlines the operational standards in implementing McNary's established special education policy aligned to federal and state requirements. McNary staff are expected to understand and embrace how we do business that creates the unity and confidence needed to make child-focused decisions consistent with McNary's goals, best instruction initiatives, and accountability standards.

Special education compliance is complex. We are bombarded with knowledge and information to process. The nature of our work requires us to pay attention to the details. Because of the likelihood of committing procedural errors will occur, it's not a question of not making an error but a question of when! We will never blame you for mistakes, but instead treat errors as a learning opportunity, we are all continuous learners.

The [Guide Steps](#) is a document provided by Arizona's Department of Education which outlines compliance standards specific to Arizona and includes references to the Individuals with Disabilities in Education Act (IDEA), Arizona Revised Statutes, Title 15, and Arizona Administrative Code. All staff will follow the Guide Steps and the standards set in the McNary Exceptional Student Service Process Manual.

Our Business is Specially Designed Instruction

We are expected to demonstrate mastery of our craft; our training and skills to implement instructional practices are needed for our students to grow academically and socially. Mastery takes work. Mastery is about our capacity to grow professionally and our willingness to pursue the professional learning opportunities offered by McNary and by our self-learning through readings, practice, and self-reflection.

Why is this important to us? For a variety of reasons, but let's focus on our relationship with the parents of the children we serve. Today's parents are educated about their parental rights and have quick access to information via the internet. They expect to see their child grow academically and socially! Parents understand the requirement to improve the educational outcomes of our students.

We can routinely expect parents to ask us to explain why our methods and instructional practices are appropriate for their children. We can also expect parents to ask for proof that our instruction and interventions are evidence-based. We must know how to respond appropriately to parents' questions and come prepared to meetings with data (work samples, progress monitoring results) to support your comments.

At McNary, special education and regular education are not separate. Our curriculum is for all students. We expect our special education students, through specially

designed instruction, to

- (1) **have access** to the general curriculum;
- (2) **be involved** in the general curriculum; and
- (3) **progress in the general curriculum.**

Specially designed instruction (SDI) is special education and other needed support services as determined by the child's IEP Team.

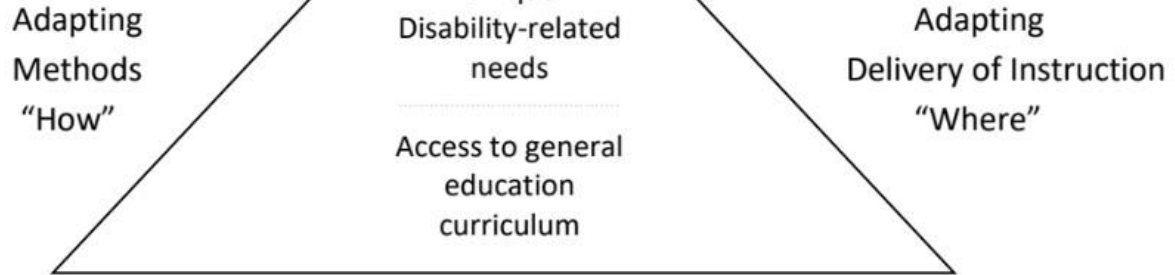
The term "specially designed instruction" has a specific meaning. Under the IDEA, the defining characteristic of SDI refers to adaptations to the content, methodology, or delivery of instruction that:

- Address the unique needs of a child that result from the child's disability
- Ensure access to the general education curriculum so the child can meet the educational standards that apply to all children
- Is Implemented in accordance with the IEP process

Specially designed instruction is a service, not a place, and is not defined by where it occurs.

As cited in Arizona Administrative Code R7-2-401 the **"IEP team may include specially designed instruction in the IEP that may be delivered in a variety of educational settings by a general education teacher or other certificate personnel provided that certificate special education personnel are involved in the planning, progress monitoring and when appropriate, the delivery of specially designed instruction."**

Specially designed instruction in its simplest form is what the teacher/provider does with the "How," "Where," and "What" in the delivery of instruction implemented with fidelity. The visual framework looks like



Child Find - CFR §300.111

McNary, as a public education agency, is required to establish, implement, and disseminate to their staff and all parents within the PEA's boundaries of responsibility written procedures for the identification and referral of all children with disabilities aged birth through 21, regardless of the severity of their disability. This includes children who are advancing from grade to grade or who are highly mobile, including migrant children and homeless, and wards of the state.

McNary is responsible for Child Find identification activities for enrolled students. It is the school's responsibility to identify and evaluate students with disabilities, including children who are suspected of being children with a disability and in need of special education, even though they are advancing from grade to grade.

For infants and toddlers aged from birth to 2 years 10 ½ months, MCNARY will refer the child to AzEIP. For a child aged 2 years 10 ½ months to 5 years, McNary will refer the child to the child's district of residence.

McNary's Child Find obligations for enrolled students, under the IDEA and Section 504, are embedded in the school's Multi-tiered System of Support (MTSS). Under Arizona law (ARS 17-761), the definition of "special education referral" means a written request for an evaluation to determine whether a pupil is eligible for special education services that, for referrals not initiated by a parent, includes documentation of appropriate efforts to educate the student in the regular education program.

However, before a child's eligibility under the IDEA can be determined, a full and individual evaluation of the child must be conducted in accordance with standards established in the ESS Process Guide.

Potentially identified children with a suspected disability for initial evaluation consideration will generally fall into three categories as an outcome of the:

- 45-Day Screening Process (Pre-Referral Identification Process)
- GEIT - General Education Intervention Team as part of McNary's MTSS process (Formal and systematic Pre-Referral model of tiered interventions)
- Any school personnel (Direct pre-referral for evaluation subject to consideration by the)
- Parent request in writing (Direct referral for evaluation subject to consideration by the ESS Child Study Team.

45 Day Screening

Kindergarten and new students to McNary enrolling without appropriate records of screening, evaluation, and progress in school to include a history of special education

not currently eligible for special education, or poor progress will be screened in hearing, vision, cognitive or academic, communication, motor, social or behavioral, and adaptive or self-help areas within **45 calendar days** of the child’s enrollment.

A student transferring into McNary; the public education agency shall review enrollment data and educational performance in the prior school. If there is a history of special education for a student not currently eligible for special education, or poor progress, the name of the student shall be submitted to the administrator for consideration of the need for a referral for a full and individual evaluation or other services.

Screening should include data provided by benchmark assessment, universal screening, and teacher documentation.

If concerns are noted in any area, follow-up and parent notification of concerns (parent letter) must occur within 10 school days. Screening should include data provided by benchmark assessment, universal screening, and teacher documentation. Follow up may include documentation of attempts to collect additional records, implementation MTSS interventions, and or GEIT referral to the Director of Exceptional Student Services

If a parent verbally expresses concerns regarding their child, as opposed to a written request for an evaluation, a screening may take place but must do so within 45 calendar days of the parent’s concern. A parent or guardian has **the right to request in writing an evaluation at any time.**

45-day Screening Timeline and Process

Responsible Party	Timeline	Action
School Registrar	No more than 10 calendar days after student enrollment	Complete demographic data on 45-day screening form and provide to Instructional Leads
Teachers	No sooner than 30 calendar days but no later than 45 calendar days after student enrollment	45-Day Screening Form completed and returned to School Registrar/Office Manager Complete MTSS Form for any students who had concerns noted on the 45-day screening form. This will indicate what interventions have been done to support student(s) up until this point.

School Registrar	No later than 2 days after the 45-Day Screening form was submitted by the teacher	<p>Separate concerns (yes marks on the form) form and immediately provide the MTSS Form to Home Room Teacher.</p> <p>Provide completed forms to the School Principal or designee</p>
School Principal	No later than 10 calendar days after concerns were documented	<p>Decide appropriate follow up, document and sign 45-day screening form.</p> <p>Notify parents of concerns and next steps using the 45-Day Concerns Letter</p> <p>If a student is referred for the MTSS Process, the team will meet periodically to determine interventions and next steps.</p> <p>If a student is referred as a "child with a suspected disability" for special education evaluation, the completed GEIT form is to the ESS Director</p>

Multi-Tiered Systems of Support (MTSS)

MTSS Overview

The Multi-Tiered Systems of Support (MTSS) is a collaborative, evidence-based approach to differentiating and personalizing instruction and intervention across academics, social-emotional learning, and behavior for all students—so that every student can achieve academic and life success following McNary’s mission statement.

MTSS is McNary’s school wide initiative that supports general education school improvement goals for all students, including students with IEP and 504 plans. McNary’s MTSS model consists of tiered intervention levels as a general education function.

At McNary we promote a school-community culture that believes:

- MTSS is rooted in creating an equitable learning environment for all learners.
- Every student has the right to an education that meets his or her needs
- The education of all children is the responsibility of all teachers, administrators, support staff and parents based on a strong foundation of cooperation and collaboration.

At McNary, we thrive to avoid common MTSS mistakes centered on:

- inadequate intervention documentation/fidelity of implementation issues, and
- equating underachievement and behavioral challenges as a disability resulting in high special education referral rates and low eligibility determinations.

As a general education problem-solving process, the MTSS process and interventions are not subject to special education procedural requirements. When implemented with fidelity, the process involves on-going progress monitoring of a student's responsiveness to evidenced-based instruction and academic/behavioral interventions.

The purpose of pre-referral intervention is underscored in the IDEA requirements for determination of eligibility (§300.306): A student must not be determined to be a student with a disability under this part if the determinant factor for that determination is:

- Lack of appropriate instruction in reading, including the essential components of reading instruction;
- Lack of appropriate instruction in math; or
- Limited English proficiency.

Multi-tiered systems of support are intended to meet the needs of all learners, including students with disabilities. All McNary students should receive Tier 1 support. Tier 2 and Tier 3 supports are not intended to replace Tier 1 supports. At different points in their educational journey, any one student may need support in tiers 2 and 3 and should have equitable access to these supports regardless if these students identified as English Learners, Gifted, have an IEP, 504 plan, or behavior plan.

Students receive the support from staff members best able to support them.

MTSS cannot be a barrier to a referral for an education evaluation when determined as a "child with a disability". If the student continues to experience difficulties, a special education evaluation may be requested by school staff by completing the General Education Intervention Team referral form or requested in writing by the child's parent or guardian.

When a written referral is submitted by the parent, the GEIT process is initiated, if not already started. Within 15 school-days a determination is made by McNary officials to begin the evaluation by reviewing existing data or provide written notice refusing to conduct the requested evaluation.

When a parent submits a written request for a special education evaluation, the ESS Director must be notified immediately by email and provided a copy of the written request. The Exceptional Student Services Director or designee will contact the parent to respond to the request, copying the Principal, ESS Coordinator, psychologist and/or speech/occupational therapist. The school must formally respond to the parent's request within 15 school days by either issuing Prior Written Notice or by holding a Review of Existing Data (RED) team meeting. Parent evaluation request letters reflect parental expectations. However, such letters do not confer evaluation status if school officials do not suspect that the child has a disability.

MTSS and Special Education share many common intervention traits but special education services are defined by an extensive set of laws and regulations, and specialized services to support students identified with qualifying disabilities.

The MTSS Team Leader or staff member may refer a student to the Principal by submitting a completed GEIT Student Referral Form for a Special Education Initial Evaluation consideration anytime throughout the MTSS process.

The GEIT process under the direction and supervision of the Principal, is McNary's pre-referral for potentially identifying the child as a child with suspected disabilities in deciding the need for a "full and individual evaluation." Typically, GEIT is initiated when determined that tier two and tier three interventions are considered unlikely to be sufficient in their scope and intensity to address the student's identified needs.

General Education Intervention Team Request

Once a GEIT request is submitted, the Principal will decide the membership of the GEIT and meet to discuss the data and the current interventions that are in place. The number of GEIT meetings or consultation activities may vary from student to student.

Making an informed decision requires good data. These include:

- defining the specific concern;
- collecting current data and student work samples highlighting the specific concern;
- reviewing student records;
- talking to relevant people, including the parent, familiar with the student (e.g., the student, previous teachers);

considered for referral for a full and individual evaluation or other services

Conduct Screening

Concerns Noted

- documenting instructional strategies, interventions used, and the results of interventions.
- (Parents must be notified of concerns within 10 school days.)

No Concerns Noted

(No further action necessary)

Follow-Up of Concerns Noted

Conduct and document follow-up that may include but is not limited to pre-referral activities, screening, response to intervention strategies, GEIT

Referral for Evaluation

Initial Evaluation

Provide Prior Written Notice, Procedural Safeguards and Meeting Notice (if meeting is to take place)
Review existing data

Additional Data Needed

Provide Prior Written Notice
Obtain Parental Consent
Gather additional data
Provide Meeting Notice
Review new data
Determine eligibility
Summarize all information in an evaluation report provided to parent
Provide Prior Written Notice

Reevaluation

Provide Meeting Notice (if meeting is to take place)
Review existing data

No Additional Data Needed

Notify parents of right to request additional data
Determine eligibility
Summarize all information in an evaluation report provided to parent
Provide Prior Written Notice

No Additional Data Needed

Provide Meeting Notice
Determine eligibility
Summarize all information in an evaluation report provided to parent
Provide Prior Written Notice

Additional Data Needed

Provide Prior Written Notice
Obtain Parental Consent
Gather additional data
Provide Meeting Notice
Review new data
Determine continued eligibility
Summarize all information in an evaluation report provided to parent
Provide Prior Written Notice

IEP Development

Provide Meeting Notice
Develop IEP
Provide Prior Written Notice

IEP Development

Provide Meeting Notice and Procedural Safeguards if not provided to parent yet in current school year
Develop IEP
Provide Prior Written Notice