(26-27) Harmony Area School District Special Education Handbook



Special Education Staff:

Special Education Coordinator:	Jason Boring
Special Education Department Chairperson:	Lindsey Zachesky
School Psychologist:	Michael Burke CIU 10
Special Education Teachers:	Brooke Robinson
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Special Education Secretary:	Louri McCulley
Speech & Language Support:	Lauren Behory CAMCO
OT & PT Services:	Contracted through CAMCO

RECORD OF INSPECTION

The form titled Record of Inspection of Pupil Records is to be located on the inside cover of IEP folders. It must be located in the permanent records for all district exceptional students. This form must be signed by anyone examining student records. All districts in PA must have procedures that allow parents of special education students to examine records relating to their children. FERPA 20 U.S.C. §1415(b)(1), 34 C.F.R. §501(a). Non-custodial parents have the same rights as the custodial parent regarding major educational decisions, attendance at IEP meetings, and access to student records unless formally terminated by court order. 23 PA. C.S.A. §5302, 34 C.F.R. §99.4.

CONFIDENTIALITY

As professionals with knowledge of various personal and educational facts regarding students and their families, it is of utmost importance to protect the privacy of those individuals and family units by never discussing student information in public with anyone or in private with others who are not primarily involved with the issues. **This may include other HASD teachers and/or staff.** The right to privacy extends to public displays of names or other identifiable information on computer screens, inter-school envelopes, note pads, or printed materials left unattended on teacher's desks. It is your responsibility to protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

EDUCATIONAL INTEREST

Individualized Education Plan's or any other information/documents protected under confidentiality laws should only be shared with persons who have a legitimate educational interest (i.e. the persons who are directly responsible for carrying out any component of the IEP). Examples of people who would have a legitimate educational interest would be the special education teacher, any general education teacher who works directly with the student, building administrator, paraprofessional (if applicable) and substitute teacher. Please note that this is not an exhaustive list. Additionally, many HASD teachers/staff may be excluded from this list. **Please use caution when discussing student information, as not to disclose confidential information to those who are not privy.**

Every IEP should be shared with the appropriate staff who has a legitimate educational interest at the beginning of each school year, after every IEP meeting and when changes are made. This

must be documented. It is imperative that everyone involved with carrying out the IEP is aware of their role. The following is a mandated process for sharing of IEP's and related information.

1. The Special Education Office will upload copies of the Specially Designed Instruction section of the IEP for each regular education teacher that works with the student. **These copies will be uploaded in the district Google Drive by the first day of the start of each school year, and within one (1) working day of any IEP meetings or revisions that are done throughout the school year.**

2. The general education teacher then signs the documentation form indicating that they have received and reviewed this information. This documentation must be submitted to the Special Education secretary and placed in the student's file.

3. The full copy of the IEP will be available from the case manager. If any person with a legitimate educational interest would like to view the entire IEP or other parts of the special education record, they will need to notify the case manager and the director of special education as to the reason. The teacher will sign the "Record of Inspection of Pupil Records", which will be located in the student's file. Teachers are not permitted to make copies or take any part of the file outside of the Special Education office or school building.

CHILD FIND

Procedures for locating, identifying and evaluating children with disabilities

1. Purpose

According to state and federal special education regulations, annual public notice to parents of children who reside within a school district is required regarding child find responsibilities. School Districts, Intermediate Units and Charter Schools are required to conduct child find activities for children who may be eligible for services via the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. School districts are also required to conduct child find activities for children who may be eligible for gifted services via 22 PA Code Chapter 16. This chapter provides guidance on how Harmony Area School District will locate and identify all children between the ages of 5 and 21 who may need special education and/or related services to address problems that may interfere with their future development and learning, including those students who are advancing from grade to grade.

2. Legal Standard

Each school district is required to:

- adopt and use a public outreach awareness system to locate and identify children thought to be eligible for special education within the school district's jurisdiction;
- conduct awareness activities to inform the public of its special education services and programs and the manner in which to request services and programs; and
- provide annual public notification, published or announced in newspapers or other media, or both, with circulation adequate to notify parents throughout the school district of child identification activities and of the procedures followed to ensure confidentiality of information pertaining to students with disabilities or eligible young children in accordance with this chapter.

3. Screening

School-Based Screening

Each school shall establish a system to accomplish the following:

- Initial Screening – Identify and provide initial screening of students to identify any with academic, social/emotional or sensory (vision/hearing) or speech/language difficulties. To facilitate this process, HASD will:
    - Provide support for teachers and other staff members to assist them in working effectively with students in the general education curriculum:
        - Academic – for students with academic concerns, an assessment of the student's functioning in the curriculum including curriculum-based or performance based assessments;
        - Behavior – for students with behavioral concerns, a systematic observation and collection of data of the student's behavior in the classroom or area in which the student is displaying difficulty;
        - Intervention – intervention based on the results of the above academic and behavioral screenings;
        - Progress Monitoring – progress monitoring of the student's response to the intervention;
        - Appropriate Instruction – a determination as to whether the student's assessed difficulties are due primarily to a lack of appropriate instruction in reading or in math;
        - Limited English Proficiency – a determination as to whether the student's assessed difficulties are due primarily to a student's limited English proficiency; and

        - Parental Involvement – activities designed to gain the participation of parents and through written notice, inform the parent of the results of the screening and whether follow-up is required.
    - Conduct annual hearing and vision screening in accordance with Section 1402 of the Public School Code of 1949 (24 P.S.§ 14.1402) for the purpose of identifying students with hearing or vision difficulty.
    - Conduct speech and language screening for incoming Kindergarten student
- Purpose – Identify students who are suspected of having a disability and who may need special education services.

Child Study Process

Each child for whom a parent and/or teacher has specific concerns may be referred to the Child Study Team for review of records and performance. The Child Study Team consists (at a minimum) of:

- Special Education Coordinator
- Building Level Administrator
- School Psychologist
- School Counselor
- At least one teacher who has direct experience with the child

When referrals are made, the Child Study Team (CST) will meet at monthly to review, discuss and make recommendations for all referrals.

Special Ed Teachers are responsible for planning, scheduling and hosting the IEP meetings. All procedures for hosting an IEP meeting must be adhered to.

Outreach

The HASD conducts professional development activities and ongoing trainings for staff, to ensure that child find, screening activities and referrals for special education evaluations are carried out in a manner consistent with the timelines and requirements established by the Individuals with Disabilities Education Act (IDEA) and operationalized in this procedure manual. Through its website, the HASD disseminates child find information to agencies that provide services to children with disabilities within the community.

Children age 3 through the age of admission to kindergarten are also eligible if they have developmental delays and, as a result, need Special Education and related services. Developmental areas include cognitive, communicative, physical, social/emotional and self-help. For additional information contact the local Intermediate Unit.

Obligation

The HASD will locate, identify and evaluate all students ages 5 through 21 years within the HASD who may be eligible for special education and related services, including students who are not currently enrolled in a HASD education program, students in nonpublic schools residing in the district, and highly mobile students such as migrants and homeless students. This process will include:

- collecting, maintaining and reporting current and accurate data on all public awareness and child find activities;
- reviewing the overall success and effectiveness of the HASD's public awareness and child find activities;
- modifying the HASD's public awareness and child find activities, as necessary and appropriate;
- utilizing data relative to the HASD's public awareness and child find activities to plan for the delivery of services to students with disabilities; and
- consulting with appropriate representatives of area private schools, including religiously affiliated schools, on how to carry out child find activities for students enrolled in these schools.

PROCEDURAL SAFEGUARDS NOTICE

The Office for Dispute Resolution (ODR) is the agency in Pennsylvania that coordinates the administration of the statewide special education dispute resolution system. There are several official processes in place to assist when a dispute arises. These are:

- IEP Facilitation
- Mediation
- Due Process Hearing

These processes are used to resolve disputes between a parent and the Local Education Agency (LEA) responsible for providing the student with an education (e.g., a school district, intermediate unit, charter school, or Department of Corrections). These disputes concern the identification, evaluation, educational placement, or the provision of a free appropriate public education (referred to as FAPE) for students with disabilities, students who are gifted, protected handicapped students, and students with disabilities.

Informal Meeting

Often, if a parent disagrees with an educational issue involving their child, the first and best step to take is to ask to meet with the parent and members of the school team to discuss the concern. This may be all that is needed to resolve the matter to the parent's satisfaction, however, the parent must remember that timelines applying to a request for due process may continue to run while such a meeting is set-up and held, so that a request for an informal meeting should not be delayed.

IEP Facilitation

IEP Facilitation is a voluntary process that can be utilized when all parties to the IEP meeting agree that the presence of a neutral third party would assist in the facilitation of communication and the successful drafting of an IEP for the student. This process is not necessary for most IEP meetings – it is most often utilized when there is a sense from any of the participants that the issues at the IEP meeting are creating an impasse or acrimonious climate, and it may be helpful to have a neutral, trained facilitator guide the process.

The facilitator's primary task is to assist the IEP team's effort to communicate, to ensure that the IEP team focuses on developing the IEP while addressing any disagreements that may arise during the meeting. The facilitator does not make recommendations or decisions for the IEP team. The members of the IEP team remain the sole decision-makers.

Either the parents or LEA can request IEP Facilitation; however, since the process is voluntary, both parties must agree. If either the parents or the LEA decline to participate, facilitation cannot be used. Therefore, both parties must sign a request form that is available from ODR.

Mediation

Mediation is a voluntary process in which the parent and the LEA involved in a dispute regarding special education both agree to obtain the assistance of an impartial mediator. Mediation is available whenever a due process hearing is requested or it may be requested by the parent or school district to try and resolve a dispute rather than initiating due process.

When one calls to request mediation, the ODR case manager forwards the request to the other party. Usually within 10 days of the request, the case manager establishes a date, time, and place for the mediation. Mediation sessions are scheduled for an entire day but typically last three to five hours.

If parents want to bring advocates or educational experts, parents are responsible to invite participants and pay any fees they require. At this time, attorneys do not participate in mediation.

The goal of mediation is to establish a positive relationship between parents and school personnel through collaborative problem solving. Any agreement that results from this collaboration is one the parties can live with because they created it together. The mediator does not decide what outcome is correct for the parties. If an agreement is reached, the mediator will develop a written agreement with the assistance of the parties. The parties determine the terms of the agreement and compose the wording. All parties (parent, LEA, and mediator) sign the agreement. Copies of the agreement are distributed to the parties as documentation of the meeting. If the agreement requires a change in the student's IEP, the school or school district should hold an IEP meeting to make the changes to the IEP. If the school signs the agreement but does not follow the agreement, a parent can file a complaint with the Bureau of Special Education to enforce the IEP, or go to court to enforce the agreement.

Due Process Hearing

If a parent files for due process or discusses with a staff member of the school that they want to engage due process, the Director of Special Education needs to be contacted immediately.

Due process is a legal proceeding presided over by a hearing officer who makes determinations about a student's educational program. There are many legal requirements and timelines associated with this action. The oversight of this process will be out of the special education office. There are some specific requirements mandated once a due process request is initiated. Since there will be an attorney representing the school entity and most likely the parent, many of the mandated processes will be led by counsel. With this, there are requirements the school district or intermediate unit must adhere to during this process: The following is just a snap shot of the requirements:

- Within 15 calendar days of receiving notice of parent's due process complaint, and prior to initiation of a due process hearing the LEA must convene a resolution meeting with the parent and the relevant member(s) of the IEP team who have specific knowledge of the facts identified in the due process complaint (within 7 calendar days for expedited hearing).
    - The purpose of the resolution meeting is for the parents to discuss the due process complaint and supporting facts so the LEA has the opportunity to resolve the dispute. A resolution meeting gives the parents and the LEA a chance to work together to avoid a due process hearing. The parents and the LEA determine which members of the Individualized Education Program (IEP) team will attend the resolution meeting. Participants include the parents, the LEA representative who can make decisions on behalf of the school, and any IEP team member who has relevant information about the issues that are being

discussed. School districts may not bring an attorney to the resolution meeting unless the parents bring an attorney.

- If the LEA has not resolved the due process complaint to the satisfaction of the parents within 30 calendar days of the receipt of the due process complaint, the due process hearing may occur (15 calendar days for expedited hearing).
- If the LEA resolves the due process complaint to the satisfaction of the parents within 30 calendar days of the receipt of the complaint, then the timelines end.

Student Placement During Mediation or Due Process

If parents or the school have requested mediation or a hearing, the student must "stay put" in his or her current program until the disagreement is resolved. That means that the school cannot change the program until the mediation and hearing have ended.

SPECIAL EDUCATION CATEGORIES

At the eligibility meeting, the team must examine the evidence obtained from the initial evaluation and determine if it meets the initial eligibility criteria under one of the 13 eligibility categories listed below:

- Autism
- Deaf-Blindness
- Emotional Disturbance
- Hearing Impairment
- Intellectual Disability
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Multiple Disabilities
- Traumatic Brain Injury
- Vision Impairment

The team members must consider exclusionary and inclusionary factors to determine eligibility for each specific disability. Eligibility determinations are a team decision.

Specific Learning Disabilities

PA regulations provide districts a choice between these two options to determine SLD qualification.

Discrepancy Model PA regulations include the analysis of strengths and weaknesses, or discrepancy, as "a process that examines whether a child exhibits a pattern of strengths and weaknesses, relative to intellectual ability as defined by a severe discrepancy between intellectual ability and achievement, or relative to age or grade."

(§ 14.125[a][2][ii])

Evaluation teams using assessment of patterns of strengths and weaknesses to determine the discrepancy between ability and achievement continue to administer tests of intelligence to determine IQ as well as norm-referenced tests of academic achievement so that the discrepancy between scores from the two measures can be appraised.

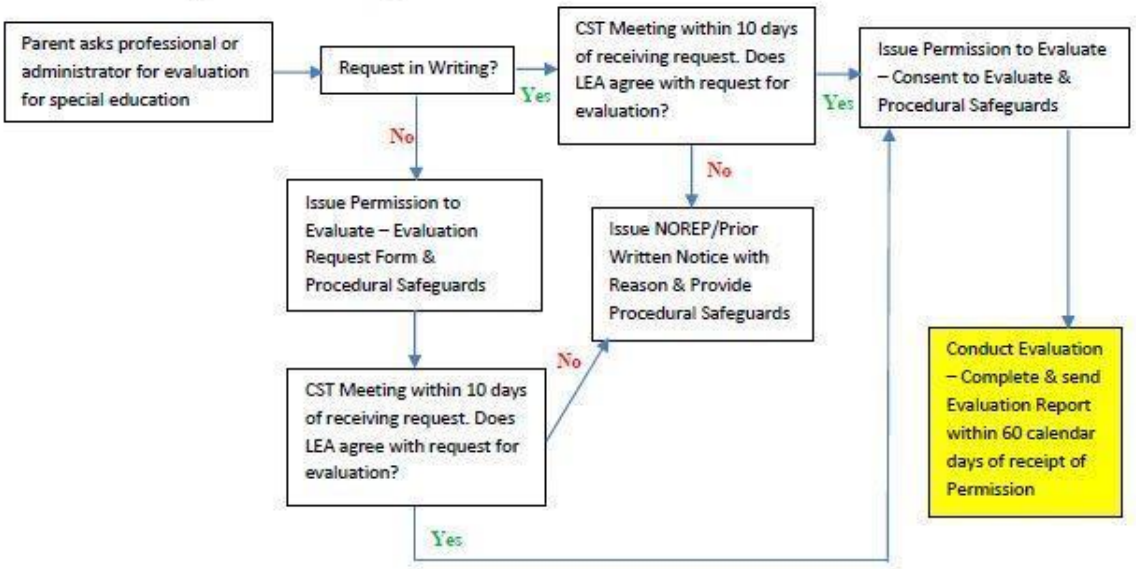
The existence of an ability-achievement discrepancy is not alone sufficient to determine eligibility as SLD. Rather, to be identified with SLD, a student must not only display an ability-achievement discrepancy but must also be achieving significantly below age or grade level standards. The analysis of a severe discrepancy will identify whether the student has a severe discrepancy relative to age/grade or whether the severe discrepancy exists between intellectual ability and achievement level. Evaluation teams using assessment of patterns of strengths and weaknesses to determine the discrepancy relative to age or grade must examine and document the extent to which the student's achievement is discrepant from grade or age. A possible criterion might be that the confidence intervals of the lower scores do not overlap the confidence intervals of the higher scores, thus indicating a significant difference in achievement.

EVALUATION REFERRAL/REQUEST PROCESS

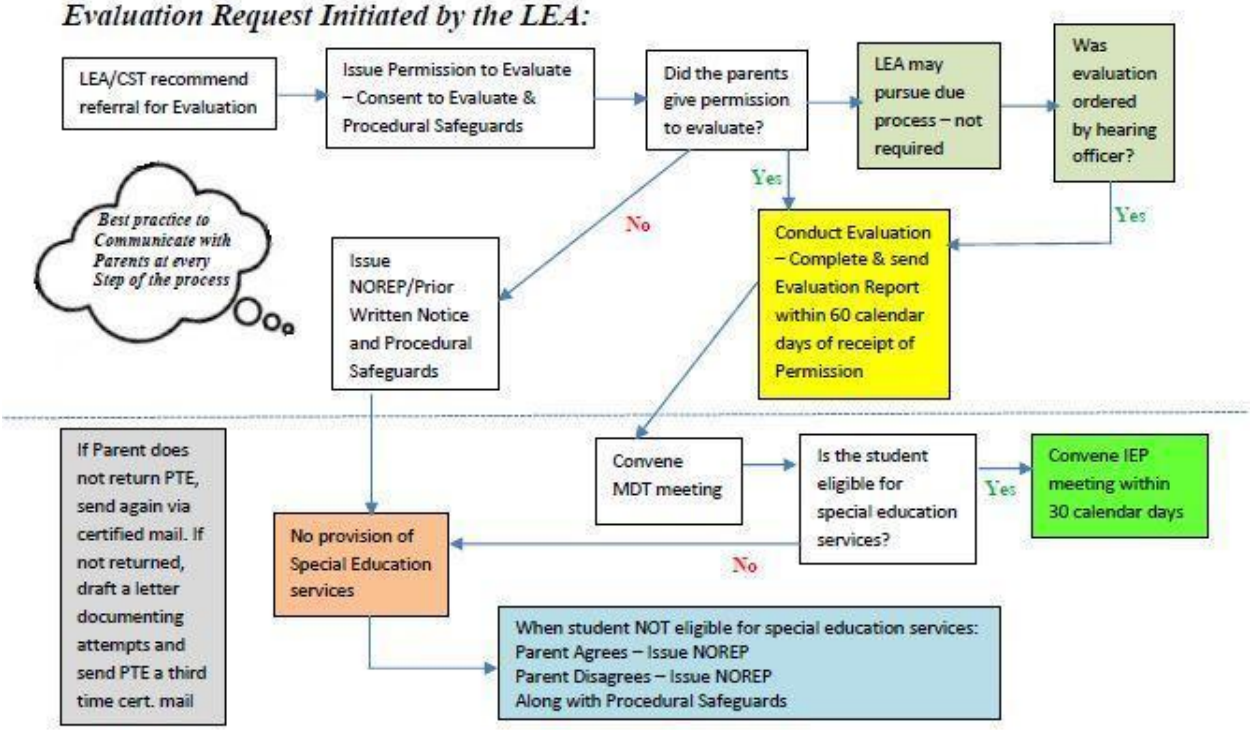
The purpose of special education is to provide equal access to education for children ages birth through 21 by providing specialized services that will lead to school success in the general curriculum. If a child's parent/guardian, health care provider, teacher, or other interested party suspect that the child may be eligible for special education services they may be referred for an evaluation. The following information is an outline of the special education process and brief descriptions of its elements:

Evaluation

Evaluation Request Initiated by a Parent:



Evaluation Request Initiated by the LEA:



RE-EVALUATION

A Re-Evaluation will be conducted at a minimum every three years for all areas of disability except Intellectual Disabilities. Students with an Intellectual Disability will be re-evaluated every two years.

In the Harmony Area School District, the Case Manager is responsible for initiating a re-evaluation. Procedures are as follows:

- Schedule a meeting with the School Psychologist to determine whether or not additional testing will be needed to determine disability status
- Prepare updated progress monitoring and summative assessment data
- Reference the previous Evaluation summary
- Reference the specific elements of specially designed instruction that have proven effective and why
- Solicit feedback from every classroom teacher who works directly with the student
- Develop a statement about the need for continued SDI or not and why
- 30 days prior to the Re-Evaluation due date, send a draft of the new Re-Evaluation to the School Psychologist for review

IEP TEAM COMPOSITION

The special education team should include:

- Parent(s)/Guardian(s) of the student
- Regular education teacher who is, or may be responsible for implementing the IEP
- Special education teacher who is, or may be responsible for implementing the IEP
- Representative of the local school district (LEA):
    - Qualified to supervise specially designed instruction
    - Knowledgeable about the general education curriculum
    - Knowledgeable about the availability of resources and the authority to commit resources
- At the Parent(s) discretion, or the district's, other individuals with knowledge or special expertise regarding the student
- Student, when appropriate
- When transition services must be planned, a representative of any agency that may be providing or paying for transition services
- Qualified bilingual specialist or bilingual teacher, if needed
- Representative of a State-operated or nonpublic facility, if it is anticipated that placement in a nonpublic facility will be considered

- Appropriate related service staff members who work with the student
- Sign Language/Bilingual interpreters as needed

LEAST RESTRICTIVE ENVIRONMENT

This requirement has been part of disability education law for over thirty years and is often referred to as the "Least Restrictive Environment (LRE) mandate." By law, it is the IEP team that decides the educational placement for an individual student. The law and PDE policy require that each local education agency and IEP team make educational placement decisions based on the general principles outlined below. IEP teams are required to adhere to the following when making educational placement decisions:

1. A Free and Appropriate Public Education (FAPE) must be provided to every student with an IEP; moreover, FAPE must be delivered in the LRE as per the IEP team.
2. Students will not be removed from regular education classrooms merely because of their disability;
3. When students with disabilities, including students with significant cognitive disabilities, need specially designed instruction or other supplementary aids and services to benefit from participating in regular education classrooms as required in their IEP, local education agencies are obliged to ensure that those services are provided;
4. IEP teams must determine whether the goals in the student's IEP can be implemented in regular education classrooms with supplementary aids and services before considering removal from the regular education classroom;
5. School districts will consider the full range of supplementary aids and services in regular education classrooms, based on peer-reviewed research to the extent practicable, including modification of curriculum content, before contemplating placement in a more restrictive setting.

INDIVIDUAL EDUCATION PROGRAM

I. Scheduling IEP Meetings

1. It is your responsibility to monitor timelines for students on your caseload to assure that legal mandates are met. Calendar your IEP and RR dates to map out when they are due prior to the start of the school year. Review for accuracy at least once per month. This will assist in having enough notice before the due date so you can begin the process in a timely manner.

2. When scheduling an IEP meeting, offer parents/guardians at least three dates/times you are available to meet. <u>You must make and document at least three attempts to reach the parent/guardian to schedule the IEP meeting</u>. If your first two attempts are unsuccessful, your final attempt must be done via certified mail. Additionally, you must contact the parents/guardians 1-2 days prior to the IEP meeting to remind them of the meeting. Documentation of attempts should be submitted to the Special Education secretary for inclusion in student files.

3. Utilize the student roster list provided to you, to schedule your IEP meetings within a timely manner. Parents must be notified of the meeting early enough to ensure they will have an opportunity to attend. A parent must have the opportunity to review an ER/RR for 10 days prior to participating in an IEP meeting. If the parent agrees to have the IEP meeting sooner than the 10 day waiting period, you must have them sign a waiver as part of the IEP process. A copy of a waiver is included in this handbook.

4. The caseworker will be provided a copy of his/her roster that specifies which students need a Re-Evaluation Report (biennial or triennial) or a Permission to Waive Re-Evaluation. You must complete packet for Re –Evaluation one month before due date. Although each individual file was checked, <u>it is your responsibility</u> to ensure the accuracy of these important dates. <u>*When you review these dates in DARTs, if there are any discrepancies in the information provided to you please contact the Special Education office immediately.*</u> Please be sure that, once you are given this information, the proper document is completed for each student on your roster.

<u>PLEASE KEEP IN MIND THAT AT ANY TIME DURING THE SCHOOL YEAR YOU FEEL THAT THERE ARE CONCERNS WITH A STUDENT'S ACADEMIC OR FUNCTIONAL PERFORMANCE, YOU MAY INITIATE A RE-EVALUATION BY BRINGING THESE CONCERNS TO THE DIRECTOR OF SPECIAL ED.**</u>**

****IF A PARENT MAKES A VERBAL REQUEST FOR AN EVALUATION/RE-EVALUATION TO ANY SCHOOL PERSONNEL, PLEASE CONTACT THE DIRECTOR OF SPECIAL EDUCATION <u>IMMEDIATELY</u>.*****

5. You must check availability of dates with the Spec. Ed. secretary PRIOR to scheduling. Please schedule IEP meetings at least 20 days in advance. ALL IEP dates must be put the date on the IEP Calendar in the Shared Google Drive.

6. All IEP meetings are to occur in the District Conference Room, located next to the Elementary Office. When possible, please schedule IEP times at 8:00 am.

7. General Education Teachers must be invited and provide information for the IEP. General Education Teachers must be involved in the process. They must be provided with an IEP input form via email when the IEP is scheduled.

8. Mental health professionals or other providers may attend the meetings; however, inform parents that it is their responsibility to invite them to the meetings. Prepare the invitations for the parent and student (beginning at age 14), including the names of parents, general education teacher, special education teachers, related service personnel, and the student (when appropriate). A Parent Questionnaire must be sent home with the IEP invite. Invitations must be sent out at least 10 days prior to the meeting, giving notice to all participants including the regular education teachers. Send home or mail them along with self-addressed, stamped envelopes for them to return their response page to the "Invitation to Participate in the IEP Team Meeting or Other Meeting." <u>Special Education teachers are responsible to call parent the day before the meeting to remind them of scheduled meeting.</u>

9. Specialists (Speech, OT, PT, etc.) must also be provided the opportunity to submit input for the IEP and be invited to the IEP meeting.

10. Students must be invited, if turning 14 or older during the duration of the IEP. The student and parent must each have their own invitation. Transition services should be checked on the invitations. Invite OVR and/or other representatives from outside agencies for students who are age 14, or younger if determined appropriate and with the prior consent of the parent or student.

11. If you need to reschedule an IEP meeting because the parent cannot attend, be sure to contact Special Ed Secretary. Keep in mind that RRs/waivers and IEPs must be completed within the appropriate timelines as described below.

Evaluation Timelines:

The entire evaluation process must be completed within 60 calendar days (not including summer vacation) from the date the parent gives permission by signing the "Consent to Evaluate" form. A copy of the Evaluation Report must be given to the parent at least 10 school days before the IEP meeting. A parent may waive the 10-day provision in writing.

Evaluation

Law	Action	Timeline	
		School Days	Calendar Days
14.123(c)	When a parent **orally** requests an evaluation, the local educational agency (LEA) must provide a copy of the *Permission to Evaluate-Evaluation Request* form to the parent.		10
300.503(a) 300.300(a)	When a parent presents a **written** request for an evaluation, if the LEA agrees to evaluate as requested, the LEA must provide the *Permission to Evaluate-Consent* form and *Notice of Recommended Educational Placement/Prior Written Notice* (*NOREP/PWN*) form to the parent.		Within a reasonable amount of time, generally considered to be 10
14.123(b) 300.300.309(b) 300.300.309(c)	After the LEA receives written parental consent, the initial evaluation must be completed and a copy of the *Evaluation Report* presented to the parent.		60*
14.123(d)	The parent must receive a copy of the *Evaluation Report* prior to the Individualized Education Program (IEP) meeting (unless a waiver is signed).	At least 10	

There are several exceptions to the 60 calendar day timeline requirement. This timeline does not apply if:

- The parent repeatedly fails or refuses to produce the child for evaluation.
- A child enrolls in a school of another public agency after the evaluation has begun, but prior to a determination of the child's eligibility by the previous public agency. This exception applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed.
- A request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures. In this case, the evaluation must be conducted in an expedited manner.
- When evaluating a child for specific learning disability **only**, the child's parents and a group of qualified professionals can mutually agree in writing to an extended time frame if, prior to a referral, the child has not made adequate progress after an appropriate period of time when provided appropriate instruction in reading or math, and whenever referred for an evaluation.

Note: The calendar days from the day after the last day of the spring school term, up to and including the day before the first day of the fall school term, will not be counted.

Independent Educational Evaluation (IEE)

Law	Action	Timeline	
		School Days	Calendar Days
300.502(b)	If a parent requests an Independent Educational Evaluation (IEE), the local educational agency (LEA) must either ensure an IEE is provided at public expense, or file a due process complaint.		**

** Without unnecessary delay

Reevaluation

Law	Action	Timeline	
		School Days	Calendar Days
14.123(c)	When a parent **orally** requests an evaluation, the local educational agency (LEA) must provide a copy of the *Permission to Evaluate-Evaluation Request* form to the parent.		10
300.503(a) 300.300(a)	When a parent presents a **written** request for an evaluation, if the LEA agrees to evaluate as requested, the LEA must provide the *Permission to Evaluate-Consent* form and *Notice of Recommended Educational Placement/Prior Written Notice (NOREP/PWN)* form to the parent.		Within a reasonable amount of time
300.300(c)	As a result of the review of data, if additional data are required to determine continued eligibility and need for special education services, the LEA must issue the *Permission to Reevaluate-Consent* form.		Within a reasonable amount of time
14.124(b)	After the LEA receives written parental consent, the reevaluation must be completed and a copy of the *Reevaluation Report* presented to the parent.		60*
14.124(d)	The parent must receive a copy of the *Reevaluation Report* prior to the Individualized Education Program (IEP) Meeting (unless a waiver is signed).	At least 10	

Change in Identification/Evaluation/Placement/FAPE

Law	Action	Timeline	
		School Days	Calendar Days
300.503(a)	Prior to the local educational agency (LEA) proposing a change in the identification, evaluation, or educational placement of a child or the provision of FAPE to the child, the LEA must provide prior notice using the *NOREP/PWN* form.		*

* Within a reasonable amount of time

IEP Timelines:

The IEP must be completed within 30 calendar days after the Evaluation team issues the Evaluation Report. The IEP plan must be put into action as soon as possible, but no later than 10 school days after the IEP is completed. Review of the IEP must be completed as least annually on or before the duration date. An IEP meeting can be convened at any time prior to the duration date at the request of any IEP team member.

IEP Meeting

Law	Action	Timeline	
		School Days	Calendar Days
300.322(a)	The local educational agency (LEA) must provide advance notice to the parent when scheduling an Individualized Education Program (IEP) meeting.	*	
300.323(c)	The LEA must convene the IEP meeting after the completion of an *Evaluation Report* (*ER*) or *Reevaluation Report* (*RR*).		30
300.503(a)	Written notice must be provided to the parent, recommending educational placement or provision of FAPE.		**
14.131(a) 300.300(b)	An initial IEP for a student will be implemented as soon as possible after receiving parental consent for initial services.	No later than 10	
14.131(a)	For any IEP completed after an initial IEP, the IEP must be implemented.	No later than 10	

* Enough time to ensure that parents will have an opportunity to attend

** Within a reasonable time before services begin

II. Preparing Your Draft IEPs for Conferences

1. All IEP Forms are found in DARTS. Complete the demographic information. Review it to make sure all the information is accurate. Complete signature lines for all team members invited.

2. Print out the Cover Page and entire IEP prior to the conference. If any demographics change, they may be noted on the IEP at the meeting.

3. Double check the dates as per directions. The IMPLEMENTATION DATE may be the school day following the IEP meeting, unless the student has a related service, such as

Speech and Language, OT, PT etc. A related service date may be later but no later than 10 school days from the meeting. These dates must be filled in. They cannot be left blank.

4. The ANTICIPATED DURATION OF SERVICES AND PROGRAMS DATES can only be one day minus the previous IEP MEETING DATE. (For example: IEP MEETING DATE: 11/05/2018, IMPLEMENTATION DATE 11/19/2018, and ANTICIPATED DURATION OF SERVICES AND PROGRAMS DATE: 11/04/2019.)

5. Reminder: Be sure to add the waiver statement if the parents WERE NOT GIVEN a 10 day waiting period between receiving a copy of the ER/RR and the IEP meeting.

6. Obtain ALL required signatures, of those attending the IEP meeting, prior to submitting your documents to the Special Education Office. If the parent does not attend the meeting, and you are unable to obtain their signature for at least the Procedural Safeguard Notice section of the IEP or on the NOREP, please send the documents to the Special Education Office without parent signatures, the same day as the meeting. Failure to turn in the documents makes administrative tasks more difficult.

7. All IEP/ER/RR's must be completed and submitted to the Special Ed Director, for review at least 3 days prior to the IEP/ER/RR meeting. NO EXCEPTIONS!

Section I. Special Considerations

1. If the "Behavior that Impedes His/her Learning or That of Others" box is checked, a Positive Behavior Support Plan, (PBSP) must be developed. Also, note PBSP in the SDI section of the IEP.
2. If you check YES to "Is the Student Deaf or Hard of Hearing?" the IEP **MUST** include a communication plan.

Section II. Present Levels of Academic Achievement and Functional Performance

1. Student's Present Levels of Academic Achievement:

    a. Indicate the Current Program (grade, special education and related services). List here if the student has a TSS, PCA, Nursing, OT, PT, Speech and Language, and any other related services. Also, indicate the level of services. Include if a

student was recently evaluated or re-evaluated. If the student's most recent Evaluation Report contained recommendations for Related Services, the IEP team should address those recommendations.

For example: Johnny is currently a first grade student who attends Harmony Elementary School receiving (list current program(s).

Do not mention TSS anywhere else. Previous years' information should be deleted or reworded to update the content to fit the present situation. Do not copy word for word in any area of the IEP.

b. Academic functioning: These levels of ACADEMIC achievement refer to how the student is performing within the general education curriculum in relation to his/her peers and state-approved grade level standards. Include current instructional levels, and work completion. Describe classroom strategies or interventions applied and their results. Also, a description of the student's progress or lack of progress toward the IEP goals. The present educational level needs to include INSTRUCTIONAL and GRADE LEVELS for the student. Describe any additional and alternative instructional materials, instructional time or personnel. Grade level alone does not meet the criteria of an IEP based on identified skill deficits.

Present Level Sample Data:

- List all current grades for all subject areas.
- Most recent PSSA scores and interpretation of strengths and weaknesses
- DIBELS
- Student work samples
- Career Inventories
- Curriculum Based Assessments (CBA)
- Edmark
- Vocabulary/Sight word lists
- Study Island
- Previous IEP progress toward goals
- Secondary students should have credit information explained in this area
- Information from appropriate subject teachers

2. Student's Present Level of Functional Performance:

Social/Cultural/Emotional Functioning/Parent Input: This section includes classroom performance and the results of functional performance administered. Include current functional levels, strengths, and needs that may be developmental. If the student displays appropriate behaviors, indicate. Ex: Jane demonstrates age appropriate behaviors within the school environment.

a. If behaviors are inappropriate, list specific behaviors and frequency. Specify the problems and indicate where they take place. Summarize results of a functional behavioral assessment in this section of the IEP.

b. *Write a statement explaining how the disability affects his or her involvement in the general education curriculum. You need to develop a statement that reflects the student's specific disability and how it impacts his/her ability to access the general education curriculum.*

Example: Due to Johnny's diagnosis of autism, it may affect his ability to maintain focus on instruction within a large group setting, he is in need of specially designed instruction to make meaningful progress within the general education curriculum. (Put the diagnosis/disability in this category. Examples: intellectual disability, specific learning disability in reading, autism, ADHD, etc.

c. Attendance/Tardy
d. Relevant Health Information/Medications
e. Agency Involvement
f. Personal Care Aide Information
g. Speech and Language
h. Occupational Therapy
i. Physical Therapy
j. Vision Support
k. Hearing Support

3. Present Levels Related to Current Postsecondary Transition Goals:

This section should provide a concise description of the student's current Academic Achievement and functional Performance based on age appropriate assessments related to the student's targeted postsecondary goals if the IEP team determines transition services are needed. Examples of formal or informal assessments that may be

listed and explained in this section include: SATs, interest inventories, vocational evaluations, career surveys, as well as academic and functional assessments.

***If the student in not 14 years of age, insert a statement such as: Johnny is not 14 years of age during the duration of this IEP, so this section of the IEP is not addressed at this time.

4. Parental Concerns for Enhancing the Education of the Student:

   Discuss parent concerns at the meeting or list any concerns that have been brought up to you prior to the meeting. Provide the parent the opportunity to discuss their concerns for enhancing their child's educational program by sending home the Parent Questionnaire with the invitation. If you do not receive any parent input, indicate that an effort was made to obtain input but none was received. Do not leave this section blank. Put in a statement. **Do not put NA**.

5. How the Student's Disability Affects Involvement and Progress in the General Education Curriculum:
   a. Strengths: List student's strengths as addressed in current levels

   b. Needs: List student's needs as addressed in the current levels.
      ***Note: If you identify a need then you must write a goal to meet the need or address it in the Specially Designed Instruction
      ***This includes if testing shows a deficit in any area.

   c. Write a statement explaining how the disability affects his or her involvement in the general education curriculum. *You need to develop a statement that reflects the student's specific disability and how it impacts his/her ability to access the general education curriculum*. Example: Due to Johnny's diagnosis of Autism, it may affect his ability to maintain focus on instruction within a large group setting. He is in need of specially designed instruction to make meaningful progress within the general education curriculum. (Put the diagnosis/disability in this category. Examples: Intellectual Disability, Specific Learning Disability in reading, Autism, ADHD etc,)

   d. Specific subjects should not be listed in this part.

Section III. Transition Services:

If a child will be turning 14 or older during the duration of this IEP, you must develop an appropriate transition plan. When developing the plan you must fill in all pertinent information including Location, Frequency, Projected Beginning Date, Anticipated Duration, and Person(s) Agency Responsible for Activity/Service.

*** If the student is not 14 years of age, insert a statement such as: Johnny is not 14 years of age during the duration of this IEP, so this section of the IEP is not addressed at this time.

All high school staff received transition training last year and should have training documents available to refer to.

Section IV. Participation in Local and State Assessments:

This section will be completed by all teachers, keeping in mind that ALL students will participate in State and District Wide Assessments. NO students should be excluded since they must take the Keystone Exam, PSSA, or PASA.

***Be sure to check the appropriate box for each assessment that the student will be administered.

Section V. Goals and Objectives:

They must both be measurable. **Do not cut and paste.** Do not leave anything blank!

1. **Goals:** Present Levels drive the needs which drive the development of appropriate goals.
   *** There must be a direct relationship between the annual goals and the present levels of academic achievement and functional performance. Annual goals are required for areas that are directly affected by the student's disability.

Goals must include the following components:

1. **Who?** For whom is the goal written?
2. **Will do what?** This is an observable and clearly defined behavior describing what the child will do to reach goal.
3. **To what level or degree?** This relates to the criteria and mastery of the goal. Criteria must state how many times the behavior must be observed for the goal to be considered mastered. Mastery states the level of achievement required.
4. **Under what conditions?** Describe the situation, setting and materials that will be in place for the goal to be completed.
5. **In what length of time?** This is the timeframe the goal will be completed in.
6. **How will progress be measured?** This is performance data.

For Example: Given a bi-weekly reading probe on his (What is the level??? 2nd, 5th???--- This should also be listed in the present levels section) instructional level, Johnny will read 110 words per minute with at least 98% accuracy on three consecutive probes. (Reading 1.1)

2. **Short Term Objectives:** These are required for any student taking the PASA. Short Term objectives are also required if a student with a disability is also gifted. These should break the goal into smaller steps that could be evaluated in smaller segments.

   For example; math regrouping could be divided into 2 digit, 3 digit, or 4 digit numbers.

3. **Report of Progress on Annual Goals:**

   a. Describe how the student's progress toward meeting the goal will be reported: Charting, tests, oral responses, workbook, journals, writing samples etc.

   b. Describe when periodic reports on progress will be provided to parents: Progress Report, Report cards 4 times per year.

Section VI. Special Education/Related Services:

A. Program Modification and Specially Designed Instruction:

- Be specific; do not use words "as needed". Clarify when the modification is necessary if not used all the time.
- You must include location, frequency, projected beginning date and anticipated duration of services.

- Make sure you do not mention specific programs, ex. SRA, READ 180, or specific staff members or names of staff positions or TSS
- SDI should be individualized for each student, not every student needs the same SDI.
- Avoid clustering SDI within the IEP, each SDI should have its own row, spelling out the Frequency and Location.
- When listing the number of sessions in SDI (Speech and Language etc.) list the exact number of sessions per week or per month that will be provided along with the duration of the session. DO NOT use the words <u>minimum or maximum</u>. (Do not list annually)
- If a student requires a Personal Care Aide, their duties must be written as SDI. (Ex. PCA/Adult to assist student with arrival and dismissal activities, to assist student with self-help activities such as feeding, toileting etc.) These duties must be listed under SDI, Present Level, and the PCA must be listed under "Related Services" as well. Under SDI the Frequency should be a **specific number of hours per day** that the student will utilize the PCA services.

B. <u>Related Services:</u>

If the student's most recent Evaluation Report contains recommendations for the provisions of related services, including psychological counseling, make sure those recommendations are addressed in the IEP.

The words "Transportation" should appear for students who ride a van.
Make sure you have included all services the student receives such as speech, OT, PT, Aide, Transportation etc.

C. <u>Supports For School Personnel:</u>

You must look at each individual case and ask what specific supports the regular education teacher needs in order to accommodate the special education student. Examples: Pre-planning of curriculum (with frequency); Modifying of curriculum; problem solving behavioral interventions, etc. Do not use **N/A or NONE.**

Example: School personnel to Receive Support: Regular education Teacher Support: The special education teacher will support personnel by monitoring the implementation of the IEP and its specially designed instruction with the regular education teachers. The special education teacher will provide strategies to assist staff in making modifications for this student.

Location: School Frequency: 1 time per month

D. Gifted Support Services For A Student Also Identified With A Disability ("Twice Exceptional"):

This is where you would list any support services that are required to assist a gifted student to benefit from gifted education. If this does not apply you can skip over it.

E. Extended School Year:

All students with disabilities, who qualify for special education services, must be considered for Extended School Year (ESY) eligibility at each IEP meeting. The IEP must contain a statement regarding eligibility for ESY.

In considering whether a student is eligible for ESY, the IEP team shall consider the following factors; however, no single factor with be considered determinative:

7 factors pertaining to ESY-Chapter 14.132 Regulations

1. Regression-whether the student reverts to a lower level of functioning as evidenced by a measurable decrease in skills or behaviors which occur as a result of an interruption in educational programming.
2. Recoupment-whether the student has the capacity to recover the skills in which regression occurred to a level demonstrated prior to the interruption of educational programming.
3. Whether the student's difficulties with regression and recoupment make it unlikely that the student will maintain the skills and behaviors relevant to IEP goals and objectives.
4. The extent to which the student has mastered and consolidated an important skill or behavior at the point when educational programming would be interrupted.
5. The extent to which a skill or behavior is particularly crucial for the student to meet the IEP goals of self-sufficiency and independence from caretakers.
6. The extent to which successive interruptions in educational programming results in the student's withdrawal from the learning process.
7. Whether the student's disability is severe, such as autism/pervasive developmental disorder, serious emotional disturbance, intellectual disability, degenerative impairments with mental involvement and severe multiple disabilities.

Specific timelines are required for a Target Group of students, identified in the ESY lawsuit **Armstrong v Kline** as students with severe disabilities such as autism/pervasive developmental

disorder, serious emotional disturbance, intellectual disability, degenerative impairments with mental involvement and severe multiple disabilities. For this target group: ESY services are to be provided as follows:

1. ESY eligibility determination must occur no later than February 28 of each school year.
2. The Notice of Recommended Educational Placement shall be issued to the parent no later than March 31 of the school year (a) if the student has not been eligible before, but is determined to be eligible during the current school year; (b) if the student has been eligible in the past, but is determined not to be eligible during the current school year; or (c) if the student's ESY goals or services or program change significantly from what was provided in the previous school year's IEP. This is also true for non-target students, except without the specific timelines.

If the student is eligible for ESY services, you must identify what services are to be provided as well as the goals and/or objectives from the IEP that should be addressed, and specify the hours necessary to provide the service.

Section VII. Educational Placement:

A. Questions for IEP Teams: The questions must be reviewed and discussed by the IEP team prior to providing the explanations regarding participation with students with disabilities. It is not necessary to write out the responses to these questions.

   Explanation of the Extent, if any, the student will not participate with children without disabilities in the regular education class: Please be specific in providing information when the child will or will not be in a regular classroom. This is the actual physical location of where the student is being educated. Examples are: Reading, Math, Science, Social Studies, English, and Health. Compose a sentence that indicates exactly what classes the students will be taught by the Special Education Instructor.

   Example: John will be in the regular education setting with the exception of his reading class.

   Explanation of the Extent, if any the student will not participate with children without disabilities in the general education curriculum. Please indicate in this section if the student receives a separate curriculum for reading, math etc.

   Example: John will participate in the general education curriculum for all classes, except for his reading curriculum.

B. Type of Support:

Amount of Special Education Supports – Based on percentages, choices are **Itinerant** (20% or less), **Supplemental** (More than 20% but less than 80%), **Full-time** (80% or more).

C. Location of Student's Program:

Answer all questions as they apply to the particular student. Be sure to check if it is the student's neighborhood school. Do not leave any blanks.

Section VIII. Penn Data Reporting:

Calculations are based on hours per day in regular education. Related services should not be included in a typical day. Please be accurate with your calculations.

IEP C O N F E R E N C E D A Y

Have draft copies of IEP prepared for everyone in attendance.

Your conferences should include the following procedures in this order:

1. If Parent has not signed the "Invitation to Participate" letter, have them do so at this time. Secondary students who are 14 or older or will be turning 14 within the duration of this IEP should attend the meeting and sign this form also. All pages of this form MUST be returned to the Sp. Ed. Office to the secretary immediately following the IEP meeting.

2. Inform each parent that the Individualized Educational Plan is being presented as a draft. The draft IEP can be changed, altered, or modified in any way throughout the conference.

3. If the student is ACCESS eligible have the parent sign the ACCESS form. Return this form to the secretary in the Special Ed Office immediately following the IEP meeting.

4. Check all demographic information at the top of the IEP coversheet to ensure that it is correct, including name, address, phone, parent, anticipated year of graduation, etc.

5. The grade indicated on the IEP coversheet is the student's current grade.

6. Have the parents and all those in attendance sign the IEP coversheet after covering the demographics. This indicates participation in the meeting not agreement to the IEP. If a parent participates by phone, please indicate this by their name and date/initial it. The same applies if the parents did not participate. Return the attendance sign in sheet to the secretary in the Special Ed Office immediately following the IEP meeting.

7. Give the parents the Procedural Safeguard Notice. Have the parent sign and date the appropriate line on the cover sheet. Return this form to the secretary in the Special Ed Office immediately following the IEP meeting.

8. Review each component of the IEP and encourage parental input. Do not skip any segment even if you feel there is clarity. Please make an effort to orally summarize each part. Some of our parents may not be able to read.

9. Be sure all sections of the IEP are completed. Do not leave anything blank.

10. A NOREP needs to be completed for each IEP meeting if there is any change in placement. If applicable, please return the NOREP to the secretary in the Special Ed Office immediately following the IEP meeting.

Information for Completing NOREP

A NOREP is required for an initial special education placement and any time there is a change in placement. **As it is BEST PRACTICE, we will continue to present the parents with a NOREP at each annual IEP meeting or more frequently if necessary.** Additionally, NOREPS must be completed each year for ESY purposes.

THE SPECIAL EDUCATION TEACHER will provide the information. Make sure all sections are completed. Do not leave anything blank. Be sure the date of the NOREP reflects the date of your meeting. The NOREP must contain a description of other options the IEP team considered and the reason why those options were rejected. **Regular Education must always be one of the options considered. For every option considered, there must be a reason why it was rejected.**

Review the NOREP with the parent at the end of the IEP meeting. It is not appropriate to have them sign the NOREP before the IEP is developed. The IEP drives the placement. If you present the NOREP before the IEP, you are saying you already have your mind made up where the student will receive his/her services.

Have the parents select a consent option. Have them sign on the page with the date and phone number.

The original signed NOREP will become part of the student's educational record.
Please ensure that parents have ample opportunity for input throughout the entire process.

All IEPs and documentations should be delivered to the Special Education office, to the Spec. Ed. secretary *immediately following the IEP meeting*. Any changes or corrections discussed during the meeting need to be made in DARTS and a new copy printed out with the changes before being sent to the Special Education Office. All information will be included in the student's special education file as part of the educational records.

Please be sure prior to bringing documents to the Special Ed Office, that all DOCUMENTS ARE SIGNED (including Regular Education Signatures). Several problems have occurred in the past due to incomplete files. Thank you for your efforts in ensuring that all procedures are followed accurately.

Assistive Technology

The Individuals with Disabilities Education Improvement Act (IDEA 2004) requires a student's Individual Education Plan (IEP) team to consider whether assistive technology devices and services are needed to meet a student's educational goals. If the IEP team determines that a student needs assistive technology devices or services to receive a free and appropriate public education (FAPE), it is the district's responsibility to ensure that they are available for the student.

Assistive technology is any item, piece of equipment, or product system, whether acquired or customized, that is used to increase, maintain, or improve functional capabilities of a student with a disability. An assistive technology service is any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device in the student's customary environment.

This includes:

- The evaluation of the needs of the student, including a functional evaluation of an assistive technology device in the student's customary environment.
- Purchasing, leasing or otherwise providing for the acquisition of assistive technology devices by a student.
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices.

- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs.
- Assistive technology training and technical assistance for an individual with a disability, or where appropriate, the family of an individual with disabilities.
- Training or technical assistance for professionals, employers, or other individuals who provide services to employ or otherwise are substantially involved in the major life functions of an individual with disabilities.

The HASD Special Education Coordinator and IEP team will work with the Central Intermediate Unit #10 consultants and parents to determine the educational necessity of assistive technology and appropriate solutions to meet a student's needs in the areas of writing, reading, math, adapted environmental controls, activities of daily living, mobility and communication. Choosing the best technology for a student requires some time and patience. The right product depends upon the individual student, the setting in which it will be used and the tasks to be accomplished. Assistive technology cannot fix or eliminate learning difficulties; however, by learning to capitalize on strengths and bypass weaknesses, individuals with learning differences can experience success in their educational settings.

Assistive technology includes, but is not limited to:

Adaptive Keyboards

These are alternative keyboards that allow students who experience difficulty with conventional keyboard configurations to use computers. These products are available in different sizes and layouts. They can often be purchased with a key guard to prevent accidental key activation.

Adaptive Pointing Devices

Adapted mice, track balls, and joysticks represent input devices that require two actions: cursor movement and a click. Some products use a separate switch to act as the click to prevent accidental activation. In some products, a pause can be used in place of a click. Additional input devices include the use of a camera to track the user's eye movements or to track a specific target. Touch screens can also replace the mouse for cursor control.

Alternative and Augmentative Communication (AAC)

AACs are any device, system or method that improves the ability of a student with communication impairment to communicate effectively.

Computer Access

This means the ability to operate a computer by using a standard keyboard or an adapted input method.

Digitized Speech

This is digitally stored human voices speaking actual words and sentences.

Direct Selection

This is an access method in which the user indicates choices and makes selections by pointing with a body part or a technology tool.

Dynamic Display Scanning

A communication aid or computer displays that changes after each selection and branches to additional communication selections.

Environmental Control Unit

These are hardware and software systems that allow meaningful and purposeful interaction with the environment. These devices may include switch-activated toys and remote devices that control lights, small and large appliances, open windows and doors, etc.

On Screen Keyboards

A virtual or onscreen keyboard can provide text entry access for students with motor impairment. The keyboard displayed on the computer screen can be accessed using a pointing device. Therefore, a standard mouse or any alternative-pointing device can be used to make text selections right on the screen.

Portable Word Processor

These lightweight, inexpensive devices can be easily taken from class-to-class to provide access to word processing without a computer. Text can be downloaded to a computer or printed with a single cable. Some products also include organizational features such as those in personal digital assistants (PDAs).

Scanning

Scanning is an indirect access method used with communication devices or computer access. Choices are highlighted systematically and the student uses a switch to make selections as the highlighter moves from symbol to symbol.

Screen Readers

Academic screen readers were specifically designed for students with reading and writing difficulties, especially dyslexia. Generally, they provide speech synthesis, text entry, spell check, word prediction, highlighting and note taking capabilities. Screen readers may also be used to provide computer access for visual impairment.

Synthesized Speech

Speech generated by a computer that sounds similar to the human voice.

Talking Word Processors

Talking Word Processors use text-to-speech technology to provide speech feedback to help students to select words or sentences to be read to them. It allows them to read teacher-prepared material or to check their own compositions.

Voice Recognition

Voice recognition allows the use of a student's voice as an input device. Voice recognition may be used to dictate text into the computer or to give commands to the computer (such as opening application programs, pulling down menus, or saving work).

Surrogate Parents

***The Harmony Area School District will work cooperatively with Central Intermediate Unit 10 in the assignment of a surrogate parent.**

The surrogate parent program is a response to requirements of the federal Individuals with Disabilities Education Act **IDEA** 2004. It is recognized that special provision must be made to guarantee that children who do not have parents available to act for them nonetheless will have access to the extensive rights and protection afforded by IDEA. On behalf of school districts, the Central Intermediate Unit #10 coordinates the training and assists in the assignment of surrogate parents in compliance with federal IDEIA '04 regulations.

- A surrogate parent is someone who may assume the responsibilities in matters relating to identification, evaluation, and educational placement of students for whom no parent or guardian can be identified, or their whereabouts is unknown, or the child is a ward of the state. Surrogate parents are volunteers who are trained by the intermediate unit to serve in this capacity.

A foster parent may be considered a parent for IDEA purposes if the natural parents' authority to make educational decisions on the child's behalf has been extinguished under State law and the foster parent has an ongoing, long-term parental relationship with the child, is willing to make the educational decisions IDEA requires of parents and has no interest that would conflict with the interests of the child. A foster child who has a foster parent who meets these criteria would not need to have a surrogate parent appointed.

Duties of a surrogate parent include becoming familiar with special education regulations, being involved in the MDE/IEP process, and receiving notifications regarding evaluation and/or placement of the student and the provision of a Free Appropriate Public Education (FAPE) to the child. Training will be provided through the Central Intermediate Unit.

To qualify as a surrogate parent, individuals must meet the following qualifications:

- Be a volunteer
- Be a person of good character
- Be at least 18 years old.
- Possess reasonable abilities to make a decision concerning a student's educational needs
- Be committed to be acquainted with the student's educational needs and with Pennsylvania's educational system
- Have no vested interest that would conflict with the primary allegiance to the student they would represent.