

Manhattan-Ogden USD 383
Handbook of Special Education Procedures

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Introduction

The volume of federal and state regulations regarding special education, in addition to the required documentation, often leads to confusion and frustration for school personnel and parents trying to navigate the process. The purpose of this document is to provide concise, specific information in order to help teachers, administrators, and parents understand how to access and implement special services for children and youth with exceptionalities. The policies and procedures explained in this handbook were developed for Manhattan-Ogden USD 383 schools.

The handbook is divided into topical sections, including an Introduction, Screening and General Education Interventions, Evaluations and Eligibility, the Individual Education Plan, Special Education and Related Services, Placement and Least Restrictive Environment, and Suspension and Expulsion. Each section provides a statement of the regulatory requirement, an explanation of how it is implemented, who is responsible, and when appropriate, an indication of the form or documentation method to be used.

Persons wishing more information may refer to the Special Education Process Handbook, published by the Kansas State Department of Education, July 2011 at www.ksde.org/Default.aspx?tabid=3152 . Copies of the Special Education Process Handbook have been distributed to building principals. Further information may be obtained by contacting Pam Russell, Director of Special Education, at (785) 587-2000. This handbook is updated at the beginning of each school year. As new information is received that requires changes in processes or forms, it will be distributed to special education staff members and building principals.

Parent Rights in Special Education

In USD 383 we afford parents the opportunity to be members of any decision making team for their child, including eligibility, initial evaluation and reevaluation, and development of an individualized education program (IEP) for the provision of a free appropriate public education (FAPE). The district ensures that parents have the opportunity to be members of the IEP team that makes decisions on the educational placement of their child. Parents have a responsibility to participate and provide their input into their child's education. School teams recognize the contributions that parents can make to the process and how they can help ensure their child's educational progress. Parents are provided notice of meetings related to eligibility, evaluation, reevaluation, IEP development, provision of a free appropriate public education (FAPE) for their child and educational placement decisions, to ensure that they have the opportunity to participate in the meetings. The school must make reasonable efforts to ensure that the parents understand, and have the opportunity to participate in these meetings, including arranging for an interpreter for parents with deafness, or for parents whose native language is other than English. The parent and the school may agree to use alternative means of meeting participation, such as video conferences or conference calls.

To ensure that parents have knowledge about their rights under the special education law, schools are required to provide a copy of the Parent Rights in Special Education Notice to the parents:

- At least one time in a school year; and
- Upon a referral or parent request for initial evaluation;
- First formal complaint or due process complaint filed in a school year;
- Upon a disciplinary removal from school that constitutes a change in placement; and
- Upon parent request.

Parent's Rights documents can be found at <http://www.ksde.org/Default.aspx?tabid=101>

Free Appropriate Public Education

All local school districts are required to provide a free, appropriate public education, or FAPE, for all students with disabilities ages three through twenty-one or high school graduation, including students with disabilities who have been suspended or expelled from school. In Kansas, FAPE must also be provided to all students with giftedness ages five through high school graduation. FAPE addresses all of the special education and related service needs of each exceptional child, based on his/her individual need.

FAPE is defined as special education and related services that meet the following criteria:

1. are provided at public expense, under public supervision and direction, and without charge;
2. meet the standards of the state board;
3. include an appropriate preschool, elementary, or secondary school education; and
4. are provided in conformity with an individualized education program.

Regulations require that students with exceptionalities have opportunities to participate with other students in nonacademic settings such as meals, recess, and extracurricular activities to the maximum extent appropriate. These students must also be included in extracurricular activities and school-sponsored events, such as student council, school dances, school sports events, school plays, music groups, and clubs.

Federal law also requires communities to provide early intervention services for infants and toddlers with disabilities ages birth through two. However, these services are not the responsibility of local school districts. In Kansas, the Infant/Toddler, or Tiny K, program is administered by the State Department of Health and Environment. The program is funded by federal and state grants, as well as contributions from local developmental disability agencies. No local school district money is used to fund the Tiny K budget.

Public Notification of Availability of Special Education Services

A description of the procedures used in public notification of special education services:

In Manhattan-Ogden USD 383, public notices about Special Education services will be posted in English and Spanish in the Manhattan Mercury at the beginning of each school year and continually on the district website. Parent handbooks are given to all parents/guardians at the beginning of each school year, describing services available and contact information for the school principal. The director of special education will retain copies of all public notices.

Child Find

A description of the procedures used in ensuring child find within private schools:

In Manhattan-Ogden USD 383, the director of special education or designee will annually use the SIT/MTSS process in each building, as well as private schools within the district jurisdiction, at the early childhood through 12th grade levels to find any child progressing from grade to grade that may have a disability or needs services. All students in Manhattan-Ogden USD 383 and students attending private schools will be provided appropriate special education services if needed. The director of special education will retain documentation of the consultation with private schools such as minutes, phone logs, sample agreements, and letters/correspondence.

The procedures and practices used to ensure that students with potential exceptionalities that are highly mobile (i.e., migrant and homeless) are identified and referred for evaluation appropriately:

In Manhattan-Ogden USD 383, child find events are advertised in the Manhattan Mercury, on local radio stations, and on posters in various locations in town (health department, laundry-mats, doctor's offices, etc.). This district schedules events every month from August through May. In addition, district at-risk and migrant staff will receive the same information. In this district, the director of special education acts as the Homeless liaison, along with a social worker coordinator of homeless services. Homeless children in the district jurisdiction are provided with appropriate special education services if needed.

A description of the procedures and practices used to ensure that students advancing grade to grade with potential exceptionalities are identified and referred for evaluation appropriately:

In Manhattan-Ogden USD 383, individual student state assessment and all district assessment scores are reviewed to ensure they are making progress towards proficiency. Any student who is not demonstrating growth will enter the district's general education intervention process. This district uses the SIT/MTSS process in each building at the early childhood through 12th grade levels to find any child progressing grade to grade that may have a disability and needs services. The SIT/MTSS teams use a variety of tools to identify children with disabilities. Some of these tools include, but are not limited to: vision and hearing checks, local assessments such as MAP and DIBLES, behavior and office referrals, attendance and medical records, behavior and academic classroom data, and observation.

Screening for Children Age 3 to 5 and General Education Intervention for School Age Students

A description of the procedures used in the screening of children younger than school age to disclose any potential disability or development delays and a need for an initial evaluation:

In Manhattan-Ogden USD 383, **Child Find** screenings are conducted monthly in USD 383. The events are rotated at each elementary school site at least one time per school year. A team consisting of our ICC director (Part C provider) and Early Childhood coordinator organize screenings. Screenings include vision, hearing, cognitive development, social-emotional development, physical/motor development, communication, and self-help/adaptive behavior. Screenings also occur at our pre-school sites such as Head Start, Panda Preschool (at an elementary school), Early Childhood Lab and KSU CCD (KSU preschool sites), and College Hill Pre-School (a USD 383 site). Coordinating meetings with Part C are held bi-annually in June and December to identify children being served by Part C that will potentially need an initial evaluation under IDEA. In addition, the district and Part C have a letter of agreement that Part C will provide the director of special education with a list of children receiving Part C services that will be turning age 3 within the next 60 days on a monthly basis to ensure that evaluations are completed by the child's 3rd birthday. If a student is found to show delays at the screening, the Early Childhood Coordinator assigns a case manager (a pre-school special education teacher) to do more testing. The case manager coordinates with necessary related service providers for more testing in these areas. The case manager sets up the Evaluation Results meeting with all necessary parties. The same evaluation calendar is used for all children (3 – 21 years) and for IEP implementation. Parents/guardians of pre-school age children in USD 383 and the district's jurisdiction may call the ICC director at (785) 776-6363 to schedule the screening.

Students are screened for **Vision** in grades Pre-K, K, 2, 4, 6, 8, 10, and all new students to the district. The parents/guardians of any student who fails the vision screening are notified of the results and provided recommended actions.

Students are screened for **Hearing** in grades Pre-K, K, 1, 3, 5, 8, 10, and all new students to the district. The parents/guardians of any student who fails the hearing screening are notified of the results and provided recommended actions.

USD 383 uses these particular screening instruments:

- Observations from parent, teachers, and school staff
- Interviews from parents/guardians, teachers, students, and school staff
- MAP – Measures of Academic Performance
- DIBLES
- Dolch/Fluency
- QRI II
- KELPA
- DIAL and Speed DIAL (specifically for children under 5 years old)
- Battelle (specifically for children under 5 years old)

A description of the procedures used to identify the existence of a potential exceptionality and a need for an initial evaluation of students kindergarten through age 21:

General Education Interventions are started at the SIT/MTSS level. All of the Manhattan-Ogden USD 383 schools have special education staff on the building SIT/MTSS team. These teams have forms to document interventions and results, and a system in place to collect this information. In the SIT process, data is used from general education settings/environments, and the team conducts problem solving to select interventions, accommodations, and modifications to provide the necessary support so the student can be successful within the general education setting. Through using data from SIT, if the team suspects the student as having an exceptionality, a referral for initial evaluation is made. To ensure early identification and intervention of students in need of additional support, the district uses a two-level student improvement team model that first and most quickly addresses the students need within grade level teams, and then if progress monitoring data indicates more customized/intensive intervention, a building level team will intervene.

The MTSS process relies upon universal screening data, and any student that is not making anticipated progress will receive additional support through small group instruction based upon the students needs. If the need for additional intervention is indicated by progress monitoring data, then an individual student problem solving team will analyze the data and recommend more customized and/or intensive interventions. Based upon continued progress monitoring data, if the individual student problem solving team begins to suspect the presence of an exceptionality, then the team will refer the student for an initial evaluation. Through the use of the MTSS model, students in need of support are identified and receive intervention early.

Manhattan-Ogden USD 383 will follow these guidelines:

1. General education teachers, parents/guardians, and/or building administrators may make referral to the SIT/MTSS team.
2. Parents/guardians are invited to the SIT/MTSS team meetings. Parents/guardians are included in the development of the intervention plan. Parents/guardians are given a copy of the plan.
3. The SIT/MTSS plan is to include data on the interventions tried with each student. Data is analyzed to determine effectiveness of interventions. The team determines if other interventions need to be implemented and if the interventions are effective or if the next step of special education evaluation is necessary.
4. Once the SIT/MTSS team determines it is time to refer for a comprehensive special education evaluation, the special education team begins with the Permission to Evaluate signed by the parent/guardian. If the parent/guardian attended the SIT/MTSS meeting, the team may get the signature at that time. If the parent/guardian did not attend the SIT/MTSS meeting, the classroom teacher and a special education representative will meet with the parent/guardian to discuss the evaluation and Parent Rights.
5. When a **parent/guardian requests an evaluation**, the SIT/MTSS team meets with that parent/guardian to discover the concerns and reasons the parent believes an evaluation is needed. If the team feels the parent's/guardian's concerns are questionable, the team will start the SIT/MTSS process to document student progress in the area of concern. If the parent/guardian insists or brings the request forward in writing, the team will secure permission to evaluate and give copies of Parent's Rights. At the same time a SIT/MTSS plan will be developed and the SIT/MTSS process will be started.

Making Referrals for Initial Evaluations

A description of the procedures and practices used within the district to determine when referral for initial evaluation is needed

Each school-based SIT/MTSS team determines who will approach the parent/guardian to get consent for the Special Education evaluation. The Prior Written Notice form used in USD 383 is the form recommended by the State Department of Education. Forms are completed on WebSet, a USD 383 web based IEP program, and hard copies are filed in the student's permanent file at the Robinson Education Center. USD 383 uses a wide variety of assessments for all students. Often this information is very helpful and can be used as **existing data** in the formal evaluation. The special education team determines which formal assessments are needed to complete the student profile.

Evaluation Tools

- Woodcock Johnson IV
- WISC IV
- Stanford Binet V
- Measure of Academic Performance
- STAR Reading
- Differential Ability Scale II
- WASI

- DIBLES
- QRI II
- KELPA
- Observations
- Interviews of the student, parent/guardian, and teachers – written and oral
- Classroom data, including grades, attendance, and assessments
- SIT/MTSS data
- Medical Records
- C TONI
- TOLD
- Brigance
- Variety of Speech/Language assessments, including: Comprehensive Assessment of Spoken Language, WORD Test 2, Test of Problem Solving, Structured Photo Expressive Language Test, The Listening Comprehension Test 2, Language Processing Test 3, Phonological Awareness Test 2
- Children’s Rehabilitation Gross Motor Development Evaluation
- The Developmental Test of Visual Motor Integration
- The Evaluation Tool of Children's Handwriting
- Bruninks-Oseretsky Test of Hand Skills
- The Peabody Developmental Motor Scales
- The Prepare Developmental Checklist
- The Sensory Profile
- Connor’s Behavior Rating - Revised
- BASC-2
- Children’s Personality Questionnaire

A **multi-disciplinary approach** is taken with all Initial and Re-Evaluations. A team approach, including parents/guardians, is used with decision-making. A Team Report documents the results of the multi-disciplinary evaluation.

Manhattan-Ogden USD 383 evaluation teams shall assure the following:

1. Assessment instruments shall be selected and administered so that they are not racially or culturally discriminatory.
2. Evaluation teams shall utilize a variety of assessment tools and strategies, which will include appropriate assessment instruments, relevant input from the child’s parent/guardian(s), including information that will assist the child in participating as effectively as possible in the general education curriculum.
 - a. For a preschool child, information will be gathered to assist in determining if the child has an exceptionality and to provide assistance in determining the content of the IEP.

3. Standardized tests shall meet the following criteria:
 - a. Have been validated for the specific purposes for which they are to be used.
 - b. Be administered by trained personnel utilizing standardized procedures.
 - c. Utilize reliable instruments.
 - d. **Not** utilize a single procedure in order to determine if a child is exceptional, or to determine the appropriate educational program for the child.
4. The evaluation shall be administered in the child's native language or appropriate mode of communication unless it is absolutely not feasible to do so.

Evaluation Teams assure that certified and trained staff administers all evaluations. Teams review results and provide a checks and balances of results. Screening data and SIT/MTSS data are included in the discussion of eligibility. Screening and SIT/MTSS data are documented on forms created by each SIT/MTSS team. The documents from SIT/MTSS become part of the official records if the student is eligible and begins receiving special education services.

Students suspected of having a **learning disability** are evaluated thoroughly using the SIT/MTSS data results, standardized achievement and ability testing, classroom data and observations, and interviews of student, parents/guardians, and teachers. RTI is essential in determining if the student has a learning disability.

Any request by a parent/guardian for an initial evaluation of his/her child will be directed to the building principal. The building principal informs parent/guardians(s) that the request needs to be made in writing. In addition, the principal informs the parent/guardian of the general education intervention process used in the building to determine the supports required by individual students to meet their academic and behavioral needs. In situations where the parent/guardian insist, the initial evaluation will begin immediately, and the school agrees the general education intervention process will be conducted concurrently with the initial evaluation in order to provide information needed in the eligibility determination process.

For students that transfer into the district after an initial evaluation has begun in the previous district, the student's prior school will be contacted as soon as possible to obtain completed assessment information to aid in the prompt completion of the evaluation.

At the time of referral for initial evaluation, the parent/guardian will be provided with a copy of the Procedural Safeguards by the principal.

Notice and Consent

A description of the procedures used in providing the parents notice of an initial evaluation and obtaining informed parental consent:

In Manhattan-Ogden USD 383, each school based SIT/MTSS team determines who will approach the parent/guardian to get consent for the Special Education evaluation. The Prior Written Notice form used in USD 383 is the form recommended by the State Department of Education.

This district conducts all evaluations at a variety of ages and culturally appropriate assessment tools will be used to ensure that the child is appropriately assessed in all areas of suspected exceptionality. These assessment procedures will provide academic, developmental, and functional data that assist in determining eligibility and IEP development. No single assessment will be used to make eligibility determinations. All instructions are technically sound and administered by appropriately trained staff in accordance with instructions provided by the test publisher. They are provided and administered in the language and form most likely to yield accurate information on what the child knows and is able to do academically, developmentally, and functionally, unless it is not feasible to so provide or administer.

Eligibility and Least Restrictive Environment

A description of procedures and processes within the district pertaining to eligibility
Manhattan-Ogden USD 383 follow these guidelines when eligibility is determined:

1. Once the evaluations are completed, the team (including parents/guardians) meets to discuss results and determine eligibility with the 2 prong test. First, it is decided if the child does have a disability or exceptionality. Then it is decided if the student needs services to make adequate progress in the general education curriculum and setting. In making this determination, the team must consider exclusionary factors including: lack of instruction in reading, including instruction in the essential components of reading, and lack of instruction in math and limited English proficiency. Parents/guardians are given Draft copies of all documents at the meeting and copies of the finalized documents shortly after the meeting.
2. USD 383 creates a 60-day chart for elementary, middle, and high school levels to ensure teams meeting this deadline.

3. USD 383 uses a Team Report for Initial Evaluation and Re-evaluation. The form has been approved by the State Department of Education. The case manager is responsible for finalizing the form with all other team members, adding their results. The case manager gives the final copy to the parents/guardians.
4. SIT/MTSS teams are responsible for providing and documenting appropriate and adequate interventions. USD 383 has adopted comprehensive Math and Reading curriculums that include lessons for differentiation. Supplemental materials and programs are also available, such as Read 180, and Odyssey. Each of these programs provides electronic data of the students' progress. Professional Development is strong in USD 383 with on-going opportunities for all staff to participate in an intensive Summer Academy.

The process for determining the least restrictive environment (LRE) is individualized for each child with a disability, including preschool age children, children in public schools, private schools, or other care facilities. The IEP team ensures that children with disabilities are educated with children who do not have disabilities, to the maximum extent appropriate. Removing a child from the general education classroom does not occur unless the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.

When determining the least restrictive environment, IEP teams must consider:

- Whether the child's IEP can be implemented in the regular educational environment with the use of supplementary aids and services.
- Whether placement in the regular classroom will result in any potential harmful effect on the child or on the quality of services that he needs.
- Whether placement in the regular classroom, even with appropriate behavioral interventions, will significantly impair the learning of classmates.