

LAMOILLE NORTH SUPERVISORY UNION

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Student Services Special Education Guidebook

The Lamoille North Supervisory Union provides special education and related services to all resident school-age students with disabilities ages 3-21.



The Special Education Guidebook is designed to facilitate the work of Special Education Case Managers, Psychologists, Speech-Language Pathologists, Physical Therapists, Occupational Therapists, and Administrators. This manual is a tool for implementing current Special Education Procedures. Here you will find support for all of the processes in special education in Lamoille North Supervisory Union Schools.

The LNSU Student Services Department oversees the services provided under the umbrellas of Multi-Tiered Systems of Support (MTSS), which includes students who require an Education Support Plan (EST), a Section 504 Plan (504), or an Individualized Education Plan (IEP). All policies are set by the school board and procedures are based upon those policies, in alignment with federal and state laws and regulations. All policies and procedures are in place to ensure a Free and Appropriate Public Education (FAPE) for all students.

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VT State Board of Education Rule Series 2360_revised 5-13...

[Parents' Rights October 2022](#)

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2360.2.12 Special Education Services (34 C.F.R. § 300.39)

Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and instruction in physical education. Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction to address the unique needs of the child that result from the child's disability, and to ensure access of the child to the general curriculum, so that the child can meet the educational standards within the State that apply to all children.

FERPA

Purpose

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S.

Department of Education. ([U.S. Department of Education](#))

Procedures

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;

- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA.

Child Find

Purpose

LNSU conducts regular Child Find activities to identify, locate, and evaluate students with disabilities aged birth through 21. We are committed to finding all students who need special education supports that reside in our boundaries while taking into consideration the importance of not over-identifying students from marginalized groups or making students eligible that may have factors other than disability impacting their learning, including second language acquisition. This includes children, over three years of age, that are homeschooled or attend a private school in our district.

Child Find Procedures

LNSU collaborates with a number of local agencies in its Child Find efforts including the local Part C agencies, Capstone/Head Start, Prek Partners, Mental Health, Department of Children and family services, and local doctor's offices.

Regular notice of formal Child Find activities and ongoing efforts, including the contact information for the Director of Student Services, is published in local newspapers on April 1st of each year.

Child Find Notice

The staff within LNSU are knowledgeable about the characteristics of disabilities and the referral process for students suspected of having a disability. Every school within LNSU has an Educational Support Team (EST). The purpose of the EST is to notice and intervene early if a child is struggling in any area of educational performance. One possible outcome of support through this team could be referral for a special education evaluation in any and all areas of suspected disability.

If this is the case a formal special education referral is the initial step of the special education eligibility determination process.

Categories of Disabilities

Purpose:

There are 13 different disability categories under which 6- through 21-year-olds may be eligible for services. A child may not be identified as a "child with a disability" primarily because he or she speaks a language other than English and does not speak or understand English well. A child may also not be identified as having a disability just because he or she has not had enough appropriate instruction in math or reading. The disability categories are listed below.

[Video on Categories of Disabilities](#)

Process:

Early Essential Education (EEE): 2360.5.10 Eligibility for EEE Services at Age Three

- **Developmental Disabilities:** A child is eligible for EEE services if they demonstrate a 25% developmental delays in one or more of the following areas: cognitive; communication; adaptive; physical, including vision and hearing; and social or emotional development OR if the child has a medical condition which may result in significant delays by the child's sixth birthday.

2361.2 Essential Early Education (EEE) Eligibility of Children Age Three Years Up To the 6th Birthday

For the purposes of this section, "developmental delay" is determined through a comprehensive evaluation as measured by at least two appropriate assessment measures, one of which must be a diagnostic instrument. Other measures may include, but are not limited to, observation, interview, review of ongoing assessment, and functional assessment. To meet developmental delay criteria a child must demonstrate

at least one of the following: (1) A 40% delay in one or more developmental domains; or (2) A 25% delay in two or more developmental domains; or (3) A 2.0 standard deviation at, or below the mean (2nd percentile) in one or more developmental domains; or (4) A 1.5 standard deviation at, or below the mean (7th percentile) in two or more developmental domains. (d) Developmental Domains are defined as: (1) Speech and language development including receptive and/or expressive communication, articulation, fluency and/or voice; (2) Adaptive development (self-help skills); (3) Social or emotional development; (4) Physical development including gross or fine motor skills; or (5) Cognitive skills such as perception, memory, processing and reasoning

Children and Youth Aged 6 Through 21 Disability Categories

- Autism Spectrum Disorder... Is a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three. Included in the spectrum are: autism, pervasive developmental disorder – not otherwise specified, Rett’s Disorder, Asperger’s Disorder, and childhood disintegrative disorder. The EPT shall obtain an opinion of a licensed psychologist and/or medical physician as to the existence of an autism spectrum disorder and its effect on the student's ability to function.
- Deaf-blindness... concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.
- Emotional disturbance... means a condition including schizophrenia, exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child’s educational performance due to an inability to learn that cannot be explained by intellectual, sensory, or health factors, an inability to build or maintain satisfactory interpersonal relationships with peers and teachers, inappropriate types of behavior or feelings under normal circumstances, a general pervasive mood of unhappiness or depression, and/or a tendency to develop physical symptoms or fears associated with personal or school problems.
- Hearing Loss... deafness or hard of hearing as determined by an audiologist, otologist, or otolaryngologist, and demonstrated by a 25 decibel HL threshold (ANSI, 69) or worse for one or more of the frequencies 250-8000HZ, in one or both ears, with or without amplification.
- Intellectual disability... a delay in learning of sufficient magnitude to cause a student's performance to fall at or below -1.5 standard deviations from the mean (77.5) of a test of intellectual ability, existing concurrently with deficits in adaptive behavior.

- Multiple disabilities... concomitant impairments (such as intellectual disability-blindness or intellectual disability-orthopedic impairment) the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments.
- Orthopedic impairment... includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures). The EPT shall obtain an opinion from a licensed physician as to the existence of the orthopedic impairment and its effect on the student's ability to function.
- Other health impairment... having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems and adversely affects a child's educational performance.
- Specific Learning Disability... a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. Disorders include conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.
- Speech or language impairment... a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment that adversely affects a child's educational performance and shall be demonstrated by significant deficits in listening comprehension or oral expression.
- Traumatic brain injury... an injury to the brain caused by an external physical force or by an internal occurrence such as a stroke or aneurysm, resulting in total or partial functional disability or psychosocial impairment, or both. The EPT shall obtain an opinion of a licensed physician as to the existence of a traumatic brain injury and its effect on the student's ability to function
- Visual impairment... an impairment in vision as evaluated by an optometrist or ophthalmologist, demonstrated by central visual acuity that is 20/70 or worse in the better eye with correction, or a peripheral field that subtends an angle not greater than 20 degrees at its widest diameter.

Referrals

Purpose

The purpose of a referral to special education is to review information on a student that is suspected of having a disability that may be impacting their education to the level of needing special education services and individualized instruction. Any student who is believed to need special education may be referred for an evaluation as a result of the school building process or a parent request.

School referral-

Typically a referral to special education for a formal evaluation comes in through the school referral process after a student has received tier 2 instruction through an Educational Support Plan via the Educational Support Team (EST) and has not made significant progress to meet their goals in the area of concern (academics, communication, social growth, or behavior).

In some instances, the needs of a student may be to a level that the school team decides to not go through the EST process and move directly to a Special Education Evaluation.

Once the referral is made the designated case manager will organize an Evaluation Planning Team and schedule a meeting to determine the components of the evaluation.

Parent or community partner referral-

If a parent or a community partner has a concern they may also make a request for evaluation for special education. In this circumstance a team from the school, including at least the classroom teacher and a case manager, should meet with the family as soon as possible. At the meeting the parents will share their concerns and any additional information they have. The school staff should share any relevant information they have regarding the student's achievement, progress, and social growth.

- Based on the information there are three options:
 - 1. Based on the information from the parent and the data from the school the team decides to move forward with a special education evaluation
 - 2. Based on the information and data shared the team, including the parent, may decide not to move forward with an evaluation at this time.
 - 3. Based on the information reviewed the team may decide to enter the EPT process
- The team should take meeting notes during the meeting and document the decision of the team. If the team determines the referral will not move forward to a full evaluation a [Prior Notice of Special Education Action \(form 7a\)](#) must be completed explaining why the evaluation process is not moving forward.

- If the team and the parents do not come to an agreement, schedule a time to get the team together again and contact the Director of Student Services for support on next steps.

Evaluation

Purpose

The purpose of a special education evaluation is to consider eligibility for special education under one of the thirteen specific eligibility categories, and to determine if the child requires specially designed instruction based on the identified disability. The evaluation must address all areas of suspected disability for each student.

Evaluation Procedures

Initial Evaluations:

For initial evaluations, the designated case manager should convene an Evaluation Planning Team (EPT) meeting within 15 calendar days. [A Notice of Meeting](#) needs to be sent to the parent prior to the meeting.

At the beginning of the meeting parents/guardians must be given a copy of the [Notice of Procedural Safeguards](#), effective date June 1, 2018.

During the meeting the team will determine:

- The areas of suspected disability
- The areas of concern in regards to special education and related services
- The information to be collected from the parent or guardian through a variety of assessment tools and strategies
- The type of assessments that need to be administered to make a determination for eligibility

The team must obtain a parent signature for Consent for Evaluation. Once the signature is obtained the team has 60 days to complete the evaluation and hold the eligibility meeting.

Once the evaluation is complete the team will meet again to review the information and to determine eligibility. In order for a student to be eligible for special education they need to meet the [3 Gates of Eligibility](#) (disability, adverse effect, and need)

If a student **IS determined eligible** for special education and related services, the team must obtain **consent for the initial provision of services (Form 6) and a Prior Notice (form 7a)** must be completed. Once the signature is obtained the team has 30 days to complete an IEP. In most circumstances, the parents will give consent and the team can continue the meeting to write the IEP. If there is no time, or if the team determines that another meeting is necessary,

then a separate meeting will be scheduled for that purpose with an additional notice of meeting sent out.

If a student **IS NOT determined eligible** for special education and related services a ***Prior Notice*** needs to be completed to inform the parents of the team decision.

Re-Evaluations:

Re-Evaluations occur at least every 3 years or when a change in the student's performance warrants an evaluation (i.e. if the student is meeting all of their goals or if a change of placement may need to be considered). In addition a parent or another team member may request a re-evaluation at any time, but not more than once per year.

Prior to the due date for the re-evaluation, typically about three months, the team should review input from parents, classroom observations, classroom performance, and assessment data. Based on the review of the information the team will determine if additional assessment is needed to determine eligibility and what assessments will be given, if any. The team will receive consent from the parents and the assessments will be completed.

Once the re-evaluation is complete the team should meet to address the following areas in determining continued eligibility and need for special education services:

- Review the most recent assessment results
- Review the additional information from the classroom
- Discuss any other assessments completed including progress monitoring data
- Discuss students progress in general education
- Review student's progress on IEP goals

Once the meeting is complete a Prior Notice of the decision must be completed and a new IEP drafted if eligible.

Students moving in from out of district:

2363.11 IEP For A Student Moving Into The LEA When The Student Has Been Eligible Or Was Being Evaluated For Special Education In Another State Or In Another Vermont LEA:

- If a child eligible for special education services moves from one Vermont LEA to another, the receiving LEA shall either adopt the IEP the former LEA developed for the child or develop a new IEP for the child.
- The receiving LEA shall implement the current IEP to the extent possible until a new IEP is developed. In the absence of exceptional circumstances, IEP services shall commence within one week of the time the child enrolls in the receiving LEA.
- (b) Child Moving From an Out-Of-State LEA — If a child eligible for special education services in another state moves into a Vermont LEA within the same school year, the receiving LEA, in consultation with the parent, shall provide a FAPE to that child,

including services comparable to those described in the child's IEP from the previous school, until the Vermont LEA: Vermont Special Education Rules (Revised: 2013) Page 104 of 169 (1)Conducts an evaluation to determine initial eligibility in Vermont; and (2)If eligible, develops, adopts, and implements a new IEP.

- (c) Child Moving During an Evaluation Process – If a child transfers to another LEA within the state or moves into a Vermont school from out of state, the completion of the evaluation shall be coordinated and completed by the new school, including documentation with the parents of the child of the expected completion date of the evaluation should it differ from the original expected date of completion.
- This evaluation should be completed as expeditiously as possible.
- (d) To facilitate the transition of a child described in (a) and (b) of this rule the previous LEA and the child's new LEA shall take reasonable steps to promptly send and receive, in accordance with the provisions of Family Education Rights and Privacy Act (FERPA), the child's records, including the IEP, supporting documents and any other records relating to the child's special education and related services. This rule may not be interpreted to limit either the previous LEA or the new LEA's responsibilities pursuant to Rule 2365.2.12 and 2365.2.13.
- Find the Evaluation form here for students who transfer: [Form 9 Completion of evaluation for transfer student](#)
- Find the Instructions for Form 9 here: [Instructions to Special Education Forms: Form 9 - Completion of An Evaluation of A Transfer Student](#)

Independent Educational Evaluation (IEE):

If the parent disagrees with an evaluation for special education that has been conducted by the district they may request an Independent Educational Evaluation. A parent is entitled to one independent evaluation at public expense for each evaluation performed by the LEA. If this request is made contact the director of student services and follow the below procedure:

[W LNSU procedure of IEE.docx](#)

IEP

Purpose

The Individualized Education Plan (IEP) is a written document that represents the educational programming that is specific to an individual student's needs. The IEP is developed by a team where each member's voice is reflected. The student's voice is critical to the development of the IEP to build ownership and advocacy skills. The students' participation and involvement can start at a young age and build as they get older.

The IEP process provides an opportunity for parents, educators, related service providers, and the student to come together as a team to develop a road map for the student's education for that year, and ensures ongoing protections for the student and their parents. The IEP reflects the services and resources that will be necessary to enable the student to receive services based on individual need.

IEP Procedures

An IEP team must meet at least once every 365 days. They can meet at any time if any member of the team requests an IEP team meeting. An IEP must be in effect before Special Education services are provided to a student.

The IEP team must consist of:

- The parent or guardian
- The special education case manager
- A general education teacher

Other participants that may be member of the team are:

- The student
- Related service providers as appropriate
- An interpreter
- A representative from an outside agency for transition age students
- LEA (if not the case manager)
- An individual invited by the parents

Before the Meeting

- A written [Notice of Meeting](#) should be sent out to all members of the team no later than one week ahead of the meeting date.
- Communicate with the gen ed teacher and any related service providers to ensure they have input and can attend the meeting. If there are any members (related service providers) of the team that cannot attend make sure they fill out the excusal form (**Form 5a- IEP not attending**) in DocuSped and connect with the parents.
- Meet with the student if appropriate to help them prepare for the meeting. Help them fill out a presentation if applicable.
- Send home a written draft of the new IEP ahead of time with the DRAFT watermark so that parents can review the information.
- Make sure a conference/classroom is reserved and/or that technology is set to conduct the meeting
- Be aware of the seating arrangement and space

During the meeting

- Be welcoming and inviting

- Start the meeting with a positive share.
- Take your time and do not rush the meeting. This is typically the only meeting a year that parents have the opportunity to meet with the whole team.
- Provide parents with a copy of the [Procedural Safeguards](#)
- Make sure that everyone has a copy of the document or is able to see the document.
- When discussing the IEP avoid educational jargon and take time to explain language and the process
- Designate a person to take meeting notes and make sure questions are addressed as they arise.

After the Meeting

- Follow up on any questions that couldn't be answered at the meeting
- Complete the IEP
- Send home the IEP, meeting minutes, and the [Prior Written Notice](#)

Meeting Templates

- [IEP Meeting Agenda](#)
- **Initial Eligibility and IEP Meeting Checklist**

IEP Revisions and Amendments: In making changes to the IEP, after the annual review meeting, the parent of the child and the school may agree, in writing, not to convene an IEP meeting for the purpose of making such changes and, instead, may develop a written document to amend or modify the child's current IEP. (i) Parents shall be given a copy of the written agreement document

- If the team holds a meeting after the annual review and makes changes to the IEP document, an amendment form outlining the changes will be provided to the parent with a form 7, Prior written Notice.
- If the parent and the District agree to Revise the IEP after the Annual Review, without a meeting, the parent will receive a Form 5B, Revision, and a Form 7, Prior Written Notice

IEP Document must include:

Cover page	The first page of the IEP asks for the identification of the School District, the IEP Meeting Date, the IEP Case Manager, the Effective Date of Revision (when either a formal meeting is held or not held to revise the IEP), the Next Triennial Review date and the Next Annual Review date. As the new IEP form has been designed to include prior written notice information to parents (previously documented through the use of Form 7), it is necessary to give parents enough lead time to review the IEP prior to its effective date of implementation. It is recommended that the IEP Meeting Date be at least 10 days prior to the
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	<p>initiation date of the IEP. The Next 3-year Re-evaluation Date would be three years from the last completed Evaluation Plan Report date or three years from the date of the parent signature on Form 8 (the parent and district agreement not to conduct a three year re-evaluation.)</p> <p>The second section of the cover page is for identifying information on the student, including their name, disability category, date of birth, school name, grade level, the parent's name and address, and the Child Count ID number, when available, are all required.</p> <p>The third section of the cover page identifies the effective initiation and duration dates of the IEP. It is very important to pay attention to the individual date lines under initiation and duration. These should reflect the actual school year.</p>
<p>Present Levels</p>	<p>IEP Teams are required, briefly, to describe the student/child's current disability affects their educational and functional performance levels, including the student/child's medical issues, strengths and needs. For preschool children the IEP Team should identify how the disability affects the child's participation in appropriate childhood activities. Other considerations, such as health/safety concerns, mobility, transportation, disability awareness, self-advocacy needs and family concerns or input should also be addressed in this section of the IEP.</p>
<p>Annual Goals</p>	<p>This section begins with an identification of the educational or functional area being addressed by this IEP. It is expected that a separate page will be utilized for each educational or functional area covered in this IEP. It continues to ask, where appropriate, to identify the standardized test results, the current classroom educational and functional levels related to this area and the grade expectation for this particular educational or functional for this skill area. This section then identifies the goals (the estimated outcome one expects to see in an academic year) and the short-term objectives or benchmarks (the intermediate and measurable outcomes between the student/child's current performance level and the annual goal). Each goal should reflect a skill area in need of specialized instruction that was identified in the Evaluation Report and in the Present Levels of Educational Performance and the Services pages of the IEP. Short-term</p>

	<p>objectives are listed when an annual goal is divided into discrete skill components. Benchmarks describe the amount of progress the student/child is expected to make within a specified period. Within the goals or objectives the IEP Team must identify the evaluation procedures used and personnel responsible to assess student progress on the goals and objectives. Progress review dates are listed here and IEP Teams are reminded that progress reports on the goals and objectives must be provided to parents at least as often as other students within the school receive progress reports. Additional pages are available if the number of goals and objectives for this specific educational or functional area require more space.</p>
<p>Post Secondary Transition Goals</p>	<p>Postsecondary Transition Plan: These pages are required for Transition Plans, beginning for students with their first IEP in effect at age 16, or younger as deemed appropriate by the IEP Team. The first section of the first page of the Post Secondary Transition Plan of the IEP asks for documentation of the expected date of graduation, and current grade level. The next section asks for documentation as to the method used for involving the student and appropriate agencies in the IEP Transition Plan meeting. The first page of the Post Secondary Transition Plan then goes on to ask for the identification of the Transition/Vocational Assessments used in developing the transition outcomes and goals, including the date they were administered as well as a summary of the results of those age-appropriate assessments.</p> <p>The following sections, beginning on page one and following on page two of the Post Secondary Transition Plan, requires the IEP Team to identify postsecondary goals in the areas of Employment and Education/Training and, if appropriate, Independent Living. Postsecondary goals are the goals for the student after graduation and must be written as such. Each section includes a section to write the annual goals that the LEA will work on with the student to assist them in reaching their postsecondary goal. These goals must include dates of review where progress information will be sent to the parent or adult student. Each section for the three areas concludes with a list of the transition services being provided to the student. (If the IEP Team determines that the student does not have an</p>

	<p>Independent Living goal that needs to be addressed it must be indicated with an N/A as a means to document that the IEP Team has discussed and agreed that it currently does not apply to this student’s needs.)</p> <p>The IEP Team must then provide a description of the course(s) of study (i.e. a listing of courses, curriculum, vocational or tutorial programs) needed to assist the student in meeting these goals and a description of any the linkages to other agencies that will assist the student in postsecondary planning. The following page includes a sample Multi-Year Plan that can be used with some students to describe their course of study.</p> <p>The next section includes a statement to document that a student who will be reaching age 17, and their parents, have been informed about the transfer of parental rights to the student at age 18. If not informed by written notice, it asks for documentation on how the student and parents were informed.</p>
<p>Services</p>	<p>This page has separate sections to describe the special education services, related services, transition services and extended school year services to be provided to the student, as well as its location, frequency, duration, personnel or provider, and group size This page concludes with the Parental Consent to Bill Medicaid section. The Case Manager or LEA must review this provision with the parent and place a checkmark immediately following the appropriate statement regarding consent or refusal for the district to bill Medicaid for eligible special education services.</p>
<p>Least Restrictive Environment/ State Assessment</p>	<p>This page begins with a section to describe, if applicable, why full participation is not possible in the regular classroom, extracurricular or other non-academic activities. The next section is a statement describing the student/child’s educational environment (i.e. therapeutic, behavioral settings, etc.). This page also identifies the Child Count categories regarding the general characteristics of the student’s educational environment along the continuum of regular and alternative placements. There are separate sections for ages 6-21 and ages 3-5. The final section on this page documents the accommodations, modifications and supplementary</p>

	<p>aids and supports needed for the student to participate in national, state, district-wide and school assessments or the alternative evaluation technique to be used if a student will not be participating in those assessments.]</p>
<p>Accommodations/Modifications and other supports</p>	<p>This page of the IEP first identifies the accommodations, modifications, and supplementary aids and supports necessary for the student/child to have access to the general education curriculum. This includes the unique supplies or equipment required specifically for this student. A check box is also made available to identify if the student is eligible for supports of Accessible Instructional Materials.</p> <p>Next, the page identifies the program modifications or supports that will be provided for school personnel and parents to implement the IEP.</p> <p>The final section on this page identifies the other options considered by the IEP team that were not included as part of the current IEP. It should include the reasons why the other considerations were not made part of this IEP or may refer to the Present Levels of Performance page to justify the decrease, elimination or decision not to include particular services, accommodations, modifications, supplementary aids or services as part of this IEP.</p>

Continuum for Adding and Fading Supports

Purpose:


The decision regarding what supports and services a student may need is determined by the EST/504/IEP team.

Process:

Adding Support: When examining the need for adding support, including 1:1 paraprofessional support, alternative placement, or need for a crisis plan for struggling students, the suggested action steps should be implemented with fidelity and data should be collected as teams are working within each step of the continuum. This process will ensure that students are supported in the “least restrictive environment”. This documentation, including the recommended data, should be completed as a student’s needs increase, rather than at such time that additional support services are being requested.

Find the required LNSU document for use when considering 1:1/ BI or OOD support:

[LNSU para guidelines \(1\).doc](#)

 LNSU Change of Placement Protocol

Fading Support: Annually the IEP team reviews student goals and objectives. There should be goals that lead toward increased independence and self-determination in academic and social communication areas. Always look to the natural supports available - classroom teacher, peers, and other adults. Consider accommodations and supports that can be used to assist independence. Where a child is able to become independent, fade paraprofessional support accordingly. When a child is being supported by a full time paraprofessional, plan thoughtfully for a transition to new staff. All paraprofessionals, in particular those who provide individualized support, should be trained in providing the maximum student independence. This training should be incorporated in the guidance of the paraprofessional by the case manager. Planned strategies such as: visual schedules, peer assistants, prompt fading, etc. should be part of the training by case managers. ([Fading Para Supports Checklist](#))

Alternative/Diagnostic/Therapeutic Placements: The need for a student to be placed in an alternative or diagnostic placement is the determination of the IEP team based upon data and after all options in the continuum of least restrictive environment have been exhausted. If the IEP team determines that alternative placement is what is needed, the LEA will work with the therapeutic school to ensure a smooth transition takes place as soon as is reasonably possible. It is best practice for IEP Teams, with input from the independent school staff, to develop a reintegration plan for each student that outlines a plan for how to reintegrate the student into a more inclusive setting. The plan should identify the skills, behaviors, etc., that the student must develop in order to return to a more inclusive, less restrictive setting.

Behavior

The principal/assistant principal or his/her designee, in conjunction with the Director of Special Services as needed, shall be responsible for carrying out disciplinary procedures in the event of inappropriate conduct. Such disciplinary action shall follow due process.

Find the link here to our LNSU Discipline Policy:

[LNSU C20 Discipline Policy](#)

In addition to the general disciplinary procedures followed by the district and schools, the following procedure applies to children eligible for special education services:

[LNSU FBA Folder](#)

[4500](#)

Manifestation Determination:

A process to determine if a student's behavior problem was or was not a manifestation of the student's disability. Refer to the **VT Special Education Rules, 2022** for more information.

- Removals of more than 10 consecutive days or a series of short term removals which constitute a pattern (cumulative more than 10 days and based on similar behaviors) require an IEP meeting and manifestation determination.
- The manifestation determination must be done within 10 days of the decision to change placement and must include all relevant members of the child's IEP team.
- If the outcome is that the child's behavior was caused by or in direct relationship to his/her disability or was the direct result of the LEA's failure to implement the IEP, then a functional behavioral assessment must be conducted with a behavioral intervention plan resulting from this assessment. If there is already a behavioral intervention plan in place, it must be reviewed and modified if necessary to address the concerning behavior.

Find the LNSU Process Forms for Manifestation Determination Form here:

[W LNSU MANIFESTATION DETERMINATION FORM.docx](#)

Alternate Assessment

Purpose:

The Vermont Agency of Education has an alternate assessment that is available for a small number of students who cannot participate in the general assessment even with accommodations.

Procedure:

The [Alternate Assessment Criteria Checklist](#) is required. It was developed by the VT AOE that IEP teams use to determine whether a student cannot participate in the regular statewide assessment, even with accommodations. This must be done whenever student teams may be considering alternative assessments.

When an IEP team determines that a student meets these criteria, any accommodations or alternative assessments must be noted in the designated section of the Individualized Education Plan (IEP).

Home School/Private School

The LNSU respects the right of parents to homeschool their child or place them into a private school. Below is the Rule which pertains to students whom are unilaterally placed by their parents in a private or homeschool setting -

Rule 2368.1 - Rule 2368.1.5.1 (pages 157-161 of the Vt Special Education Rules)

☰ Homestudy/Independent Schools

[Form 10A and Written Affirmation Sample](#) (Please use form 10A in Docusped)

Contracted Service Providers

Purpose:

LNSU contracts with professionals to provide related services to students and consultation to student teams. Contracted services are needed in the following areas: American Sign Language (ASL) Interpreters, Assistive Technology Consultant, Autism Specialists, Board Certified Behavior Analyst (Behavior), Behavior Interventionists, School-Based Clinicians, Sign Language Instructor, Teacher of the Blind and Visually Impaired, Teacher of the Deaf, Transportation, etc. Services and consultation is based upon student need and is determined on an individual basis by the student's IEP/504/EST team.

Procedure:

Each consultant has a referral process and criteria that must be followed to access support. The consultants collaborate with other disciplines to ensure teams understand students' performance strengths and needs through evaluations, educational planning, service delivery, appropriate tests, skilled professional observation, and supplementary information from other

agencies and records. If a student's team is in need of consultation services, the case manager will reach out to the Director of Student Services.

Docused

Purpose:

Docused is the software system where all special education and 504 documents are held for LNSU. The purpose is to have a centralized location to access documents and transfer records from year to year.

Procedure:

All IEP and 504 case managers will have access to docused through a Google account. Cheryl Michaud is the contact person in the district that sets up all of the accounts and assigns case managers to students; she will provide you with a pass code. Here is a [Docused User Guide](#) to help assist with accessing the system. All of the required special education forms exist in Docused. The description of the required forms and their function is listed below.

Special Education Forms:



Form	Description
Form 1: Notice of Meeting	This Notice of Meeting is used to inform parents of various types of meetings. If the Notice of Meeting is for more than one purpose (e.g. to review information and decide on special education eligibility and plan an Individualized Education Program) more than one box would be checked.
Form 2: Evaluation Plan and Report	It includes three sections(for more detail on these four parts, please refer to the link above (3 Gates of Eligibility) or Docused. Section 1: This is the Disability Determination section of the Evaluation Plan and Report. It has four parts, identified as letters A-D. Section 2: This section addresses the question of Adverse Effect on Educational Performance. This section also applies to

	<p>children in Essential Early Education (EEE) programs when the disability categories other than Developmentally Delayed are used. Adverse effect is determined as performance (in at least one of the basic skill areas) at or below the 15th percentile, at least 1.0 standard deviation below the mean, or the equivalent as reflected in at least three of the six measures described in Part B of this section.</p> <p>Section 3: This section addresses the student/child's Need for Special Education Services.</p>
<p>Form 3: Notice of Special Education Evaluation</p>	<p>This Notice is sent following a discussion with parents and after consultation with school personnel, or following a planning meeting of the EPT. Where written consent is required Form 3(a) must be attached with Form 3.</p>
<p>Form 3a: Consent for a Special Education Evaluation</p>	<p>This form is sent as an attachment to Form 3 – Notice of a Special Education Evaluation but only when written consent is required to conduct the evaluation. Upon receipt of this form from the parents or adult student, the district must complete the section Date Received in District. The Date Received in District is critical to the evaluation process as it serves as the starting point for the 60 calendar days during which the district must complete the initial evaluation.</p>
<p>Form 4: Notice of Evaluation Delay</p>	<p>This notice is sent to the parent prior to the end of the 60-calendar day timeline for completion of the initial evaluation, when the evaluation will not be completed within that timeframe. The reason, an exceptional circumstance, for the delay must be explained, the schedule of pending evaluations must be listed, and the expected date for completion of the Evaluation Report must be identified.</p>

	<p>Exceptional circumstances are almost exclusively child or family-centered reasons that the evaluation plan was not completed within 60 days. This form is for use with delays in the completion of initial evaluations only and should not be used to document delays in the completion of triennial evaluations. An expected date of completion for the evaluation must be identified on this form.</p>
<p>Form 5: Individualized Education Program</p>	<p>For details of what is included in the IEP click on the forms link at the top of this table or refer to the table in the beginning of the IEP section of the guidebook.</p>
<p>Form 5(a): Written Agreement for Not Attending a meeting</p>	<p>This form is used to document one of two cases in which an IEP team member may not be in attendance at the meeting. The form is signed prior to the IEP meeting by the district representative and the parent. LEAs may wish to develop local procedures as to when attendance may be excused. The district must inform the parent that his/her agreement to this excusal or non-attendance is voluntary. Part A: If an IEP team member's area of curriculum or related service is not being modified or discussed, the member not in attendance is recorded on the form and the agreement or disagreement box is checked. The LEA representative and parent sign the form acknowledging the said agreement.</p>
<p>Form 5(b): Agreement to Revise the IEP between Annual Review Meetings</p>	<p>The Vermont IEP Form 5b, Agreement to Revise the Individualized Education Program (IEP) between Annual Review Meetings, has been revised to drop the requirement that a parent/guardian sign the form regarding a change without holding a formal meeting. The revised Form 5b now requires the Local Education Agency (LEA) to identify the date and to</p>

	<p>describe the method used to contact the parent about the proposed change. A signature from an authorized LEA staff member confirming that he/she informed the parent of their right to choose not to enter into this agreement and instead have a formal meeting to discuss this proposed change must be provided. Direct contact is personal communication and does not include voicemails or e-mails.</p>
<p>Form 5(c): Revision of the IEP between Annual Review Meetings</p>	<p>Form 5c is to be used when a revision is made through the use of a formal meeting of the IEP Team between Annual Reviews. Vermont State Form 7a can be used in lieu of State Form 5c but cannot be used in place of Form 5b. The purpose of the form is to provide written documentation to the parent of the changes proposed as a result of an IEP meeting held between annual reviews.</p>
<p>Form 6: Consent for Initial Provision of Special Education Services</p>	<p>This form is used to obtain written consent from parents for the initial provision of special education services. It also informs the parents that special education services will not begin without their written consent. The third checkbox on this page is for parents of a student who is transitioning from Part C (birth to age 3) to Part B (ages 3-21) services. The fourth checkbox reflects parents who are not providing consent for initial services to begin but may be seeking other services through a services plan because they have decided to either home school their child or place their child unilaterally in an independent school. It concludes with a contact number or address where the parent can ask questions, and the date the written consent was received in the district, assuring that services were not provided prior to receipt of the written consent.</p>

Form 6(a): Revocation of Consent for Provision of Special Education Services	
Form 6(b): Part C to B Transition	
Form 7: Notice of Local Educational Agency Refusal	In order to ensure that LEAs are able to comply with the federal regulations governing parental notice, Form 7 includes all the information required to fully inform parents when an LEA intends to decline a request(s) for a student's (1) identification, (2) evaluation, (3) educational placement or (4) the provision of FAPE as defined by an IEP. (For purposes of the prior written notice requirement, a change in "identification" means a change in the eligibility category. A change in "evaluation" means a refusal to initiate or change an evaluation plan.)
Form 7(a): Notice of Local Educational Agency Decision	This form is used to document prior written notice to parents regarding local education agency decisions to either change or not to change information about a child in the areas of evaluation, identification, educational placement and the provision of a Free and Appropriate Public Education. The form goes on to further document the reasons for such decisions, the tests or evaluation information on which the decision was made, any other options considered prior to this decision, and any other factors which might have an effect of the decision that was reached. It concludes with a section explaining to parents where additional resources can be found to help explain any concerns they may have regarding the information contained in this form.
Form 8: Written Agreement between Parents and District- Re-evaluations	This form is used when a parent and school district agree that a re-evaluation

	<p>is unnecessary. The parent must be informed that they do not have to enter into this agreement. The form documents the current due date and the reasons not to conduct the re-evaluation. The form needs to be signed by both school district staff and parent. The next triennial evaluation is due no later than three years from the date of the parent signature on this form.</p>
<p>Form 9: Completion of an Evaluation of a Transfer Student</p>	<p>This form is used when a student moves from one district to another while in the midst of either an initial or triennial evaluation and, despite efforts to promptly seek information from the previous school district, the current school district will not complete the initial evaluation within the 60 day time limit or the triennial prior to the three year anniversary of the previous evaluation. Note: Districts must explain to the parent that their agreement is voluntary.</p>
<p>Form 10: Written Affirmation of Consultation for Parentally Placed Private School Students</p>	<p>This form has two pages and is broken into five numbered sections. At the top of the form, the name of the school district and the date of the form are recorded. This form is completed after the LEA responsible for the independent schools within the geographic boundaries of the supervisory union consults with a representative of the private/independent school. The completed sections document the results of the decisions reached.</p>
<p>Form 12 Parent input</p>	<p> New Rule: parent input LNSU  LNSUIEP Parent Input Form-final.docx</p>

Medicaid:

Purpose: The Medicaid School-Based Health Services Program is used by the State to generate Medicaid reimbursement for medically related services provided to eligible students. Each school district can only submit claims for the students for which the district serves as the local education agency (LEA) under the federal special education law – Individuals with Disabilities Education Improvement Act (IDEIA) and is fiscally responsible. This includes students that are tuitioned by the school district to another school district whether in or out of the state of Vermont.

Process: Each case manager will receive a list of Medicaid eligible students on their caseload as well as which IEP services they can be billed for. Documentation logs can then be created in Docusped and completed based on student attendance. Once complete, the logs are signed either by hand or electronically and can then be sent to the Medicaid Billing Clerk, Shannon St. Cyr. A description of which services can be billed to Medicaid is included below.

STUDENT ELIGIBILITY

- Student must be receiving special education services as outlined in an IEP.
- Student must be enrolled in Vermont Medicaid

CLAIMS FOR SCHOOL-BASED HEALTH SERVICES

- Annual IEP – The school district is allowed to bill a set amount for the case management involved in developing the student's annual individualized education plan (Blue Form). No reimbursement is allowed for an amendment to an IEP or an initial IEP unless the student was on a One Plan.
- Special Education Reevaluation – The school district is allowed to bill a set amount for the case management involved in conducting a special education reevaluation (Pink Form). No reimbursement is allowed for an initial special education evaluation unless the student was on a One Plan. No reimbursement is allowed when Form 8 is completed.
- In-Person and Telemedicine Billable Services Include:
 - o Case management
 - o Developmental & assistive therapy
 - o Mental health counseling (if not provided by a mental health agency)
 - o Rehabilitative nursing services
 - o Occupational therapy
 - o Physical therapy
 - o Speech, language & hearing services
 - o Personal care (In-Person services ONLY)

Destruction of Records:

2365.2.13 Destruction of Information (a) For purposes of an audit, when a participating agency has counted a child to justify receipt of IDEA funds, the LEA shall retain copies of the child's IEPs and special education eligibility Vermont Special Education Rules (Revised: 2013)

Page 141 of 169 evaluations, for a minimum of five years from the end of the school year in which the document was in effect. (b) The participating agency shall inform parents when personally identifiable information collected, maintained, or used under the IDEA is no longer needed to provide educational services to the child. The information shall be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

Extended School Year Services:

Rule 2360.2.8 Extended School Year Services (34 CFR §300.106) Each LEA shall ensure that Extended School Year Services (ESY) are available as necessary to provide FAPE consistent with Rule 2363.7(h) and at no cost to the parents of the child.

Find process here:

[ESY Rule and process \(3\).docx](#)

Find the IEP team form for determining services here:

[ESY Form](#)

JOB TITLE	Special Educator/Case Manager
FLSA STATUS	Exempt
REPORTS TO	School Principal and Director of Student Support Services
UPDATED	January 24, 2022

POSITION OBJECTIVES:

Plans and/or adapts the standards-based instructional program for eligible students consistent with local, state, and federal regulations, policies, procedures, and laws. Motivates and supports students in learning and personal growth, according to each student's ability, in order to develop skills, knowledge, and a disposition for learning needed for continued education and/or work. Establishes and maintains effective relationships with students,

parents/guardians, staff members, and other professionals to meet student development needs.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

1. Ensures students are supported in learning a grade-appropriate, instructional program from an approved curriculum.
 - a. Develops or translates lesson plans and activities into standards-based appropriate learning experiences.
 - b. Prepares instructional materials and provides individualized and small group instruction to adapt the curriculum to the needs of each student; inclusive of ESY services
 - c. Assesses and monitors learning, using a variety of methods and adjusts instruction according to individual student needs.
 - d. Establishes and maintains standards of student behavior to optimize an effective learning atmosphere.
 - e. Assists in creating a learning environment that supports and motivates learners, provides personal growth according to the individual's ability, and helps students develop a solid foundation for continued learning.
 - f. Provide support to teachers in a mainstream setting as assigned.
 - g. Provides individualized and group instruction and academic support in assigned subject matter using best practices as specified in school regulations and procedures, and as mandated by state law and as indicated by Individual Education Programs (IEPs.)
 - h. Ensure, through appropriate planning, that the individual needs of students will be met whether present or absent; inclusive of ESY services

2. Responsible for all elements of the IEP process; the evaluation, planning, and case management of eligible students to include, but not limited to:
 - a. Scheduling and monitoring due dates for student evaluations (IEPs).
 - b. Evaluating students for special education eligibility in accordance with local, state, and federal regulations, policies, procedures, and laws.

 - c. Scheduling and conducting effective periodic meetings for assigned students.
 - d. Developing, through collaboration with a team, an Individual Education Program for each assigned student. Receives regular feedback and processes information as required.

 - e. Assessing and documenting student progress toward individual goals.

 - f. Ensuring students are educated in the least restrictive environment.

 - g. Developing transition plans for assigned students, as appropriate.

- h. Scheduling and conducting transition meetings for enrolling students.
- i. Monitoring paraprofessional staff in the implementation of student programs.
 - j. Maintaining accurate, timely records, logs, evaluations, plans and other documentation. Distributes to appropriate persons, as necessary and required.
- 3. Collaborates effectively with school staff, families and appropriate agencies by:
 - a. Collaborating effectively with content areas colleagues to meet student learning needs.
- b. Communicating school related issues, concerns, and successes.
 - c. Being available to teachers, students and parents for education-related purposes outside the instructional day and as indicated by IEPs.
 - d. Providing consultation and regular communications with other educators regarding academic accommodations, adaptations and behavior interventions/strategies.
 - e. Collaborating with outside agencies and other professionals and making appropriate referrals to other resources regarding individual student and program considerations.
- 4. Acquires and exhibits working knowledge of program procedures, routines and current best practices in Special Education and other professional related areas as assigned. May participate in conferences, meetings, and trainings as appropriate or assigned.
- 5. May perform other work related responsibilities as assigned.

SUPERVISORY RESPONSIBILITIES:

Supervises students and may supervise paraprofessionals and other staff members. Monitors student discipline through appropriate behavior management techniques. Assists administration in establishing and maintaining school-based discipline and a positive learning environment. Regular attendance in accordance with established work schedule.

Qualifications: To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience: Bachelor's Degree. Demonstrated skill in working with elementary, middle school or high school students (as assigned) with disabilities is required. Working knowledge of Special Education state and federal guidelines, regulations, and laws is essential. Knowledge and experience with behavioral strategies, accommodations, and interventions for students with emotional/behavioral challenges.

Certificates, Licenses, Registrations: Valid Vermont Teaching License with appropriate endorsement as a Consulting Teacher and/or Special Educator.

General Language Skills: Ability to read, analyze, and interpret general periodicals, professional journals, procedures, or governmental regulations. Ability to write IEP plans, reports, and correspondence. Ability to effectively present information and respond to questions from students, parents, staff, and the public. Ability to use a variety of assessments for student work. Ability to communicate effectively with students, parents, colleagues, administration and greater school community.

General Mathematical Skills: Ability to work with mathematical concepts such as probability and statistical inference, fundamentals of algebra, and geometry. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.

General Reasoning Ability: Ability to assess situations, solve problems, cope with a variety of situations where limited standardization exists, and implement decisions is required. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

Other Skills and Abilities: To perform this job successfully, an individual must be able to demonstrate a high degree of interpersonal, communication and organizational skills, attention to detail, and adaptability. The incumbent must also model appropriate professional behavior and positive attitudes at all times. The ability to work independently at times, assuming responsibilities and demonstrating initiative is a must. The ability to work collaboratively in a team environment is also required. The ability to apply knowledge of current research and theory specific to assigned instructional academics program; ability to plan and implement plans based on school objectives and the needs and abilities of assigned students is required. Fluency in technology with data and communication systems and the ability to keep current on such technology. The ability to learn and train others in the use of adaptive technology as required by individual student needs. Ability to establish and maintain effective relationships with students, peers, and parents; skill in oral and written communication are essential. Ability to perform duties with awareness of all district requirements, Vermont Education Quality Standards (EQS), applicable laws, and Board policies. Demonstrated ongoing commitment to workplace diversity, sustainability, and delivering exceptional customer service.

Physical Demands: The physical demands described here represent those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is regularly required to stand, walk, sit, bend, kneel, sit on lower surfaces, speak, see, and hear. Will be required to climb or descend stairs and perform tasks requiring manual dexterity such as to operate technology. While performing the duties of this job, the employee may occasionally run, push, or lift up to 40 pounds such as books, backpacks, equipment, or assist in the mobilization of students. The employee is directly responsible for safety, well-being, or work output of other people. Specific vision abilities required by the job include close vision such as to read handwritten or typed material, peripheral vision, and the ability to adjust focus. The position requires meeting deadlines and working with others.

Emotional Demands: The individual must be able to work with others in a collegial and cooperative manner, must show acceptable interpersonal skills and follow directions of school leadership. The position requires the individual to meet multiple demands from several people and interact with the public and other staff.

Work Environment: The work environment characteristics described here represent those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The noise level in the work environment is moderate to loud. Duties are primarily performed indoors and at times outdoors.

Terms of Employment: Per Master Agreement

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This general outline illustrates the type of work, which characterizes the job classification. It is not an all-encompassing statement of the specific duties, responsibilities and qualifications of individual positions assigned to the classification. Employees may be required to perform duties outside of their normal responsibilities from time to time, as needed. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Signatures

Direct Supervisor:

Printed Name

Signature

Date

Employee:

I have read and understand the responsibilities of my position as described in the preceding job description.

Printed Name

Signature

Date