

**GRIFFTH PUBLIC
SCHOOLS
EXCEPTIONAL LEARNERS
PROGRAM TEACHER
HANDBOOK**



Table of Contents

- State and Local Mandates pgs. 3-4
- Enrollment pgs. 5-6
- Move-In Procedures pgs. 7-8
- Evaluation pgs. 9-20
- Written Permission & Parental Consent for Eval pgs. 21-25
- Eligibility pgs. 26-37
- Dismissal pg.37
- OT/PT/AT/FBA Evaluations pgs. 38
- Case Conferences pgs. 39-44
- Graduation pgs. 45-47
- Assessments/Accommodations pg. 48
- LRE pg. 49
- Health/Evac Plans pgs. 50-51
- FBA/BIP pgs. 52-59
- Seclusion & Restraint pgs. 60-67
- Confidentiality pg. 68
- Pre-School Procedures pgs. 69-73
- Non-Pubs pgs. 74-75

THESE PROCEDURES ARE GOVERNED BY FEDERAL, STATE AND LOCAL MANDATES.

All procedures used by Griffith Public Schools in the identification and provision of special education and related services to students with disabilities are in accordance with the rules and regulations of federal and state law. Article 7 can be located at the link below:

<https://www.doe.in.gov/sites/default/files/specialed/art-7-english-may-2019-update-no-index.pdf>

Students with disabilities who are ages three (3) through twenty-two (22), reside within the jurisdiction of Griffith Public Schools and are eligible for special education and related services will receive a Free and Appropriate Public Education (FAPE) in the least restrictive environment as defined by state and federal law.

FAPE will be provided to students until they have earned a high school diploma or have completed the school year during which they reached the age of twenty-two. In accordance with regulations, services will be provided in the student's home school, unless the needs of the student require placement at another school within the district as defined by the IEP.

Exceptional Learners Program services support the development of specifically designed instructional approaches to meet the individual student needs in the least restrictive setting with participation in the general education curriculum to the greatest extent possible. We provide the entire continuum of services required by federal and state mandates.

Special Education services can most effectively be provided through a school-based model which focuses on the use of building level resources. This model provides the following advantages:

- Fosters feelings of responsibility for meeting the needs of all students among all school personnel.
- Develops a collaborative spirit among school personnel in seeking solutions for students who are encountering difficulties.
- Gives direction and support to teachers and administrators who daily provide specialized instruction to students with disabilities.
- Through student assistance teams, plans and implements strategies in the general education environment to assist students who may have academic or behavioral needs before an evaluation is requested.

- Ensures that all school personnel are well informed about students with disabilities, special education and related services, district procedures and state and federal rules and regulations; and
- Encourages active parent participation in the evaluation process and in planning special education and related services for their child.

The role of Special Education services in the school-based model is to:

- Assure that all students are included in higher standards and mandated assessments.
- Provide technical assistance and staff development opportunities for all staff.
- Monitor to ensure that the procedures established by Special Education Services, in accordance with all federal, state, and local mandates, are implemented.

The role of the school staff shall be to:

- Provide appropriate special education services for students with disabilities in the least restrictive environment, through implementation of the student's IEP, including accommodations/modifications.
- Deliver instruction and support services consistent with the procedures established by Special Education Services.
- Monitor the quality of on-going services within the school.
- Seek technical assistance for program improvement; and
- Provide input to program design, including the development of the IEP, and policy development.

School and Exceptional Learners staff must work collaboratively to assure consistency and quality of special education and related services within the school and across the district.

ENROLLMENT PROCEDURES FOR SPECIAL EDUCATION SERVICES

Students with special needs who are transferring/enrolling from outside of GPS are required to follow the regular enrollment process established by GPS. At no time should a student be denied enrollment in school while waiting to confirm his/her eligibility for special education services.

ENROLLMENT PROCEDURES

Each school administrator has designated a person to process all new student enrollments. The designated person assisting with the enrollment should:

- Parents complete enrollment online through the registration portal.
- Check the registration information submitted to determine if the parent indicated yes or no to the question: Has your child ever received special education services?
- **If NO:**
- Ask if the child has an IEP (Special Education) or 504 Plan (provide to Principal/Guidance Department).
- Ask if the child receives speech services.
- **If YES:**
- If parent has a copy of IEP and/or psychological evaluation report (or speech evaluation report), make a copy for our records to include with enrollment paperwork.
- Give a copy of the enrollment paperwork and the IEP to the M-Team or SLP in the building so that he/she can then verify eligibility with the school Psychologist.
- Fill out the Move-In form and attached IEP and/or psychological evaluation report (or speech evaluation report).

From here, the M-Team will take over the following enrollment procedure process.

Eligibility can be verified either through:

- A current or recently outdated IEP, or verbal verification through phone contact with previous school district personnel- (ask specifically about the student's eligibility and type/amount/location of services he/she received).
- IF eligibility can NOT be verified at the time of enrollment, the student may NOT receive any special education services until there is verification and the student should be considered a general education student.
- M-team personnel can assist in obtaining records from the previous school if initial attempts by the school's designated person handling enrollments does not result in timely receipt of records.

VERIFICATION

- The School Psychologist or SLP must review every newly enrolled special education student's psychological or speech evaluation report to ensure that all assessment components are consistent with Indiana requirements, and to ensure that the appropriate eligibility is documented. The school psychologist or SLP may recommend additional assessment; however, this should not delay the provision of special education and related services.
- Once a student qualifies and an Initial Case Conference has been held; the family must be walked directly to the building secretary, so they complete registration. The student **cannot** start if registration and verification have not taken place! If transportation is required it must be incited in the IEP and a form sent to the transportation department; services may take up to five days to be set up. This can take place for ECD "cold calls" as well.

MOVE-IN IEPS

MOVE-IN CONFERENCE

- Per Indiana Article 7, for a student with a verified disability, a case conference must be held not later than 10 school days after verification of his/her special education eligibility from outside of the school district.
- When a new student registers at any GPS school, the Special Education Move-In form must be completed at the school (designee chosen by the building principal: principal, secretary or counselor).
- The form will be completed and sent to the Case Manager (Educational Diagnostician) IMMEDIATELY upon enrollment.
- The Case Manager will notify the ELC to initiate a request for the electronic transfer of the student's information in IEP and will then send the move-in form to the appropriate case manager. If the student receives speech ONLY, the form should be sent to Case Manager who will notify the Speech Language Pathologist.
- The Case Manager (Educational Diagnostician) coordinates the Move-In Conferences at the buildings. The Case Manager will:
 1. Review the IEP and determine what revisions are needed
 2. Will schedule the case conference within 48 hours of receiving the form and hold the conference within 10 school days of enrollment date.
 3. Will generate the NOC.
 4. Will include principal, receiving TOR, gen ed teacher and others as needed (Psych, diagnostician, SLP, OT, PT, counselor, etc.)
 5. Will prepare revision and review at case conference
 6. Will finalize IEP and ensure that receiving TOR knows the IEP is complete
 7. Will provide all original signatures to the ELC (NOC, consent for IEP and consent for eval if one is generated).
 8. If a new eval request is generated as part of the move-in, the case manager will ensure that the request is provided to the appropriate M-Team personnel (SLP, School Psychologist, Diagnostician, OT, PT, etc.).

Move-in Procedures for students who move from one GPS to another GPS school:

1. You do not need to fill out the Move-In form, but it is important to let the Exceptional Learning M-Team office know right away that the student has an IEP and is moving from one GPS school to another.
2. Exceptional Learning M-Team will review the current IEP to see if it can be implemented as written. If the student is transferring from one GPS school to another and the IEP can be implemented as written, you do not need to hold a move in conference and the ELC will add the student to the TOR's caseload in IEP.

Move-in Procedures for students who move in from another Indiana school:

1. Fill out the Move-In form as soon as you are notified that the student has an IEP. The current IEP and most recent educational evaluation must be provided by the parent to Building Secretary, Attendance Secretary, etc. Send this form to the Exceptional Learning M-Team office. Do not submit the Move- In form if enrollment has not been fully processed.
2. The student must be registered in PowerSchool by the school secretary, and in the STN database by IT, who will look up a previously assigned STN number, or assign a new one if needed. The STN will assign the student to GPS and bring the student into the IIEP. This process sometimes takes 3-4 days, and the IIEP record will be blank.
3. Once STN is in Real Time, ELC or Central Office Administrative Assistant will request IEP transfer in IIEP and the sending school will then push all of the IIEP data to the student. The Case Manager will wait to enter information until after the data push is complete, because anything you enter will be overwritten when the record is electronically transferred from the previous Indiana school.

Move-in Procedures for students who move in from out of state:

1. Fill out the Move-In form as soon as you are notified that the student has an IEP. The current IEP and most recent educational evaluation must be provided by the parent to Building Secretary, Attendance Secretary, etc. Send this form to the Exceptional Learning M-Team office. Do not submit the Move- In form if enrollment has not been fully processed.
2. The student must be registered in PowerSchool by the school secretary, and in the STN Real Time database by IT, who will look up a previously assigned STN number, or assign a new one if needed. The STN will assign the student to GPS and bring the student into the IIEP. This process sometimes takes 3-4 days, and the IIEP record will be blank.
3. The Case Manager will review the IEP and determine the student's eligibility and/or determine if any additional testing is needed. The Case Manager and/or ELC will enter the student's eligibility into IIEP.

Hold the Move-In Conference:

The Case Manager has 10 school days to complete an IEP for the student to verify what services are going to be delivered. The 10-day timeline begins upon written verification of special education eligibility through IEP and last educational evaluation completed.

EVALUATIONS

The Multi-disciplinary team must use a variety of eligibility and assessment tools and strategies to gather relevant functional, developmental, and academic information about the student, including information provided by the parent, to assist the case conference committee in determining the content of the student's IEP, including information related to enabling the student to be involved in and progress in the general education curriculum (or for an early childhood student, to participate in appropriate activities).

The following procedures are NOT considered a part of an educational evaluation (and, therefore, do not require informed parental consent):

- A test or other evaluation that is administered to all students, unless, before administration, consent is required from parents of all students.
- A screening of students by a teacher or a specialist to determine appropriate instructional strategies for curriculum implementation.
- A review of existing data regarding a student.
- The collection of progress monitoring data when a student participates in a process that assesses the student's response to scientific, research-based interventions.

Tests and evaluation materials are:

- Administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so.
- Selected and administered so as not to be discriminatory on a racial or cultural basis.
- Used for the purposes for which the assessments or measures are valid and reliable.
- Administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the assessments.
- Technically sound instruments that may assess the relative contributions of cognitive and behavioral factors, in addition to physical or developmental factors.

When administered to a student with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the student's aptitude or achievement level (or other factors the test purports to measure), rather than reflecting the student's impaired sensory, manual, or speaking skills.

- Assessments and other evaluation tools include those tailored to assess specific areas of educational need, and not merely those designed to provide a single general intelligence quotient.

- Assessment tools and strategies provide relevant information that directly assists the case conference committee in determining the special education and related service needs of the student and are sufficiently comprehensive to identify all of the student's special education and related service needs whether or not commonly linked to the disability category in which the student has been classified.

The student is assessed, or information is collected in all areas related to the suspected disability, including, if appropriate:

- development
- cognition
- academic achievement
- functional performance or adaptive behavior
- communication skills
- motor and sensory abilities, including vision or hearing
- available educationally relevant medical or mental health information
- social and developmental history

As part of the educational evaluation, the Multidisciplinary team must, with or without a meeting, do the following:

- Review existing evaluation data on the student, including the following:
 - Evaluations and information provided by the parents of the student.
 - Current classroom, local, and state assessments.
 - Classroom based observations and observations by teachers and related services providers.
- On the basis of that review, and input from the student's parents, identify the following:
 - The suspected disability or disabilities.
 - Any additional data that is required for the student's CCC to determine eligibility for special education; and the special education and related service needs of the student.

School Psychologists, Speech and Language Pathologists (SLPs), Educational Diagnosticians, Occupational and Physical Therapists (OT/PTs) who administer standardized tests are trained and knowledgeable in accordance with any instructions provided by the producer of the tests.

If the assessment is not conducted under standard conditions, the school psychologist, SLP, diagnostician or OT/PT must describe in the evaluation report the extent to which the assessment varied from standard conditions.

After an educational evaluation has been completed, the multidisciplinary team must compile the findings of the multidisciplinary team into an educational evaluation report.

REQUEST/REFERRAL FOR EVALUATION

Parental Request for an Educational Evaluation

- When a parent is concerned about his/her child's educational performance and is considering requesting an evaluation, it is recommended that the parent contact the building principal to discuss his/her concerns.
- A parent's request for an initial or re-evaluation must be made to licensed personnel (e.g. teachers, school counselors, school psychologists, school social workers, building principals, and other administrators), either verbally or in writing. After such a request, the school has ten (10) instructional days to provide the parent with a Written Notice (see below).
- If a parent requests an evaluation, the date that this request is made must be documented on the referral form.
- A record review will be held within ten school days of parent request. All available data will be reviewed to determine whether a special education evaluation is appropriate at this time. Parent will receive written documentation determine whether the evaluation request was agreed upon or denied based on the student data available.

School Request for an Educational Evaluation

- The school may recommend a student for an initial educational evaluation, following monitoring by the school's building based RTI team after interventions have been implemented and have been unsuccessful after a time period of no less than six weeks.
- If school staff is considering requesting a re-evaluation due to a suspected change or addition of eligibility, a staffing should be held, with the school psychologist or M-Team member in attendance. For students with an eligibility of speech and/or language impairment only, those requests for a re-evaluation should go through the M-Team, including consultation with the school psychologist.
- Once it has been determined that a student is in need of an evaluation, a referral must be completed. The Case manager will contact the parent to inform him/her of the team's recommendation for an evaluation. The Case Manager will complete the Written Notice (as described above) and obtain parental consent for the evaluation.

Using Referral Forms

- Following a request for an evaluation, referral forms are used to collect information regarding the student's current functioning level, developmental and medical history, and school history. Both parents and school staff are required to complete their respective sections of the referral.
- This information is reviewed by the School Psychologist, Educational Diagnostician, SLP, OT/PT, etc. (depending on reason for referral) in order to determine if, and what type of evaluation will be completed.

- Once a request for a re-evaluation is made, the TOR must complete the school/teacher section of the Referral for Re-evaluation form and give it to the Case Manager within 3 school days. The TOR must ask the parent to complete the parent section of the referral form and return it to the Case Manager within 3 school days. It is imperative that this timeline be followed, as the M-Team has 10 days from the date of the request to review the information and determine if we will proceed with the re-evaluation.

The following is a listing of the Referral Forms available and when to use which form:

- Sped Referral Form (Initial educational evaluation)
- Sped Referral – Reevaluation (Reevaluation for student with an existing IEP)

Once Forms have been received

- Regardless of parent or school request, the school (designated staff) will complete PAGE 1 of the Special Education Referral packet and will send this form to Case Manager immediately. Case Manager will complete the bottom section of the page, including the 10-day compliance date and date the referral was received. Speech and/or Language Impairment referrals ONLY will be sent to the Speech language Pathologist; all other areas of questioned eligibility will be sent to the Case Manager.
- The ELC will request the student in IIEP and give the team access.
- Assigned Case Manager will schedule a Record Review within 10 school days of the date of parent request. Parent, general ed teacher, principal and other relevant staff should be included. A school representative should make contact with the parent regarding scheduling the record review.
- If the Record Review team determines that there is no need for an evaluation, the Case Manager will complete the required Notice of Refusal form in IIEP. It is strongly suggested that recommendations be included on this form stating any action plans, suggestions, etc. as well as making it clear why an evaluation will not be done. Case manager will ensure that a copy of this form is provided to the parent and the school for the student's' file. Any notes or file review information can be stored in the M-Team office.
- If the Record Review team determines that there is a need for testing, the case manager will:
 - Direct the school to complete the remaining pages of the referral packet (to be turned in to the case manager when complete).
 - Initiate a consent for testing in IIEP.
 - Obtain parent signature for consent (send home via mail, with student, have parent sign at the meeting if possible, etc.).
 - If the consent is sent home, be sure to include a due date of 10 school days.
 - Allow the parent 10 days to return consent if needed; after 10 days, a second consent should be sent with a new due date of 10 school days. If the consent is not returned at that point, document this in IIEP and close the referral.

- Once consent is obtained, case manager will provide necessary forms to parent and teacher(s). Due dates are strongly encouraged, and the forms should be returned to the student's school.
- The Case Manager must notify all staff members that need to be part of the evaluation process after logging the information on the M-Team Log.

Outside Agency Request

- If a parent presents a report from an outside agency (doctor/specialist, physical/occupational/speech therapist, psychologist, learning center, etc.) it should be presented immediately to the Case Manager. This is essentially treated as a parent request unless the parent otherwise says they do not feel a meeting is needed. If the report suggests the presence of a disability that qualifies under special education and/or indicates there is a need for special education services, a referral must be made using PAGE 1 of the referral packet and the case manager will schedule a record review within 10 school days of receiving the outside report. The Case Manager will notify the SLP if speech is questioned.

REEVALUATIONS

- Reevaluations may be requested by teachers or parents at the time of a case conference or outside of a case conference setting. The re-evaluation may be necessary for any of the following reasons: change in eligibility (addition, deletion), outdated information, information needed to inform the team for the purpose of goal development and teaching recommendation, MDC request, FBA is needed and/or dismissal from services is recommended.
- In some cases, the M-team is aware and is prepared to do the re-evaluation. TOR's should talk with the case manager. The case manager may:
 - opt to do the re-evaluation and will generate a consent, obtain consent and proceed with the referral as described above
 - opt to hold a record review if it is unclear if a re-evaluation is necessary (this would be done via a case conference and documented in IIEP)
- When a re-evaluation is warranted, the case manager will ask the school to complete the Special Ed re-eval form request for record keeping.
- The Case Manager must notify all staff members that need to be part of the reevaluation process after logging the information on the M-Team Log.

REEVALUATION PROCEDURES

- Once a student is eligible for special education and related services, any subsequent evaluation of the student is considered a re-evaluation, even if the student is being evaluated because a different or additional eligibility category is suspected.
- Indiana IEP requires that re-evaluation be discussed annually. If it is decided by the case conference that a re-evaluation is needed, the TOR will complete the re-evaluation

section of Indiana IEP along with the ELC and notify the M-Team and educational diagnostician. Process must be completed in Pre-Conference Planning tab.

- **DO NOT** get consent at the conference.
- The Case Manager (Educational Diagnostician) will get the social/developmental paperwork, final consent form and other necessary paperwork to the TOR. The TOR will enter a statement in the notes of the conference to explain why the re-evaluation is necessary. Process must be completed in Pre-Conference Planning tab.
- If NO re-evaluation is needed, the case conference notes must contain a statement as to why a re-evaluation is not needed.

NOT A REEVALUATION

The following procedures are not re-evaluation:

- 1) A test or other evaluation that is administered to all students unless, before administration of the test or evaluation, consent is required from parents of all students.
- 2) A screening of students by a teacher or a specialist to determine appropriate instructional strategies for curriculum implementation.
- 3) A review of existing data regarding a student; and
- 4) The collection of progress-monitoring data when a student participates in a process that assesses the student's response to scientific, research-based interventions.

REEVALUATION TIMELINE

If a case conference committee determines at an annual case conference committee (CCC) meeting that re-evaluation is necessary to re-establish eligibility for special education and related services, re-evaluation must occur by the next annual CCC meeting. Re-evaluation to re-establish eligibility may not occur more than once a year, unless the parent and the public agency agree otherwise.

A re-evaluation must occur and the CCC convened within fifty (50) instructional days of the date that written parental consent is received by licensed personnel, if a student is being re-evaluated to:

- 1) Determine that the student is eligible for special education and related services under a different or additional eligibility category.
- 2) Determine that a student is no longer eligible for special education and related services; and
- 3) Inform the CCC of the student's needs, such as the student's need for assistive technology or a related service.

WRITTEN NOTICE OF REEVALUATION

Before a public agency can re-evaluate a student, or refuse to re-evaluate a student, the public agency must provide the student's parent with written notice that includes the following:

- 1) A statement that the public agency is proposing or refusing to re-evaluate the student that includes a description of each evaluation procedure, assessment, record, or report the public agency used as a basis for proposing or refusing to re-evaluate the student.
- 2) A description of other factors relevant to the public agency's proposal or refusal to re-evaluate the student.
- 3) If the public agency:
 - a) Is proposing to re-evaluate the student, a description of the re-evaluation process; or
 - b) Refuses to re-evaluate the student, an explanation of the parent's right to contest the agency's decision by requesting mediation or a due process hearing.
- 4) If a public agency is proposing to re-evaluate the student, the timeline for conducting the re-evaluation and convening the CCC meeting.
- 5) A statement that a parent of a student with a disability has protection under the procedural safeguards, including information regarding how a copy of the written notice of procedural safeguards can be obtained.
- 6) A list of sources for parents to contact to obtain assistance with understanding the provisions of Article 7.
- 7) The written notice must be:
 - A. Written in language understandable to the general public.
 - B. Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the school must take steps to ensure:
 - i) the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;
 - ii) the parent understands the content of the notice; and
 - iii) that there is written evidence that the requirements in clauses (i) and (ii) of this subsection have been met.
- 8) A parent may challenge the public agency's refusal to re-evaluate the student by requesting mediation or a due process hearing.

REEVALUATION NOT NECESSARY

If the CCC and other qualified professionals as appropriate, after reviewing existing evaluation data, determine that no additional data is needed to determine whether the student continues to be eligible for special education and to determine the student's special education and related service needs, the school must:

- 1) Notify the parent of that determination and the reasons for the determination.
- 2) Notify the parent of the right to request an assessment to determine
 - a. whether the student continues to be eligible for special education, and
 - b. to determine the student's special education and related service needs.
- 3) Notify the parent the school is not required to conduct such an assessment unless requested to by the student's parent.

CONSENT FOR REEVALUATION

If the school proposes to re-evaluate the student, the parent of the student must provide consent to licensed personnel before the public agency can re-evaluate the student.

If the parent refuses to consent to re-evaluation, the school may, but is not required to, pursue re-evaluation by requesting mediation or a due process hearing. The school does not violate its obligation to re-evaluate the student if it declines to request mediation or a due process hearing. Parental consent for re-evaluation does not need to be obtained if the public agency makes reasonable efforts to obtain consent, and the parent fails to respond. To document reasonable efforts, the public agency must keep a record of its attempts to obtain parental consent, including:

- 1) Detailed records of telephone calls made or attempted and the results of the calls.
- 2) Copies of correspondence sent to the parent and any responses received.
- 3) Detailed records of visits made to the parent's home or place of employment and the results of those visits.

After a parent consents to re-evaluation, or fails to respond to a request for consent, the CCC and other qualified professionals, as appropriate, must do the following:

- 1) Review existing evaluation data on the student, including:
 - a. Evaluations and information provided by the parents of the student.
 - b. Current classroom-based, local, or state assessments, and classroom-based observations; and
 - c. Observations of teachers and related services providers.
- 2) On the basis of that review, and input from the student's parent, identify what additional data, if any, are needed to determine the following:
 - a. Whether the student continues to have a disability and the special education and related service needs of the student.
 - b. The present levels of academic achievement and functional performance, and related developmental needs of the student.
 - c. Whether the student continues to need special education and related services.
 - d. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the student's individualized education program (IEP) and to participate, as appropriate, in the general education curriculum.

This review may be conducted without a meeting.

INDEPENDENT EDUCATIONAL EVALUATION PROCEDURE AND CRITERIA

The Individuals with Disability Education Act (IDEA) and Indiana Special Education Rules (Article 7) allows parents the right to request an independent educational evaluation (IEE) of their child. An educational evaluation is not merely testing of a student. An educational evaluation is a

process that must involve the collection of meaningful information to understand and help the student learn in the educational environment. Completing intellectual, academic and other assessments with the student are only part of the process needed to complete a comprehensive evaluation. Record review, observations, gathering data and teacher input must also be part of this process.

The following procedures and criteria have been identified to assure that appropriate educational evaluations are considered for children.

1. When a parent disagrees with an educational evaluation completed or obtained by Griffith Public Schools, the parent should indicate in writing the specific issues or concerns with the evaluation. This should be submitted to the Director of Special Education. A case conference can be held to discuss these concerns and the possibility for Griffith Public Schools to complete additional testing or using different diagnostic staff members to complete a Griffith Public Schools assessment. However, within ten (10) business days, the Director of Special Education will respond in writing to the parent's concerns and indicate if Griffith Public Schools will pay for the independent educational evaluation or initiate a due process hearing to show its educational evaluation is appropriate. A copy of the Notice of Procedural Safeguards will be provided with this response as well as the following:
 - a) The list of suggested independent educational evaluators developed by Griffith Public Schools in accordance with the provisions of section 5 of these procedures; and
 - b) The criteria set forth in section 5 of these procedures.
2. Griffith Public Schools may refuse to pay for an IEE at public expense because of the following:
 - a) Griffith Public Schools has not completed an evaluation on the student within the past two years.
 - b) The evaluation Griffith Public Schools completed for some reason is not considered to be a comprehensive assessment of the child's needs, ability and eligibility; and Griffith Public Schools will first conduct its own comprehensive educational evaluation. Examples of this are: screenings or assessments completed with all students, students who have changed school environments or students who have changes in behaviors, but no functional assessment has been completed.
 - c) There is no disagreement with the Griffith Public Schools evaluation.
 - d) For a current evaluation in question, the parent has requested and already received an independent educational evaluation paid by Griffith Public Schools.
 - e) The parent(s) have previously obtained an independent educational evaluation within the prior year.
3. Parents have the right to an independent educational evaluation, at public expense, if they disagree with an evaluation provided or obtained by the Griffith Public Schools. However, the school district may initiate an Article 7 due process hearing to demonstrate that its' evaluation is appropriate.
 - a) If the final decision of the hearing officer confirms the Griffith Public

Schools evaluation is appropriate, the parents will have the right to an independent educational evaluation, but not at Griffith Public Schools expense.

- b) If the Griffith Public Schools evaluation is shown to be inappropriate, the Griffith Public Schools will pay for the independent educational evaluation or reimburse the parents for the cost of the independent evaluation.
4. If the parents obtain an independent educational evaluation at private expense, the results of the evaluation:
- a) Must be considered by Griffith Public Schools at a case conference if it meets the Griffith Public Schools criteria in section 5.
 - b) Must be considered with any decision made with respect to the provision of a free appropriate public education for the child; and,
 - c) May be presented as evidence at a due process hearing or mediation regarding the child.
5. When an independent educational evaluation is obtained at public expense, the party chosen to perform the independent educational evaluation shall meet the following criteria:
- a) Licensure and training to provide educational evaluations in Indiana and consistent to the requirements of Article 7,
 - b) Knowledge of IDEA, Indiana Article 7 and guidelines for special education placement in Indiana.
 - c) Reside or maintain an office within the general area of Northwest Indiana.
 - d) Ensure independent evaluation includes all required components of Article 7 consistent with areas of suspected disabilities and address areas commonly associated with suspected disability.
 - e) Maintain a release of information and provide a copy of the reports, notes, and test protocols to Griffith Public Schools to be maintained as part of the student records.
 - f) Charge a rate not to exceed the prevailing market rates of Griffith Public Schools.

(As the authorizing agency agreeing to payment within the context explained, Griffith Public Schools will not provide payment until all assessment information and materials are received in full at the conclusion of the independent evaluation. If the IEE performed does not comply with Article 7 requirements, reimbursement can be denied.)

AND/OR are

- g) Listed on the Griffith Public Schools Independent Evaluators or Agency List, since these individuals or agencies are known to possess the licensure and training criteria established by Griffith Public Schools to complete educational evaluations. (If individuals from the below listed are used, the evaluator agree to coordinate with Griffith Public Schools on tests selected.)

6. An independent educational evaluation may be obtained in any of the following areas:

- ***Comprehensive Psychological Evaluation*** (which includes:
 - academic achievement, adaptive behavior,
 - cognitive ability,
 - developmental areas,
 - functional performance and behavior as defined and required by Article 7)
- ***Assistive Technology***
- ***Audiological Evaluation***
- ***Communication Skills***
- ***Orientation and Mobility***
- ***Occupational Therapy***
- ***Physical Therapy***
- ***Psychiatric and/or Educationally Related Medical Evaluation***
- ***Vision and Hearing Screenings***

7. Prior to the initiation of the independent educational evaluation, parents and Griffith Public Schools should confirm the qualifications of the examiner. Griffith Public Schools will make available a copy of the Article 7 requirements applicable to evaluations for independent evaluator. (See 511 IAC 7-40 et seq. and 7-41 et seq.)

INDEPENDENT EVALUTOR OR AGENCY LIST

Wee Care Therapy, Ltd
440 Edmond Drive
Dyer, IN 46311
(219) 322-1415

Barry Shear PhD
2004 Valparaiso St.
Valparaiso, IN 46383
(219) 464-1089

Tonia Kitchel, ED.S., IPE
Independent School Psychology Services
219-406-9273

OCCUPATIONAL AND PHYSICAL THERAPY EVALUATIONS

- Unlike Speech/Language Therapy, Occupational and Physical Therapy services are delivered as “Related Services” of Special Education in the public-school setting. By definition in state law “Related Services” means those services which are supplementary and complimentary to the instructional program and are required for a student to benefit from special education. Such services may be developmental, corrective, or supportive in nature. The public agency shall provide related services to a student if the case conference committee determines the student requires the related services in order to benefit from special education.
- On occasion, parents, physicians, or clinical therapists will request (or prescribe) therapy from school therapists without a clear idea of the function of public school-based therapy. If a request or prescription of this nature occurs, it is best to refer the individual to the Physical or Occupational Therapist.
- Consult with your school’s Physical Therapist for gross motor concerns, or Occupational Therapist for fine motor, self-help, or sensory concerns.
- GPS partners with Milestone Therapy, to initiate the request for a school-based OT or PT evaluation, you must first contact the OT or PT to discuss your concerns. Subsequent to the initial question about a need for the OT and/or PT, the **therapist** will:
 1. Observe and/or screen the student, may speak with the parents for additional information. A Milestone script must be completed by a Physician if the need is for PT. Once this has been completed, the PT/OT will notify the Case Manager to start the *Pre-Conference Planning* process which will generate a “Notice of Reevaluation” form that requests parent consent.
 2. Conduct the evaluation upon receipt of written parent consent.
 3. Complete the IIEP evaluation process.
 4. Consult with the TOR to arrange a case conference within 50 instructional days from when written parent consent was received;
 5. Present results of evaluation and recommendation regarding OT and/or PT in the case conference for determination whether the therapy is needed for the student to benefit from his/her special education program.

It is essential for the TOR or any other school personnel to whom a question about an OT and/or PT is directed to contact the therapist(s) as soon as possible.

WRITTEN NOTICE & PARENTAL CONSENT FOR AN EDUCATIONAL EVALUATION

The determination of eligibility for special education and related services must be preceded by an educational evaluation.

Eligibility Criteria

Parental consent is not required for the following:

- To review existing data as part of an educational evaluation.
- To administer a test or other evaluation that is administered to all students unless, before administration of the test or evaluation, consent is required from parents of all students.
- To screen students if a teacher or a specialist is using the information to determine appropriate instructional strategies for curriculum implementation.
- To collect progress monitoring data when a student participates in a process that assesses the student's response to scientific, research-based interventions.

Upon request for an educational evaluation, the School Psychologist, SLP, OT, PT or Case Manager member reviews all information and completes a Written Notice either agreeing to complete or refusing to conduct an Evaluation. This Notice is sent so that the parent receives this within 10 school days of the parental request, or the school's decision to evaluate.

This Written Notice includes:

- A statement that the school is either (a) proposing or (b) refusing to conduct the educational evaluation. This statement must include a description of each evaluation procedure, assessment, record, or report the school used as a basis for proposing or refusing to conduct the educational evaluation.
- A description of any other relevant factors.
- If the school is proposing to conduct the evaluation, the Written Notice provides:
 - A description of any evaluation procedures the school proposes to conduct.
 - The timeline for conducting the evaluation and convening the case conference
 - an explanation of how to request a copy of the evaluation report (at no cost to the parent) prior to the case conference.
 - An explanation of how to request a meeting with the school psychologist prior to the case conference.

- If the school is refusing to conduct the evaluation, the Written Notice provides an explanation of the parent's right to contest the decision by requesting mediation or a due process hearing.
- A statement that a parent of a student with a disability has protection under the procedural safeguards. A copy of the Procedural Safeguards must be provided to the parent with the copy of the Written Notice.
- A list of sources for parents to contact to obtain assistance with understanding special education rules and procedures.

This Written Notice also serves as the parental consent for evaluation. Parental consent for an initial evaluation is never construed as consent for initial provision of special education and related services.

It is the responsibility of the school psychologist, SLP, OT/PT, or Case Manager (depending on the reason for referral) to provide this Written Notice to the parent.

The psychologist, SLP, OT/PT, or Case Manager will complete the Written Notice in IIEP. Special Education teachers are NOT to complete the Written Notice section in the Pre-Conference Planning section of the IIEP.

For a re-evaluation request made during a case conference, special education teachers are NOT to finalize the IEP before the psychologist, SLP, OT/PT, or Case Manager goes into IIEP to complete the Written Notice. This must be within 10 school days of the case conference. If the request for re-evaluation is made outside of a case conference, the psychologist, SLP, OT/PT, or Case Manager will go in and complete the Written Notice.

Denial/Absence of Parental Consent for an Initial Educational Evaluation

In cases in which the school determines an educational evaluation should be conducted and the parent/guardian does not respond to requests for consent, school personnel may utilize home visits, counseling with parents, phone calls and further conferences to obtain consent. All attempts to obtain consent for the initial evaluation must be documented within the IIEP system. At least three attempts must be made to secure this consent, including sending a certified letter on the third attempt.

Using the Communication section of IIEP, staff must keep a record of attempts to obtain parental consent, including detailed records of telephone calls, copies of correspondence sent to the parent, and detailed records of visits made to the parent's home or place of employment.

A parent's refusal to agree to an evaluation must be documented in writing. *Best practice* is to have the parent(s) make note of their refusal on the Written Notice/Consent form by writing in "I do not give my permission for this evaluation" and signing/dating the form. It is imperative that the school send this to the Special Education M-Team immediately.

- If the parent does not respond to attempts to secure permission for an **initial** evaluation, or if the parent refuses to grant permission, the evaluation cannot proceed.

GPS does not violate its obligation under state law if it declines to pursue the educational evaluation in cases in which the parent refuses to give consent for the evaluation.

Denial/Absence of Parental Consent for a Re-evaluation

If the parent **refuses to grant permission**, the re-evaluation cannot be conducted. However, if the parent **does not respond** to reasonable efforts to obtain consent, GPS may proceed with the re-evaluation. GPS considers reasonable efforts as three attempts to secure permission, the last of which includes sending the parent a certified letter.

Using the Communication section of IIEP, staff must keep a record of attempts to obtain parental consent, including detailed records of telephone calls, copies of correspondence sent to the parent, and detailed records of visits made to the parent's home or place of employment.

GPS has letters that will be sent notifying the parent of the decision the M-Team has made regarding their decision or no response:

- Record Review Denial
- No Response on Initial Proposed
- No Response to Written Notice
- No Response Reevaluation

TIMELINES FOR COMPLETING EVALUATIONS

All educational evaluations are to be completed within the mandated timelines. To assist in assuring that the case conference is completed within the mandated timelines, the date and time of the case conference is determined at the time the parental consent for the evaluation is received. It is recommended that this conference be scheduled to occur within at least 40 school days from the initiation of the timeline.

Initial Evaluation Timelines

When a student is transitioning from early intervention to early childhood special education, the initial educational evaluation must be completed, and the case conference committee convened to ensure that the student receives special education services by his/her third birthday.

For all other students referred for an **initial** evaluation, the evaluation must be completed, and the case conference committee convened within fifty (50) school days of the date the written parental consent is received by licensed personnel.

This time frame does **not** apply in the following situations:

- When the student has participated in a process that assesses the student's response to scientific, research-based interventions (including a detailed, written notification to the parent when the student requires an intervention that isn't provided to all students in the general education classroom). In such a case, the time frame to complete an evaluation is twenty (20) school days.
- When the parent of a student repeatedly fails or refuses to produce the student for the evaluation.
- When a student transfers into GPS with a pending evaluation, if parent and school agree to a specific time when the evaluation will be completed.
- When the student requires a Manifestation Determination Conference, a 20-day timeline applies to the evaluation process.

Re-evaluation Timelines

The re-evaluation timeline depends on the purpose of the re-evaluation:

1. If the re-evaluation is being requested to determine the student's continued eligibility for special education services, the re-evaluation is due by the student's next annual case conference.
 - When the student requires a Manifestation Determination Conference, a 20-day timeline applies to the evaluation process.
2. If the committee suspects an additional or change in eligibility; or requires additional information to make decisions regarding special education and related services, testing must be completed, and the case conference held within fifty (50) school days of the receipt of written parental consent.
 - When the student requires a Manifestation Determination Conference, a 20-day timeline applies to the evaluation process.

MULTI-DISCIPLINARY TEAM (M-Team)

All initial evaluations must be completed by a Multi-disciplinary team (M-Team) following the receipt of informed parental consent. Students are typically evaluated in order by their due dates except in cases of extreme urgency (e.g. expedited evaluation recommendation at a Manifestation Determination Conference).

The M-Team of qualified professionals must consist of:

At least one teacher licensed in, or other specialist with knowledge in, the suspected disability (including teachers with Emergency Permits).

- A building-level special education teacher is involved by completing a classroom observation. The teacher must be licensed in or have knowledge of the suspected disability. Ideally, this is the person who will be the Teacher of Record (TOR) if the student becomes eligible for special education services.
- When there is no special education teacher available, the diagnostician may serve as the special education teacher on the M-Team.

School psychologist, except when the student is referred for a suspected:

- Developmental Delay
- Language Impairment or Speech Impairment

Classroom teacher

- It is strongly recommended that the general education teacher be a part of the team for any student; however, a general education teacher must be part of the Multi-disciplinary team for a suspected Specific Learning Disability.

SLP

- If the suspected disability is Speech Impairment only, the speech language pathologist may serve as the sole evaluator on the M-Team.
- If the suspected disability is Language Impairment only, the speech language pathologist is the individual who coordinates the M-Team. The M-Team for a suspected Language Impairment will most likely consist of: SLP, general education teacher, diagnostician, and any other person(s) having knowledge of the student.

Other members of the M-Team might include, but are not limited to: principal, speech/language pathologist, social worker, counselor, school nurse, etc. These members should be added to the team, especially if they have knowledge of the student.

ELIGIBILITY FOR SPECIAL EDUCATION SERVICES

A student's eligibility for special education and related services shall be determined by a case conference committee following a Multidisciplinary team evaluation (M-Team).

Eligibility for special education and related services means that a student's case conference committee has determined, in accordance with state law, that a student's disability or impairment adversely affects the student's educational performance (i.e. disability has a consistent and significant negative impact on the student's academic achievement or functional performance, or both) and, by reason thereof, the student needs special education and related services.

The determination for special education and appropriate special education services must be made considering all of the information contained in the educational evaluation report. It must not rely on any single measure or assessment as the sole criteria for determining eligibility or appropriate educational services.

A student shall **not** be determined eligible if the key factor in the determination is:

- Lack of appropriate instruction in reading, including the essential components of reading instruction, which means explicit and systematic instruction in:
 - Phonemic awareness
 - Phonics
 - Vocabulary development
 - Reading fluency, including oral reading skills; and
 - Reading comprehension strategies; **or**
- Lack of appropriate instruction in math; or
- Limited English proficiency; and
- The student does not otherwise meet the eligibility criteria

If a student only needs related services, but not special education, the case conference committee must not determine the student is eligible.

A student's academic and/or behavioral difficulties, which are adversely affecting his/her education should first be reviewed and addressed through a school-based general education intervention process.

Eligibility Criteria for Autism Spectrum Disorder

According to state law, **Autism Spectrum Disorder** is a lifelong developmental disability that includes Autistic Disorder, Asperger's Syndrome, and other pervasive developmental disorders, as described in the current version of the American Psychiatric Association's DSM.

The disability is generally evident before 3 years of age and significantly affects verbal, non-verbal, or pragmatic communication and social interaction skills and results in an adverse affect on the student's educational performance.

Other characteristics often associated include the following:

- Engagement in repetitive activities and stereotyped movements.
- Resistance to environmental change in daily routines.
- Unusual responses to sensory experiences.

Autism Spectrum Disorder does not apply if a student's educational performance is adversely affected primarily by an emotional disability, blindness or low vision, deaf-blindness, or an **intellectual** disability, unless the characteristics of ASD are demonstrated to a greater degree than is normally attributed to these disabilities.

The evaluation report must include assessment results aligned with the most recent DSM criteria for Autism Spectrum Disorder.

Identification and eligibility for special education is determined by a case conference committee considering the results of the Multidisciplinary Team Evaluation.

Eligibility Criteria for Blind or Low Vision

According to state law, the term **blind or low vision** (previously referred to as **visual impairment**) means a disability that, even with best correction, adversely affects the student's ability to use vision for learning, which adversely affects the student's educational performance.

The term:

- Includes a reduced ability or complete inability to utilize the visual system to acquire information; and
- May include or be limited to a reduction in field of vision.

Identification and eligibility for special education as a student who is blind or as low vision shall be determined by the case conference committee using the required assessment.

The school corporation educates students who have been identified as being blind or having low vision locally unless the case conference committee determines that services at the Indiana School for the Blind is the appropriate least restrictive environment.

Eligibility Criteria for Intellectual Disability

According to state law, an **intellectual disability** (previously referred to as mild cognitive disability, moderate cognitive disability or severe cognitive disability) is manifested during the developmental period and:

- Is characterized by significant limitation in intellectual functioning.
- Is demonstrating through limitations in adaptive behavior; and
- Adversely affects educational performance.

A student with a **Mild Intellectual disability** has **intellectual** functioning which generally falls two (2) or more standard deviations below the mean and manifests delays in adaptive behavior consistent with the mild **intellectual** disability.

A student with a **Moderate Intellectual Disability** has **intellectual** functioning which generally falls three (3) or more standard deviations below the mean and manifests delays in adaptive behavior consistent with the moderate **intellectual** disability.

A student with a **Severe Intellectual Disability** has **intellectual** functioning which generally falls four (4) or more standard deviations below the mean and manifests delays in adaptive behavior consistent with the severe **intellectual** disability.

Identification and eligibility for special education is determined by the case conference committee using the required assessment components. See "[Required Assessment Components for Eligibility Areas.](#)"

Eligibility Criteria for Deaf or Hard of Hearing

According to state law, the term **deaf or hard of hearing** (previously referred to as a hearing impairment) is defined as a hearing loss that:

- With or without amplification adversely affects the student's:
 - ability to use hearing for developing language and learning
 - educational performance; and
 - developmental progress
- The hearing loss may be:
 - permanent or fluctuating
 - mild to profound; or
 - unilateral or bilateral

Students who are deaf or hard of hearing may use spoken language or sign language or a combination of spoken language and signed systems.

Identification and eligibility for special education is determined by the case conference committee using the required assessment components.

The school corporation educates students who have been identified as deaf or hard of hearing locally unless the case conference committee determines that services at the Indiana School for the Deaf is the appropriate least restrictive environment.

Eligibility Criteria for Deaf-Blind

The term deaf-blind, which may be referred to as dual sensory impaired, means a disability that:

- Is a concomitant hearing and vision loss or reduction in functional hearing and vision capacity.
- Causes significant communication and adaptive behavior deficits.
- Adversely affects the student's educational performance; and
- Cannot be accommodated for by use of:
 - A program or service designed solely for students who are deaf or hard of hearing; or
 - A program or service designed solely for students who are blind or have low vision.

A student who is solely deaf blind is not considered to be a student who has multiple disabilities as defined in state law.

Identification and eligibility for special education is determined by a case conference committee using the required assessment components.

NOTE: The required medical reports for this disability should be completed by an optometrist or ophthalmologist and educational or clinical audiologist, otologist, or otolaryngologist.

Eligibility Criteria for Developmental Delay (Early Childhood)

According to state law, a **developmental delay** is a disability category solely for students who are at least three (3) years of age and not more than five (5) years of age or five (5) years of age but not eligible to be enrolled in kindergarten.

A developmental delay means a delay of either two (2) standard deviations below the mean in one (1) of the following areas or one and one-half (1.5) standard deviations below the mean in any two (2) of the following developmental areas:

- Gross or fine motor development
- **Intellectual** development
- Receptive or expressive language development
- Social or emotional development
- Self-help or other adaptive development

Identification and eligibility for special education is determined by the case conference committee using the required assessment.

The evaluation team and case conference committee may use the disability category of developmental delay or any of the other disability categories described in state law.

- Developmental delay cannot be used for students eligible for kindergarten. If there is another suspected disability, the student must be evaluated prior to entering kindergarten.

Eligibility Criteria for Emotional Disability

An **Emotional Disability** means an inability to learn or progress that cannot be explained by **intellectual**, sensory, or health factors

The student exhibits one or more of the following characteristics over a long period of time and to a marked degree:

- A tendency to develop physical symptoms or fears associated with personal or school problems.
- A general pervasive mood of unhappiness or depression.
- An inability to build or maintain satisfactory interpersonal relationships.
- Inappropriate behaviors or feelings under normal circumstances.
- Episodes of psychosis.

Identification and eligibility for special education is determined by a case conference committee using the required assessment components.

When there is a suspected disability, the case conference committee must complete the ED Checklist to document the presence or absence of an emotional disability.

Note: The completion and implementation of the FBA (Functional Behavioral Assessment) and BIP (Behavioral Intervention Plan) should be a component of the General Education Intervention process.

Eligibility Criteria for Language and/or Speech Impairment

A language or speech impairment (previously referred to as a communication disorder) is characterized by one (1) of the following impairments that adversely affects the student's educational performance:

Language impairments in the comprehension or expression of spoken or written language resulting from organic or non-organic causes that are non-maturational in nature. Language impairments affect the student's primary language systems, in one or more of the following components:

- Word retrieval
- Phonology
- Morphology
- Syntax
- Semantics
- Pragmatics

Speech impairments that may include fluency, articulation, and voice disorders in the student's speaking behavior in more than one speaking task that are non-maturational in nature, including impairments that are the result of a deficiency of structure and function of the oral peripheral mechanism.

A student is not eligible for special education and related services as a student with a language or speech impairment solely because the student's native language is not English. A bilingual student may have a language or speech impairment if the impairment is exhibited in both languages.

Students who are deaf or hard of hearing or have a specific learning disability and have language deficits or auditory processing difficulties are not eligible for language impairment services in lieu of services for deaf or hard of hearing or specific learning disabilities.

Identification and eligibility for special education is determined by a case conference committee using the required assessment components included in the multidisciplinary evaluation (M-Team). A Speech Language Pathologist must be a member of the evaluation team.

Eligibility Criteria for Multiple Disabilities

Multiple Disabilities mean coexisting disabilities, one of which must be a **significant intellectual** disability. The coexisting disabilities are lifelong and interfere with independent functioning, and it is difficult to determine which disability most adversely affects educational performance. The term does not include deaf-blind.

Identification and eligibility for special education is determined by the case conference committee using the required assessment components.

Eligibility Criteria for Other Health Impairment

Other Health Impairment means 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 such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and
- Adversely affects a student's educational performance

Identification and eligibility for special education is determined by the case conference committee using the required assessment components

Eligibility Criteria for Orthopedic Impairment

An **Orthopedic Impairment** is defined as a severe physically disabling condition that adversely affects educational performance. The term may include impairments caused by:

- Congenital anomaly.
- Disease, such as poliomyelitis or bone tuberculosis; or
- Other causes, such as cerebral palsy, amputations, or fractures or burns that cause contractures.

Identification and eligibility for special education is determined by the case conference committee using the required assessment.

Eligibility Criteria for Specific Learning Disability

Indiana State Board of Education Special Education Rules Title 511 Article 7 Rules 32 -47 have set forth a new process to determine a student's eligibility for Specific Learning Disability. The regulations state that the determination of a learning disability would be evident through either:

- An assessment of a pattern of strengths and weaknesses in performance, achievement or both, relative to age; state standards or intellectual ability **or**
- Through insufficient progress to meet age or state standards when using a process based on the student's response to scientific, research-based interventions.

The latter process referred to as early intervening services or response to intervention (RtI) involves school staff planning and collecting data regarding the student's response to scientific research-based interventions. As students participate in this process, it may become apparent that certain students have more significant needs and an evaluation is indicated. If the M- Team determines that the child is not responding to the interventions as set forth in the plan, a referral for special education assessment is initiated and parent permission is obtained to determine if the student qualifies as a student with a specific learning disability.

A **Specific Learning Disability** means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that adversely affect the student's educational performance, including conditions referred to, or previously referred to, as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. A specific learning disability:

- Manifests itself when the student does not achieve adequately for the student's age or to meet state approved grade level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the student's age or state approved grade level standards:
 - Reading disability, which is a specific learning disability that is **neurological in origin** and has a continuum of severity. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. A reading disability may be due to difficulties in:
 - Basic reading skills.
 - Reading fluency skills; and
 - Reading comprehension.
 - Written expression disability is a specific learning disability that is **neurological in origin** and has a continuum of severity. Written expression is a complex domain that requires the integration of oral language, written language, cognition, and motor skills.
 - Math disability is a specific learning disability that is **neurological in origin** and has a continuum of severity. The ability to perform mathematical computations

and reasoning requires multiple core **intellectual** processes. A math disability may be due to difficulties in:

- Math calculation; and
 - Math problem solving
- Oral expression disability is a specific learning disability that is **neurological in origin** and has a continuum of severity. It is characterized by deficits in using expressive language processes to mediate learning of reading, writing, spelling, or math skills.
- Listening comprehension disability is a specific learning disability that is **neurological in origin** and has a continuum of severity. It is characterized by difficulties in using receptive language processes to mediate learning of reading, writing, spelling, or math skills.
- Can be evidenced through:
 - Insufficient progress to meet age or state approved grade level standards in one or more areas identified when using a process based on the student's response to scientific research-based intervention: or
 - A pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state approved grade level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability. The multidisciplinary team is prohibited from using a severe discrepancy between academic achievement and global **intellectual** functioning to meet this requirement; and
- Exclusionary Factors: SLD does not include learning problems that are primarily the result of any of the following:
 - A visual, hearing, or motor disability.
 - An **intellectual** disability.
 - An emotional disability.
 - Cultural factors:
 - Environmental or economic disadvantage.
 - Limited English proficiency; or
 - Lack of appropriate instruction in reading or math evidenced by:
 - Data demonstrating that prior to, or part of the referral process, the student was provided appropriate instruction in general education settings, delivered by qualified personnel; and
 - Data based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the student's parents.
- The following are the assessment criteria for an SLD evaluation, according to Indiana Article 7:
 - An assessment of current academic achievement.
 - An observation of the student in the student's learning environment, including the general classroom setting, to document the student's academic performance and behavior in the areas of difficulty.
 - Available medical information that is educationally relevant.

- A social and developmental history that may include, but is not limited to, the following: communication, skills, social interaction skills, responses to sensory experiences, relevant family and environmental information, patterns of emotional adjustment, unusual or atypical behaviors.
- An assessment of progress in the general education curriculum that includes an analysis of any interventions used to address the academic concerns leading to the referral.
- Other assessments and information, collected prior to referral or during educational evaluation may pertain to:
 - difficulties in reading:
 - decoding
 - phonological awareness
 - phonological memory
 - phonological processing
 - orthographic processing
 - reading fluency (rate and accuracy); and
 - reading comprehension
 - difficulties in written expression:
 - handwriting, which encompasses:
 - fine motor skills
 - visual-motor coordination
 - visual and working memory; and
 - phonological and orthographic processing
 - spelling, which encompasses:
 - phonological and orthographic processing; and
 - written spelling ability
 - composition, which encompasses:
 - oral language
 - reading ability
 - attention; and
 - memory
 - difficulties in math:
 - nonverbal problem solving
 - working memory
 - long term memory
 - processing speed; and
 - attention

Identification and eligibility for special education is determined by the case conference committee using the required assessment components included in the multidisciplinary team evaluation (M-Team). **This includes available medical information that is educationally relevant.**

The General Education Intervention process must be implemented appropriately prior to determining eligibility for a specific learning disability. This includes using research-based interventions and monitoring student progress using systematic data collection.

According to state law, a written M-Team Report for Determining a Specific Learning Disability must be included as part of the case conference committee's discussion.

Eligibility Criteria for Traumatic Brain Injury

A **Traumatic Brain Injury** is an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a student's educational performance.

The term applies to open or closed head injuries resulting in impairments in one (1) or more of the following areas:

- Cognition
- Language
- Memory
- Attention
- Reasoning
- Abstract thinking
- Judgment
- Problem-solving
- Sensory, perceptual, and motor abilities
- Psychosocial behavior
- Physical function
- Information processing
- Speech

The term, traumatic brain injury, does not apply to brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

Identification and eligibility for special education is determined by the case conference committee using the required assessment components:

Eligibility	Assessment of Progress and Interventions	Social Developmental History	Cognitive	Academic	Systematic Observation Across Settings	Behavioral Emotional Functioning	Functional Behavioral Assessment	Adaptive Behavior Across Settings	Speech	Language	Written Medical Report	Fine Gross Motor	Other
Autism Spectrum Disorder	X	X		X	X			X		X		X	DSM 5 Checklist
Speech Impaired	X	X		X	X				X		X		
Language Impaired	X	X		X	X					X			
Deaf/Blind	X	X		X	X			X		X	X		O & M Assessment
Developmental Delay	X	X		X	X			X					
Emotional Disability	X	X		X	X	X	X						ED Checklist
Deaf/Hard of Hearing	X	X		X	X					X	X		
Specific Learning Disability	X	X		X	X								SLD Checklist
Mild Intellectual Disability	X	X	X	X	X			X					
Moderate Intellectual Disability	X	X	X	X	X			X					
Multiple Disabilities	X	X	X	X	X			X					
Orthopedic Impairment	X	X		X	X			X			X		
Other Health Impaired	X	X		X	X			X			X		
Severe intellectual Disability	X	X	X	X	X			X					
Traumatic Brain Injury	X	X	X	X	X			X			X		
Visual Impairment	X	X	X	X	X			X			X	X	Functional Assessment

DISMISSAL FROM SERVICES

If the school believes a student is no longer in need of special education services, an evaluation must be completed. The reevaluation component of IIEP must be completed, and parental consent needs to be obtained. If the parent disagrees, the school psychologist and Director may determine a reevaluation is not needed or determine not to pursue dismissal at this time. The student will remain in their present services until the parent agrees to the evaluation. If not, either the school or parent may make a request for mediation or a due process hearing. If the parent agrees, the evaluation is completed within 50 instructional days and a case conference convened to discuss the results. If the CCC determines it is appropriate to dismiss or discontinue the student from services, the parent must agree. If the parent disagrees, the same steps listed above should be taken to seek a consensus. Speech dismissals must be treated as re-evaluations. Parental permission must be obtained, and the process completed in Pre-Conference Planning. If a formal reevaluation using standardized assessments is not taking place, the SLP would uncheck all assessments that are automatically generated in IIEP since they would be conducting a comprehensive review of existing data that are non-standardized measures (parental input, teacher input, NWEA, grades, progress on goals, etc.). If discussed at an ACR; this provides a one-year timeline if Speech/Language is the primary. If done at the ACR then a Reevaluation Review must also be selected as the meeting purpose.

PROCEDURES FOR CONDUCTING AN ADDITIONAL EVALUATION FOR OT, PT, ASSISTIVE TECHNOLOGY OR FOR CONDUCTING A FUNCTIONAL BEHAVIORAL ASSESSMENT

The following guidelines are to be followed when the case conference committee has determined that an evaluation for OT, PT, or AT is necessary, or if the committee agrees to conduct a Functional Behavior Assessment once a student has already undergone an initial educational evaluation. Please note that consent for any additional educational evaluation must be done within the context of a case conference. It is not permissible to determine an evaluation is necessary outside a case conference. The case conference may be held via phone, as long as all proper procedures for complete documentation and notification have been followed. For a phone conference this would still include: gaining agreement from the parent for the date/time of the phone conference, generating a case conference notification and delivering that notice to the parent, gaining written permission to excuse any excusable conference participants, holding the phone conference with all required (not excused) case conference committee members, documenting in the case conference notes all discussion including parent agreement to time, date and location of conference, their input and agreement for the assessment(s), finalizing the IEP and distributing all copies as required.

CASE CONFERENCES

Notice of Case Conference

- Make every attempt to include the parent in the conference. You must make **three separate attempts** (call/email/send letter home) to schedule the conference at a mutually agreed upon time. Article 7 requires that you must send home a Notice of Case Conference and invite all participants for each attempt. The conference should be scheduled well enough in advance that the parents had plenty of notice.
- Be sure to log these and all parental contacts in IIEP including when the Notice of Conference (NOC), Procedural Safeguards, and Draft IEP are sent home. If the contacts are not logged, they did not happen!
- Conferences should be held at least two weeks prior to the expiration date!
- If the parent does not attend after the three separate documented attempts have been made, you may hold the conference without the parent on your second scheduled date. You must still include the other case conference members in this meeting and record the group discussion. In no way should the IEP lapse due to the parents not attending.

Initial Case Conference

If this is an initial case conference, the school psychologist or SLP will arrange the meeting of the Case Conference Committee with team members at a mutually agreed upon time. The conference will be scheduled within the mandated timeline upon receipt of the signed Notice of Initial Evaluation form (generated by IIEP). This allows all parties to have advance notice of the conference. Once a student qualifies and the Initial Case Conference has been held; the family must be walked directly to the building secretary, so they complete registration. The student **cannot** start if registration and verification have not taken place! If transportation is required it must be incited in the IEP and a form sent to the transportation department; services may take up to five days to be set up.

All other Case Conferences

The Teacher of Record is responsible for scheduling and conducting all other case conferences. The TOR is also responsible for contacting required participants, sending Notices to parents and other participants with proper advance notice.

- The Notice of Case Conference is required by federal and state law to provide advance notice to parents of any action the school is considering regarding their child's eligibility, evaluation, and/or special education services. It is important to note, that ANY decisions about these actions will be made in a case conference, with the parent's participation.
- The Notice of Case Conference must be sent to the parent prior to the conference.
- If this is an initial conference, it must be sent 5 days prior. The initial conference should be scheduled at the time of the referral, so this Notice will act as a reminder.

- For all other conferences, Notice must be sent 10 days prior to the conference.
- If parents are bilingual, the Notice may be sent to the EL department for translation.
- Meetings are often scheduled at the convenience of school staff, rather than parents; what can be done so that parents' time seems equally valued?
 - Call the parents personally and ask if meeting times fit with their schedules.
 - Provide an easy means for parents to indicate a meeting time preference - encourage parent to return the Notice of Conference to the school indicating other options.
 - Have substitutes/class coverage available so teachers can easily accommodate parents' requests.
 - Be aware of their situation and individual needs regarding scheduling.
 - Teleconference as an option.
 - Offer separate meetings when divorced parents don't get along.

Procedural Safeguards

Procedural safeguards should be emailed home with the Draft IEP or will be given to the parents at every conference:

- Initial Evaluation: with the Notice of Initial Evaluation.
- Annual Case Conference: offered at the conference.
- MDC: with the Notice of Case Conference.
- When a parent requests them.
- Upon the filing of a complaint or due process.

Procedural Safeguards can be located at the link below:

<https://www.doe.in.gov/sites/default/files/specialed/notice-procedural-safeguards-september-17-2019.pdf>

Case Conference Committee Considerations

The committee needs to consider:

- The strengths of the student and the concerns of the parent for enhancing the education of the student.
- The results and educational implications of the initial or most recent educational evaluation and other assessments of the student, including outside evaluations, medical reports, etc.
- Strategies, including positive behavioral interventions and supports, to address a student's behavior that impedes his or her learning or that of others.
- The language needs of a student with limited English proficiency, as those needs relate to the student's individualized education program.

- The communication needs of the student, and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode.
- The student's need for assistive technology devices and services.
- As appropriate, the results of the student's performance on any general statewide or local assessments.
- Any expected progress toward the annual goals and progress in the general curriculum, if appropriate.
- Instruction in Braille and the use of Braille for a student who is blind or has low vision.

Student Participation/Transfer of Rights

- The student must be invited to the ACR and provided with a NOC when the student enters 8th grade or becomes 14 years of age whichever occurs first.
- The CCC must develop a transition IEP when the student enters 9th grade or becomes 14 years of age whichever occurs first, or earlier if determined appropriate by the CCC.
- When a student becomes a student of legal age, as defined in 511 IAC 7-32-91, all of the rights that were formerly provided to the student's parents under this article transfer to the student of legal age. After rights transfer to the student in accordance with this section, the public agency must provide any notice required under this article to both the parent and the student. Transfer of Rights letters must be provide to both the student and parent one year in advance (ACR when the student is 17 years old).

Case Conference Participants Chart

Every participant for a case conference must receive a Notice of Case Conference. School must keep detailed records of attempts to arrange a mutually agreed upon date, time and place for the case conference (such as phone calls, notes or letter and/or visits to home or work).

Who must be Invited?	Initial Conference	Annual Conference or Revision	Transition Conference	When student is over 18 Years old	Can be excused from Conference?	Need consent to invite	Comments
Student	PD unless 18	PD unless 18	Yes -	Yes	Attempts	No	
Parent	Yes	Yes	Yes	No*	Attempts	No	
Public Agency Rep	Yes	Yes	Yes	Yes	Yes	No	This person chairs the CCC
TOR	Yes	Yes	Yes	Yes	Yes	No	SLP can be TOR
Gen-Ed Teacher	Yes	Yes**	Yes**	Yes**	Yes	No	At least <u>one</u> teacher
M-Team Member	Yes	No	No	No	No	No	At least <u>one</u> member

OTHER PARTICIPANTS INVITED UNDER SPECIAL CIRCUMSTANCES

No Public-School Rep	Typically, the principal of nonpublic school will be the representative to assist in developing a Service Plan	No	No	Student is placed by the parent
First Steps Rep	For First Steps students turning 3 years old, the First Steps Service Coordinator	Yes	Yes	Parent may refuse First Steps attendance
Transition (VR) Rep	With the consent of parent or student 18 years old agencies that are likely to be responsible for transition services	Yes	Yes	At age 14 or earlier if needed
State School Rep	If considering a State School (ISD, ISB etc.), person must be able to recommend admission and commit resources	No	No	
Private Facility Rep	A representative from the facility AND a Public Agency Representative. This CCC can be a telephone conference.	No	No	Student is placed by the Public School
Alternative Program Rep	If considering an Alternative Placement, person must be able to recommend admission and commit resources	No	No	No

PD = Parent Discretion or the parent makes the decision to have student attend the CCC

* = If the parent has not obtained guardianship or if no educational representative has been appointed.

** = Yes, if the student is participating in the general education environment. For preschool it may be a kindergarten teacher, preschool teacher or person knowledgeable about early childhood development.

LANGUAGE AND SPEECH IMPAIRMENT “ONLY” CASE CONFERENCES

The case conference committee and annual case review for a student suspected of having only a language and speech impairment shall consist of at least the following members:

- The student’s parent, unless the parent chooses not to participate.
- The student’s general education teacher, the building principal or the principal’s designee.
- The Speech and Language pathologist (as Teacher of Record).
- The student, if deemed appropriate, or for students over 18 years of age.
- If the purpose is for transition, a representative of other agencies, likely to be responsible for providing transition services, may be invited.

REQUESTING A CASE CONFERENCE

The parent, student over 18 years of age or the school representative may request a case conference. The TOR should be contracted to indicate the need and or purpose for a conference. A conference may be needed if the student is not meeting their goals, having behavioral issues, being considered for a change in placement or is being considered for expulsion. A simple meeting with the parent could be held for other issues, such as not doing homework or schedules.

ARRANGEMENTS AND NOTICE OF CONFERENCE

The case conference or annual review must be arranged to give the parents and other conference committee members adequate notice and ensure their participation. At least five (5) instructional days prior to the conference, the school staff needs to send home the notice of conference, filled out completely. Please use full names on the notice and do not indicate “TBD” for members. Within 48 hours of the conference, the IEP needs to be finalized by the ELC, and a copy sent home to the parents by the TOR. Signatures need to be gained as required.

INVITING POSSIBLE RECEIVING PRINCIPAL/TEACHER TO CONFERENCE

When a possible placement for a student is outside of the building, he/she is presently attending, but within the same district, a member of the Multidisciplinary Team should contact the possible receiving principal. The Multidisciplinary Team member responsible for setting up the case conference should invite the possible receiving principal and/or teacher to the case conference. The conference will be scheduled at a date, time and place mutually agreeable to the parent, current principal and teachers. The location should be agreeable to the parent but could be at the possible receiving school to provide an opportunity for the parent and student to visit the school.

PARENTAL CONSENT

Parental consent is required for the following:

- Initial Evaluation (Initial Evaluation Packet).
- Re-evaluation (Reevaluation Packet).
- Initial Special Education Services (Initial IEP).
- Access Public Benefit Government or Private Insurance.
- Release of Educational Records for Transition Services.
- Exchange of Records for Non-Public Schools (Release of Information).
- The Public Agency inviting a Transition Representative (Signed Notice of Conference).
- Any time a change is made to the IEP regarding services or placement, a parent signature is required. However, if 10 school days have passed and the parent has not signed the new IEP, it automatically goes into effect unless the parent files for Mediation or a Due Process Hearing. A signature is not required for a simple Revision.

GRADUATION

DIPLOMA OR CERTIFICATE OF COMPLETION

The assumption is that **all** GPS students will work toward mastery of state standards and receive a high school diploma. However, some students require extensive, repeated, individualized instruction and substantial support that is not of a temporary or transient nature to achieve measurable gains in grade and age-appropriate curriculum. These students may require substantially adapted materials and individualized methods of accessing information in alternative ways to acquire, maintain, generalize and demonstrate and transfer skills across multiple settings.

If curriculum modifications are needed over an extensive period of time and become a necessary support for the student's success, it may be appropriate for the case conference to consider placing the student on a Certificate of Completion track.

The recommendation of the school as to whether the student will be working towards a diploma or a certificate must be well documented. This is not a decision that should be taken lightly and will have lifelong effects. It can be a very emotional discussion with parents and should be handled with tact and compassion. Guidance Department staff should be invited to 11th and 12 grade Case Conferences or at an earlier date if the student is deficient in credits.

At age 14 (typically eighth grade), or earlier if determined by the case conference committee, a decision shall be made at the annual case conference as to whether the student will earn credits toward a high school diploma or work toward a Certificate of Completion.

- Work with the Guidance Department to gather data in making this decision; gather data over at least 3 years, preferable more.
- Parents must consistently be fully informed where student achievement is falling below grade level.
- Conduct a staffing with a support team member, guidance counselor, general ed teachers, building administrator, related services to discuss accommodations, strategies.
- A high school senior who has been working towards a diploma for four years cannot be changed to certificate at the end of the school year to allow the student to participate in graduation ceremonies.

Students on a diploma track are expected to follow state requirements and participate in all general education grade level curriculum with approved accommodations. Students in grades 3-8 will take ILEARN. High School students are required to take ILEARN at least once a year until

English 10 and Math 10 are passed. Students who are placed on a Certificate Track will be assessed with the Indiana Alternate Assessment.

DETERMINING HIGH SCHOOL COURSE OF STUDY

Students working toward a Core 40 or General education diploma need to follow all state requirements and take all required courses. Students need to take and pass the ILEARN for English 10 and Math 10.

In order to complete high school in a 4-year period, a student must earn an average of ten (10) credits during **each** school year in the appropriate courses. Specific requirements for earning a high school diploma are located in the Guidance Department or at the link below. Work with Guidance Department staff to assist parents and students in making realistic, achievable goals.

<https://www.doe.in.gov/school-improvement/student-assistance/indiana-graduation-requirements>

CERTIFICATE OF COMPLETION

A Certificate of Completion is an option for all special education students. Students who are working toward a Certificate of Completion participate in graduation ceremonies with their general education peers. The intent of the Certificate of Completion is to award a document to a special education student who completes the public education program as prescribed in their IEP. No distinction is made between a diploma and certificate at the ceremonies.

Four years of course work has been developed within the special education department for students to achieve this certificate. Courses focus on those life skills needed for independent living.

Vocational programs are available for students beginning in their freshman year. Students participate in a variety of job shadowing/training experiences while building a resume of employable job skills.

Students working towards a certificate of completion do not take the ILEARN but will be assessed on IAM by their teacher of record.

Students who have not earned a regular high school diploma may continue their education in the Panther Adult Program (PAP) or other adult education programs through the school year in which the student turns age twenty-two (22).

Remember: Any courses may be taken on a pass/fail basis for students who are **not** working towards a diploma.

Students not working towards a diploma do not participate in ILEARN or end of the course assessments but will be assessed on ISTAR. Goals and objectives must be **functional**.

Students working toward a Certificate of Completion should demonstrate:

- Achievement of the goals and objectives included in their latest IEP.
- 40 credits earned:
 - While we use the word credit for the requirements everyone must understand that credits earned for certificate track classes do not count as credits towards a high school diploma.
 - Certificate credits could include a combination of both certificate track and diploma track courses. Accommodations such as the pass/fail grading option for diploma track courses will allow the credit to be counted toward the 40 credits required for a Certificate.

ASSESSMENT/ACCOMMODATIONS

TESTING- ILEARN OR ALTERNATE ASSESSMENT

Criteria for Determining Participation in Alternative Assessment

The case conference committee (CCC) determines, based on the criteria provided and the student's individual and unique needs, whether a student with a disability will be assessed on academic achievement standards, on modified academic achievement standards or on alternate academic achievement standards. There are 4 criteria for the decision to place a student in the alternative assessment.

ACCOMMODATIONS INVOLVING AUDIO RECORDING AND ASSISTIVE TECHNOLOGY

Under federal and state law, the School Corporation is obligated to ensure that individuals with disabilities are not discriminated against or denied the opportunity to participate in any of the School Corporation's programs. At times, individuals with disabilities may require the use of an audio recording device or other assistive technology in order to participate in a program or meeting that is offered or conducted by the School Corporation. When an individual notifies a staff member of the need for such an accommodation, School Corporation personnel are expected to notify a building administrator, honor the accommodation, and perform his or her School Corporation duties in the normal course. If there are questions about the appropriateness of such an accommodation or the use of particular technology, School Corporation personnel are expected to address those questions to an administrator.

LEAST RESTRICTIVE ENVIRONMENT

LEAST RESTRICTIVE ENVIRONMENT (LRE)

The case conference committee shall ensure that a student with a disability is educated with students without disabilities to the maximum extent appropriate. A student with a disability shall not be removed from the general education classroom unless it can be documented that the student cannot achieve satisfactorily, even with supplemental aids and services or solely because modifications are needed in the general curriculum.

The student shall attend the home school with chronological aged peers unless the IEP requires a more restrictive placement. The same non-academic and extracurricular activities available to non-disabled students must also be available to students with disabilities.

The student with disabilities may participate in vocational education, art, music, family and consumer sciences, field trips, lunch, recess, athletics, graduation ceremonies, etc. if appropriate.

Related services should also be delivered in the least restrictive setting. Services to students with different disabilities may also be provided at the same time and in the same setting.

HEALTH & EVAC PLANS

Individual Health Plan

Individual Health Care Plans should be developed with the school nurse. Health Plans must be attached to the IEP when a student has medical needs that require significant support from Special Education and/or school nursing staff.

ALL of the student's teachers must receive a copy of the Individual Health Plan along with the IEP. A copy of the Individual Health Plan must also be included in the teacher's sub folder.

If an Individual Health Plan has been developed, it must be indicated under Aids and Supports in the Provisions section of the IIEP system. A statement should be added to the Aids and Supports section, designating that there is a Health plan for this student.

Individual Health Care Plans must be uploaded and attached to the IEP. Please include this statement on the Provisions page in IIEP. The Health plan must be attached to all copies of the IEP and the IEP at a Glance.

Health Plan must also be noted under Medical in the PLOP

Evacuation Plan

There is also a checkbox to indicate if the student has an Emergency Evacuation Plan on the Provisions page in IIEP. **If an Evacuation Plan is needed, the TOR must develop one and review/revise it at each IEP and any time a student's schedule or movement throughout the building changes.** The Occupational (OT) and/or Physical (PT) therapist, Building Principal, and General Education Teachers may assist in the development of this plan. It is important that more than one individual be involved in this plan.

The Evacuation Plan is to be building specific. If the student moves to a different school, the Evacuation Plan must be revised to reflect the new placement.

The TOR is responsible to:

- Provide ALL of the student's teachers with a copy of the Evacuation Plan along with the IEP.
- Ensure that any training has taken place.
- Provide a copy of the Evacuation Plan must be given to designated building evacuation administrator, individuals responsible for evacuation of student, and classroom(s) of student.
- All teachers must place a copy of the Evacuation Plan in the teacher's sub folder and it is encouraged that they **post it** alongside the classroom fire and storm drill information in each room where the student will be throughout the day.

FBA/BIPS

Planning Your Process:

- When the Teacher of Record (TOR) becomes aware that a student with a disability is having behavioral issues, this is a call to action.
- The TOR first reviews the student's current IEP and makes sure that it is being implemented as written.
- If it is not, the TOR should disseminate the IEP or IEP at-a-glance to staff and should report the failure to implement the IEP to administration. It is the responsibility of the administrator to ensure that staff comply and implement the IEP. The TOR continues to monitor and document the student's progress and determine if the behavior improves with proper implementation of the IEP.
- If the IEP is being implemented, the next step is to determine the impact of the student's behavior. Is the behavior significantly interfering with the student's learning or the learning of others? The TOR should consult with others in making this determination (parents, the student's teachers).
- If the answer is no or the behavior is relatively mild, the behavior may not require a formal behavior intervention plan (BIP).
- The TOR should start by gathering existing data (e.g., attendance, input from teacher, input from parents, grades, disciplinary referrals, visits to the nurse).
- The data should be analyzed to look for patterns and the absence of patterns, such as where the behavior does and does not occur, time of day, people present/not present, and type of environment (structured/unstructured).
- It is important for the TOR to utilize the building intervention team or behavior team to help develop a hypothesis of the function of the behavior and to then problem solve possible interventions.
- This process is a functional behavior assessment (FBA); however, if it is a review of existing information only, no written parental permission is needed.
- If the interventions selected require a change to the IEP, the TOR must schedule a case conference or may contact the parent to discuss a change to the IEP without a case conference (if local policy/procedures permit IEP revision with parent permission).
- If interventions can be implemented without a change to the IEP, interventions should be implemented with fidelity. The student's progress is monitored and documented. If the student makes appropriate progress, the TOR should consult with others to determine whether to continue the intervention or begin to fade the intervention. Share information about the student's progress with the parent.
- If the intervention process was unsuccessful or if the student's behavior is significantly interfering with the student's learning or the learning of others, it is advisable to do a more comprehensive FBA, including gathering new information.

- Written parent permission is required in order to gather new information as part of an FBA.
- The evaluation team reviews existing data and collects new information (e.g., interviews, observations, rating scales).
- The team analyzes the data to look for patterns and the absence of patterns, such as where the behavior does and does not occur, time of day, people present/not present, and type of environment (structured/unstructured).
- The team develops a hypothesis of the function of the behavior based on the data. The data collection, analysis, and hypothesis development are the FBA.
- A case conference is scheduled. The case conference committee (CCC) uses the information from the FBA to develop a BIP as part of the student's IEP.
- The IEP is then implemented, which includes the BIP. It is the responsibility of the TOR to disseminate information from the IEP to all relevant staff. When the IEP includes a BIP, staff may include personnel such as a recess monitor or bus driver.
- The student's progress is monitored and documented, based on the determinations in the IEP. If a change is needed, either a case conference is scheduled, or the TOR may contact the parent to discuss a change to the IEP without a case conference (if local policy/procedures permit IEP revision with parent permission).
- Article 7 specifically requires an FBA to be completed under the following circumstances:
 - ◆ As part of an educational evaluation to determine eligibility for an Emotional Disability.
 - ◆ When the student requires a manifestation determination, and the CCC determines that the student's conduct was a manifestation of the student's disability (unless an FBA has already been completed).
 - ◆ When the student requires a manifestation determination, and the CCC determines that the student's conduct was not a manifestation of the student's disability (as deemed appropriate, along with behavior intervention services and modifications to address the behavior violation so that it does not recur); When the student has been removed to an interim alternative setting for weapons, drugs, or serious bodily injury (as deemed appropriate by the CCC, along with behavior intervention services and modifications to address the behavior violation so that it does not recur).
- In addition to Article 7 requirements, local policy may be more restrictive and require an FBA to be completed at other times, such as after a specific number of disciplinary referrals or a number of removals.

What is a Functional Behavioral Assessment (FBA)?

The primary goal of a Functional Behavioral Assessment is to understand what the student is seeking through his/her behavior, and then design interventions that help the student meet his/her needs through more appropriate behavior. This process is not simply employed to eliminate undesirable behavior through the use of consequence strategies but is aimed at helping the student gain new skills or behaviors. It is vital to understand that behavior is related to the environment in which it is exhibited. The FBA process should reveal as much about the effectiveness or ineffectiveness of the settings and/or the environments as it reveals about the student's behavior. The FBA looks at a student's behavior, or pattern of behaviors, to develop targeted interventions which help a student function more appropriately in school settings. This is done by:

1. Gathering information about a student's behavior in various settings (homeroom, resource room, general education classrooms, hallways, lunchroom, playground/outside grounds, bus, etc.).
2. Exploring aspects of the instructional setting (including the nature of instruction, content of instruction, teacher/staff behavior, physical setting of the classroom, etc.) that impact student behavior.
3. Using the information to interpret (hypothesize) why the student is engaging in the target behavior.
4. Using the information and hypothesis to design a Behavior Intervention Plan (BIP) which will reduce the target behavior and increase the student's ability to utilize more appropriate behaviors to meet his/her needs/desires.

When do we complete a Functional Behavioral Assessment (FBA)?

IDEIA 2004 **requires** a Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) when a student with an educational disability (found eligible for special education services and with an IEP):

1. Engages in a pattern of behavior that adversely impacts his/her learning or the learning of others, or
2. When you are seeking to change a student's educational placement to a more restrictive environment in response to his/her behavior. Both suspension beyond 10 school days (cumulative) and expulsion are considered a change in educational placement under IDEIA 2004.

Students identified as having an Emotional Disability, by definition exhibit a behavior that adversely impacts their learning and academic performance. The assessment process used to identify a student with an Emotional Disability **must** employ a FBA as part of the initial assessment. **As a result, all students found eligible for special education as a student with an Emotional Disability must have a FBA, a BIP, and Behavior Goals in their IEP.**

School personnel are **strongly encouraged** to complete a FBA and BIP when there are ongoing behaviors that adversely impact any student's academic performance. FBA and BIP are considered 'Best Practice' and have been found to promote student success.

Two-Tiered System for FBA.

GPS employs a two-tier FBA process:

A **Simple FBA** process will be used to address common and/or high frequency behaviors that do not pose a significant risk to the safety of others.

An **Intensive FBA** will be conducted for students who:

1. Exhibit behavior that threatens or engages in actions that would likely result in serious injury (requiring immediate professional medical attention) or death to self or others.
2. Exhibit behavior that results in the extensive destruction of property (resulting in the completion of a police report).
3. Carry or transport weapons to school or school functions.
4. Have been diagnosed with clinical levels of mental health or emotional disorders that complicate assessment and impact behavior.
5. Engage in sexually provocative behavior in the school setting (e.g., stripping, masturbation, exposing genitals/private parts, etc.).
6. Are being considered to being placed in a self-contained classroom for more than 50% of the school day in response to their display of challenging behavior.
7. Display behavior that is impacted or influenced by other extenuating circumstances such as complex family dynamics that make behavior intervention more complex; or
8. Exhibit behavior that is highly resistant to behavior change efforts (e.g., the specific nature of the behavior or behavior that has not proven responsive to Simple FBA and BIP procedures).

Who is responsible for completing the FBA?

The responsibility to ensure that an FBA has been completed when required belongs to the Teacher of Record (TOR). That is, the TOR will facilitate the process and collaborate with IEP team members and others to ensure the FBA process is completed appropriately and in a timely manner.

When a student's behavior is thought to be adversely impacting his/her learning or the learning of others or when a more restrictive educational placement is being considered in part or in whole due to behavior, a case conference will be convened. The student's behavior will be discussed at this meeting and 1 or 2 behaviors will be targeted for intervention. The IEP Team should attempt to identify the target behaviors. At this case conference it is sufficient to:

1. Identify those behaviors the student displays that adversely impact their school performance.
[Important Note: ***This meeting is not to discuss the function of the target behavior. Discussing this in a large meeting will compromise data collection (independence of respondents).***]

2. Determine if any of the behaviors identified serve as a “**behavioral chain**”. That is, the student initially displays behavior X, s/he then displays behavior Y, and finally will escalate to behavior Z. This would suggest that addressing behavior X would likely eliminate the need to address behaviors Y or Z.
3. Explore the list of behaviors to identify potential “**classes of behavior**”. For example, a student might likely hit, push, kick, and bite himself or others for the same reason and could be classed as ‘aggressive behavior’ and targeted together. On the other hand, a student may, elope from the learning environment, engage in talk outs, refuse to complete his/her work, and fail to bring necessary materials to school. While all of these behaviors could be lumped under ‘off task behavior; - there is no reason all of these behaviors would likely serve the same function for the student. They may fail to bring necessary materials for a very different reason than leaving the instructional area (elopement).
4. Prioritize the identified behaviors to identify **one or two** that will be selected for intervention at this time. Often these behaviors are prioritized along the continuum of 1) dangerous, 2) destructive, 3) disruptive, and finally 4) maladaptive.
5. The IEP team should determine if the FBA being sought will be a Simple or Intensive FBA based upon the nature of the target behaviors and student needs.
6. Develop **operational definition** for target behavior(s) and **response definitions** (if needed).
[Note: The development of the operational and response definitions may need to be refined prior to data collection if IEP team members feel others need to participate in this process.]

** The Case Manager generates the necessary forms to obtain parent/guardian consent to initiate the FBA. **TOR** must give the signed consent for evaluation to the ELC immediately upon receipt. TOR is responsible for scheduling the case conference and ensuring the FBA is completed within 50 days.*

The FBA Process

Once the parental/guardian consent has been obtained, the TOR will convene an FBA Team Meeting (not a case conference) to outline the FBA process and establish roles and responsibilities for data collection.

	Simple FBA	Intensive FBA
<p>Team members with primary responsibility for data collection</p> <p><i>[Note: At times it may be considered helpful for others to participate in data collection and this will be facilitated by the staff identified (columns to the right) taking over their work responsibilities to allow them to collect data.]</i></p>	<ul style="list-style-type: none"> • Teacher of Record • Behavior Analyst 	<ul style="list-style-type: none"> • Behavior Therapist • School Psychologist • Diagnostician • ELC • School Administrators <p><i>Note: Not each of these individuals will necessarily be involved. This will be determined on a case-by-case basis.</i></p>
<p>Minimum data collected</p> <p><i>[Note: The TOR, in collaboration with others on the team, will identify the appropriate data to be collected. Additional data sources will be selected as needed on a case-by- case basis.]</i></p> <p><i>[Note: Efforts to validate the function of the behavior should be noted in the discussion of the hypothesized function. Validation efforts include triangulation (identification of three independent sources supporting your hypothesis) or functional analysis. Validation is mandatory for Intensive FBAs.]</i></p>	<ul style="list-style-type: none"> • Teacher Interview • Student Interview (if possible) • Parent Interview • FAST Tool • Behavior Tracking Sheet 	<ul style="list-style-type: none"> • Record review/Archival data review • Teacher Interview • Parent Interview • Student Interview (if possible) • FAST Tool • Frequency Data sheet • Direct Classroom Observation of the student in key settings

To facilitate this process the TOR will start by completing the **Functional Behavior Assessment Worksheet** (located on page 7) and delineate the data to be collected and in collaboration assign responsibilities to fellow team members and other school personnel as needed. The functional assessment of behavior is a dynamic process and may require modification as data collection progresses. During the assessment, the nature of the function, setting events, and contextual variables may shift the team's perspective of function and require additional data to be collected or eliminate the need to collect some data.

As the data is collected the TOR in collaboration with others on the team will attempt to promote an understanding of the function of the behavior, setting variables and contextual variables that impact the target behavior. The goal is to answer the following questions:

- Why does the student engage in the target behavior? What does she/he accomplish, obtain, or avoid as the result of these behaviors?
- What need(s) is the student attempting to meet through the display of this behavior?
- Are there specific situations, events, activities, settings, or people that tend to trigger the target behavior?
- Are there consequences that follow the display of the behavior that might serve to support the future display of the target behavior?
- Does the student have strengths and abilities that might be employed in efforts to teach and support an alternative or replacement behavior?

Behavior Intervention Plan (BIP) Process

The TOR, in collaboration with team members, will use the information gained in the FBA to inform the development of the BIP. For example, information gained on the function and/or need for which the target behavior is displayed should be used to identify the nature of the reinforcer to be used to support the display of the alternative or replacement behavior.

The Behavior Intervention Plan should specify clearly:

- The **Target Behavior** that was identified in the FBA.
- The hypothesized **Function(s) of the Target Behavior** and/or the Need the student is attempting to meet through the display of the target behavior.
- **Strengths and abilities** of the student that might assist in efforts to support an alternative or replacement behavior.
- What **alternative or replacement behavior** has been identified to be taught and/or reinforced that is reasonably calculated to meet the function or need identified in the FBA. Note: The alternative or replacement behavior must be one the student is likely to employ. If the display of the alternative/replacement behavior requires significantly more effort than the target behavior - it is unlikely to be successful. Promotion of an existing replacement behavior is typically most successful.
- Identify and clearly present the components of the actual **Behavior Intervention Plan**. These will include:
 - Necessary changes or supports within the social context/classroom to promote the display of the desired behavior (e.g., accommodations to the nature of the task, increased opportunities to be successful academically).
 - Necessary changes or supports within the social context/classroom to help prevent the display of the undesired behavior (e.g., teacher behavior when dealing with undesired behavior - tone of voice, choice of wording, etc.).
 - The specific actions school personnel and others will employ to support the display of the desired alternative or replacement behavior.
 - The specific actions school personnel and others will employ in response to the display of the undesired target behavior.

- Determined if a **Crisis Contingency Plan** is specifically relevant for this student given the nature of the target behavior (threatens immediate serious bodily injury to self or others).
- Identify one or more **behavioral goals** and ensure this is embedded within the appropriate location of the student's IEP.
- Identify how **data are to be collected** to track the change in the target behavior and the display of the alternative or replacement behavior. Ideally, provide copies of the data sheets and necessary procedures to be used within or included to the BIP document that must be uploaded into IIEP.
- Identify how the implementation of the BIP will be **monitored**. Identify who will be responsible for monitoring and how often this must take place (minimally). Provide a copy of any forms that will be used in the monitoring process.
- Identify how **parents or guardians** will be informed of this plan. Are there efforts that parents should consider to promote generalization of the desired behavior change to the home and community?

How Often Does the FBA and BIP Need to be Reviewed and/or Revised?

1. Upon completion of the FBA, a case conference meeting **must** be scheduled to develop the initial BIP. Following this case conference, a copy of the BIP must be uploaded to *Indiana IEP*.
2. The FBA **must** be reviewed at the annual case conference. The results of this review must be documented in the case conference notes of the IEP. A decision will be made about the need to conduct a new FBA and/or to revise the BIP. A review or revision can be sought more often if needed for the student to make progress.
3. The BIP **must** also be reviewed and/or revised as a part of the annual case conference. The committee will discuss, and a consensus arrived at regarding any changes to be made to the BIP. The discussion must be noted in the case conference notes of the IEP. If the BIP is revised, the new BIP must be uploaded into IIEP.
4. A goal to address the student's target behavior (adversely impacting his learning) **must** be included in the current IEP along with a copy of the BIP.

SECLUSION & RESTRAINT PLAN

A copy of this plan shall be available to students and their families. This plan is available on our district website and can be printed in each building office.

I. USE OF RESTRAINT

- A. Every effort shall be made to avoid the need for the use of restraint of a student.
- B. Physical restraint shall not be used except when used as a last resort and only when:
 - 1. The student's behavior poses imminent risk of injury to self or others; and,
 - 2. Other less restrictive interventions are ineffective.
- C. A student shall never be physically restrained by a school employee who has not received appropriate training by the school in the use of restraint procedures except in rare and clearly unavoidable emergency circumstances when fully trained school personnel are not immediately available. Untrained staff shall request assistance from trained staff as soon as possible.
- D. Physical restraint of a student may only be used for a short period of time and shall be discontinued as soon as the imminent risk of injury to self or others has dissipated, usually a matter of minutes.
- E. While transporting a student on a moving vehicle, a bus harness or other safety equipment may be required and is permissible for safety purposes. The need and use of any bus harness or safety equipment used to restrain a student during transportation must be documented. Mechanical or chemical restraints are otherwise not authorized.
- F. The use of any drug, medication, or other chemical to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health care professional) is prohibited.
- G. A school employee may never give a student any drug or medication that is not a standard treatment or dosage, or both, for the student's medical or psychiatric condition unless otherwise prescribed by a physician
- H. Every instance in which restraint is used shall be carefully, continuously, and visually monitored to ensure the safety of the student, other students and school employees.
- I. Immediately after the imminent risk of injury to self or others has dissipated, the student should no longer be physically restrained and a school employee, not involved with the restraint, shall examine the student to ascertain if any injury has been sustained during the restraint of the student.

II. WHEN RESTRAINT PROCEDURES SHALL NOT BE EMPLOYED

- A. Physical restraint shall not be used unless the student's behavior poses imminent risk of injury to self or others and other less restrictive interventions are ineffective.
- B. A verbal threat or verbally aggressive behavior does not itself indicate an imminent risk of injury and shall not result in restraint.

II. WHEN RESTRAINT PROCEDURES SHALL NOT BE EMPLOYED

- A. Physical restraint shall not be used unless the student's behavior poses imminent risk of injury to self or others and other less restrictive interventions are ineffective.
- B. A verbal threat or verbally aggressive behavior does not itself indicate an imminent risk of injury and shall not result in restraint.
- C. Unless a student's destruction or damage to property creates an imminent risk of injury to the student or others, the destruction or damage of property does not itself indicate an imminent risk of injury and shall not be the justification for restraint of a student.
- D. When known medical or physical condition of the student would make restraint dangerous for that, physical restraint shall not be used.
- E. Restraint shall never be used as a punishment, or to force compliance with staff commands.
- C. Unless a student's destruction or damage to property creates an imminent risk of injury to the student or others, the destruction or damage of property does not itself indicate an imminent risk of injury and shall not be the justification for restraint of a student.
- D. When known medical or physical condition of the student would make restraint dangerous for that, physical restraint shall not be used.
- E. Restraint shall never be used as a punishment, or to force compliance with staff commands.
- F. Prone or Supine forms of restraint are not authorized and shall be avoided.
- G. Seclusion or restraint shall never be used in a manner that restricts a child's breathing or harms the child.

III. USE OF SECLUSION

- A. Every effort shall be made to avoid the need for the use of seclusion of a student.
- B. Seclusion shall not be used except when used as a last resort and only when: 1. the student's behavior poses imminent risk of injury to self or others; and, 2. other less restrictive interventions are ineffective.
- C. A student shall never be secluded by a school employee who has not received appropriate training by the school in the use of restraint procedures except in rare and clearly unavoidable emergency circumstances when fully trained school personnel are not immediately available. Untrained staff shall request assistance from trained staff as soon as possible.
- D. Seclusion of a student may only be used for a short period of time and shall be discontinued as soon as the imminent risk of injury to self or others has dissipated, usually a matter of minutes.
- E. Every instance in which seclusion is used shall be carefully, continuously, and visually monitored to ensure the safety of the student, other students and school employees.
- F. Immediately after the imminent risk of injury to self or others has dissipated, the student should no longer be secluded and a school employee, not involved with the restraint, shall examine the student to ascertain if any injury has been sustained during the physical restraint of the student.
- G. Time out does not constitute seclusion.

All seclusion environments shall be inspected and shall:

1. Be of reasonable size to accommodate the student and at least one adult.
2. Be of reasonable size to permit students to lie or sit down.
3. Have adequate ventilation including heat and air conditioning as appropriate;
4. Have adequate lighting.
5. Be free of any potential or predictable safety hazards such as electrical outlets, equipment, and breakable glass.
6. Permit direct continuous visual and auditory monitoring of the student.
7. Permit automatic release of any locking device if fire or other emergency in the school exists
8. If locked, shall be automatically released after five minutes or with any building wide alarm (such as fire, tornado or code red alarm); and,
9. Shall meet current fire and safety codes.

IV. When Seclusion Procedures SHALL NOT BE USED:

- A. Seclusion shall not be used unless the student's behavior poses imminent risk of injury to self or others and other less restrictive interventions are ineffective.
- B. A verbal threat or verbally aggressive behavior does not itself indicate an imminent risk of injury and shall not result in seclusion of a student.
- C. Unless a student's destruction or damage to property creates an imminent risk of injury to the student or others, the destruction or damage of property does not itself indicate an imminent risk of injury and shall not be the justification for seclusion of a student.
- D. When known medical or physical condition of the student would make seclusion dangerous for that student, the student may not be secluded.
- E. Seclusion shall never be used as a punishment, or to force compliance with staff commands.
- F. Seclusion shall never be used unless a school employee can continuously monitor the student for visual or auditory signs of physiological distress and can communicate with the student.

V. TIME-OUT

Time-out is a behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time. Time-out occurs when the ability of a student to receive normal reinforcement in the school environment is restricted. Time-out shall be both developmentally and behaviorally appropriate and shall be short in duration.

VI. DEBRIEFING

- A. As soon as practical and after every instance in which seclusion or restraint is used on a student, the school administrator or designee shall do the following:

1. Meet with at least one school employee who participated in the implementation, monitoring, and supervision of the seclusion or restraint to discuss whether proper seclusion or restraint procedures were followed, including the use of proper procedures to prevent the need for restraint or seclusion.
2. Direct a staff person, who was not part of the seclusion or restraint of the student, to debrief the incident with the student in a manner appropriate to the student's age and developmental ability and to discuss the behavior(s), if any, that precipitated the use of restraint or seclusion.
3. Provide a copy of an incident report to the parent(s) or guardian(s) and offer the opportunity to request a meeting regarding the incident of restraint or seclusion.

VII. INCIDENT DOCUMENTATION AND REPORTING

A. Every instance in which seclusion or restraint is used on a student shall be documented in order to memorialize the events that led up to the use of either seclusion or restraint.

B. Documentation must be made on the form prescribed by the school and shall include the following:

1. The student's name.
2. The date and time of the incident.
3. The duration of any seclusion or restraint or the beginning and ending times of the restraint or seclusion, or both.
4. A description of any relevant events leading up to the incident.
5. A description of the incident or student behavior that resulted in implementation of seclusion or restraint including a description of the danger of injury which resulted in the seclusion or restraint.
6. A description of relevant interventions used immediately prior to the implementation of seclusion or restraint.
7. A summary of the student's behavior during seclusion or restraint, including a description of the restraint technique or techniques used and any other interaction between the student and staff.
8. A description of any injuries to students, staff, or others or property Damage.
9. A list of school employees who participated in the implementation, monitoring and supervision of the seclusion or restraint; and,
10. If applicable, a statement that intervention used was consistent with the student's most current behavioral intervention plan or IEP.

C. The building administrator or designee shall attempt to verbally report every instance in which seclusion or restraint is used on a student to the student's parent or guardian no later than the end of the school day or as soon as practical.

D. The building administrator or designee shall also send written notification, as soon as practical, to the student's parent or guardian after every instance in which seclusion or restraint is used on a student.

VIII. TRAINING

- A. The Griffith Public Schools will provide school employees with training on:
 - 1. Appropriate use of effective alternatives to physical seclusion and restraint.
 - 2. Conflict de-escalation procedures.
 - 3. Positive supports and behavioral interventions techniques.
 - 4. The dangers of seclusion and restraint.
 - 5. Procedures for contacting fully trained and certified staff when behavioral crises occur.
 - 6. The safe use of seclusion and restraint.
 - 7. Steps to avoid the use of seclusion or restraint.
 - 8. Debriefing practices and procedures. In addition, school employees must be trained.
- B. This training will be recurrent and will be provided to new school employees.
- C. A core group of appropriate personnel will be trained in each building in crisis intervention techniques, which will include the use of seclusion and restraint procedures.
- D. Recurrent training will be provided to school employees on a regular basis at least biennially.

Annual Review, Planning Process and Oversight:

- A. A Griffith Public Schools administrator (or designee) will be designated as the coordinator of data, planning and oversight of the use of seclusion or restraint procedures in the Griffith Public School Corporation.
- B. The Griffith Public Schools shall establish a Committee or use a standing committee to conduct an annual review of all individual and program-wide data associated with this policy. The Committee shall review the following components related to the use of restraint:
 - 1. Incident reports.
 - 2. Procedures used during restraint, including the proper administration of specific Griffith Public Schools approved restraint techniques.
 - 3. Preventative measures or alternatives tried, techniques or accommodations used to avoid or eliminate the need of the future use of restraint.
 - 4. Documentation and follow up of procedural adjustments made to eliminate the need for future use of restraint.
 - 5. Injuries incurred during a restraint.
 - 6. Notification procedures.
 - 7. Staff training needs.
 - 8. Specific patterns related to staff or student incidents.
 - 9. Environmental considerations, including physical space, student seating arrangements, and noise levels.
- C. Upon review of the data, the Committee shall identify any issues and/or practices that require further attention and provide written recommendations to the Superintendent of Schools for changes in policies or practices.
- D. The Committee can recommend review of the training program to ensure the most current knowledge and techniques are reflected in the Griffith Public Schools training curriculum.

Effective Time Out Procedures:

Effective time out procedures include multiple levels, with each level becoming more restrictive and exclusionary. It is important to note that for disruptive behavior requiring more restrictive interventions, once the behavior begins to de-escalate, transition to less restrictive forms of time out may make the return to regular classroom activities easier for the student.

Level I.

- A. Planned Ignoring: Ignore the student as long as possible if he or she is out of place or seat, noncompliant but not otherwise disruptive.
- B. Be (or have aide/ associate) available to counsel, provide one-to-one tutoring, or negotiate if the student is involved in a dispute.
- C. Modify/change student's assignment to get him or her re-involved with learning. Select a task that will provide immediate success.
- D. Separate student from others (i.e. Creative seat assignment).
- E. Send student out of room - on an errand, for a walk, to "cool off."
- F. Offer a "time-in" situation with a support person outside the classroom.
- G. Quietly praise other students for ignoring inappropriate student behavior.
- H. When possible, talk to disruptive student out of classroom away from other students so that he or she can save face.

Level II.

Level II time out is more restrictive than the first-level interventions. It is the exclusion of a child from positive reinforcing activities of the classroom without removing him or her from the room.

- A. Move student to different part of the classroom (i.e. closer to teacher, further away from audience).
- B. Avoid lengthy explanations to student. Simply say: "Because you _____, you go to time out for ____ minutes." Avoid other interaction.
- C. Allow student to take their own time-out.
- D. Keep time-out period brief. (Time out periods longer than 15 minutes rarely serve their intended purpose-temporary withholding of positive reinforcement. For time out periods longer than 30 minutes, a supervisory staff person shall be consulted about the appropriateness of continuing the time out procedure.) In-school suspension or other out of class but in school interventions shall be considered.
- E. The student shall be supervised at all times during the time-out period.
- F. The student shall still be able to access any lesson or instruction being offered to other students in the student's classroom.

APPENDIX & DEFINITIONS:

Behavioral intervention plan: A plan that is agreed upon by the case conference committee (as defined in IC 20-35-7-2) and incorporated into a student's IEP (as defined in IC 20-18-2-9) and that describes the following:

- (1) The pattern of behavior that impedes the student's learning or the learning of others.
- (2) The purpose or function of the behavior as identified in a functional behavioral assessment.
- (3) The positive interventions and supports, and other strategies, to:
 - (A) address the behavior; and
 - (B) maximize consistency of implementation across people and settings in which the student is involved.
- (4) If applicable, the skills that will be taught and monitored in an effort to change a specific pattern of behavior of the student.

The behavioral intervention plan seeks to maximize consistency of implementation across people and settings in which the student is involved.

Chemical Restraint: The administration of a drug or medication to manage a student's behavior or restrict a student's freedom of movement that is not a standard treatment and dosage for the student's medical or psychiatric condition.

De-escalation: Causing a situation to become more controlled, calm and less dangerous, thus lessening the risk for injury to someone.

School Employee: Any paid school staff, volunteer, contract employee, consultant or any other agent of the school or corporation.

Functional Behavioral Assessment: Has the same meaning set forth in 511 IAC 7-32-41.

Imminent: Likely to happen right away; within a matter of minutes.

Mechanical restraint: The use of a mechanical device, a material or equipment that is attached or adjacent to a student's body that the student cannot remove and that restricts the freedom of movement of all or part of the student's body or restricts normal access to the student's body. The term does not include a mechanical device, a material or any equipment that is used as authorized by a licensed physician or other qualified health care professional. The term also does not include a bus harness or other safety equipment that is used to restrain a student during transport when the harness or safety equipment is necessary for safety purposes.

Physical Restraint: Physical contact between a school employee and a student in which the student unwillingly participates and that involves the use of a manual hold to restrict freedom of movement of all or part of a student's body or to restrict normal access to the student's body. The term does not include (1) briefly holding a student without undue force in order to calm or comfort the student, or to prevent unsafe behavior, such as running into traffic or engaging in a physical altercation, (2) physical escort, or (3) physical contact intended to gently

assist or prompt a student in performing a task or to guide or assist a student from one area to another. The term does not include the use of a bus harness or other safety equipment that is used to restrain a student during transport when the harness or safety equipment is necessary for safety purposes.

Positive Behavior Intervention and Support: A systematic approach that uses evidence based practices and data driven decision making to improve school climate and culture, and includes a range of systematic and individualized strategies to reinforce desired behavior and diminish reoccurrence of problem behavior to achieve improved academic and social outcomes and increase learning for all students.

Prevention and Conflict De-escalation Training: Training which is provided broadly to school staff on how to prevent, defuse and de-escalate potential behavioral crisis situations without physical contact between a school employee and a student.

Seclusion: The confinement of a student alone in a room or area from which the student physically is prevented from leaving. The term does not include a supervised time-out or scheduled break during which an adult is continuously present in the room with the student.

Time out: A behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time. Time-out occurs when the ability of a student to receive normal reinforcement in the school environment is restricted.

Parent or guardian: The student's parent, legal guardian, surrogate parent or student over the age of 18.

Volunteer: A person who is eighteen (18) years of age or older, has regular and direct contact with students, and donates time, energy, or talent to various phases of school programs under the direction and permission of school district personnel for which the person does not receive monetary compensation.

CONFIDENTIALITY

The following are simple tips in working with students with special needs and their rights to confidentiality.

They have the absolute right to privacy.

What does this mean?

- ◆ Discuss student information only with people who work directly with the student. This means the child's teachers and principal.
- ◆ Student files are reviewed by only people who have a need to know about the child.
- ◆ Discussions regarding a student with special needs must be done in private – never in public or where others can hear the conversation.
- ◆ When people ask about a student with special needs that they do not work with, defer the question to your supervising teacher. You should not share any information. Politely pass the question on for the student's teacher to handle.
- ◆ The student's teacher is the direct line of communication with the parent. If a parent asks you questions, politely tell the parent the teacher would be glad to answer any of his/her concerns.

For more information regarding confidentiality and the student with special needs go to the GPS website and click on GPS Policies and Article 7.

PRESCHOOL EVALUATION PROCESS – FIRST STEPS REFERRALS

Children ages 0 to 3 years may be eligible for early intervention through Northwest Indiana First Steps. To make a referral, call (219) 662-7790 or <http://nwifs.org/>. GPS offers a continuum of services for children ages 3 to 5 who are eligible under Indiana's special education rules.

School Psychologists and/or Speech Language Pathologist may be assigned as the Case Manager for pre-school evaluations. The Case Manager is required to follow each step of the procedures:

- First Steps notifies school psychologist in District of potential children.
- Check child's 3rd birthday which is the compliance date for First Steps referrals.
- Checks with central office to verify home school.
- Completes First Steps Checklist form and notified district Data Coordinator who then creates a new STN and RA record for IIEP access.
- Opens case in IIEP, fills in parent information and information needed to get permission for assessment.
- Sends parent Assessment Reminder form to remind them of the date/time of the assessment and puts a copy in the child's file for future reference.
- Contacts any necessary related service providers for the evaluation (including speech, OT, PT), informing them of date/time of evaluation and granting them all access to IIEP if applicable.
- Verifies residency using home school corporation's protocol and required documentation, gets copy of birth certificate and completes Race/Ethnicity form.
- Obtains signature on day of evaluation gives parent additional forms to be completed as needed and gives them verbal notice of time/day for conference.
- Enters parent consent date into the Parent Response section of IIEP which sets the compliance date to the child's 3rd birthday and faxes signed consent (When the type of evaluation is selected as Initial (First Steps), the compliance date will always be the child's 3rd birthday).
- Administers IQ assessment (completed in round robin team approach).
- Collects completed paperwork from parent.
- Participates in team discussion regarding student following all scoring and collaborates with team to determine eligibility to recommend at conference.
- Completes the report writing for present levels of performance, social /developmental history, adaptive scales, IQ and any other protocols (social/emotional, autism, attention issues, etc.) and merges all reports from speech and related service providers as needed.
- Completes all portions of IIEP to generate the Notice of Findings and Eligibility areas (diagnostician to upload their reports and observation into IIEP after e-mailing those results to the school psychologist for review and also write goals if a child qualifies; school psychologist completes all additional IIEP paperwork).

- Uploads the evaluation report into IIEP and lists all persons who will be attending into IIEP (including receiving TOR if student qualifies for program and generates Notice of Findings and CC written notification and emails both to the parent(s)/guardian.
- School psychologist and/or Case Manager is responsible for setting CC date/time with the parent on the day of testing and give parent at least two written notices of conference.
- If compliance is in risk of not being met - contact the Director/ELC immediately.
- Keeps TOR and ELC informed of conference date/time and invites them to the conference.
- Attends all case conferences and presents findings to committee.
- Takes cc notes at conference, finalizes case on IIEP, disseminates paperwork to building secretary, parent, TOR if appropriate, and related service providers.
- Provides special needs transportation form to Transportation Department.
- Is responsible for re-scheduling missed appointments, sending out new notices of conference when conference is missed, and informing staff.
- The date for implementation of the IEP will be between one and two days before the child's third birthday. The implementation date for the goals will be that same date as this is the date FAPE is being offered.
- Ensures the parent has completed all enrollment paperwork with the building secretary.

PRESCHOOL EVALUATION PROCESS – PARENT REFERRALS

Prior to the School Psychologist and/or Speech Language Pathologist getting assigned to a pre-school evaluation, the following occurs when a parent calls GPS or the schools with a child who they suspect has a disability:

- If a parent calls GPS with a concern that their pre-school aged child may be eligible for special education, they are directed to the Case Manager who is assigned to process pre-school evaluation requests.
- The Case Manager completes a questionnaire via phone with the parent, which includes the Race/Ethnicity form and requests a copy of the child's birth certificate.
- The Case Manager mails the parent a packet of information to complete, which includes a screening date and time, for them to take to that screening
- Parent brings child to screening location at the appointed date/time.
- If the team decides the child needs to be evaluated, they will send the Case Manager the ECD Parent Referral form. If child was not deemed appropriate for testing via the screening process, and the parent is in agreement with this decision, the Case Manager is responsible for returning the incomplete ECD Parent Referral form to the M-Team office.
- The team will secure parent agreement with the decision not to move forward with an educational evaluation, in print.
- If the child is being evaluated, the ECD Parent Referral goes to the Data Coordinator who creates a new STN and a RA record for IIEP access.

Speech Language Pathologist and Diagnostician forwards any screening results that were completed prior to the School Psychologist getting assigned to a pre-school evaluation, the following occurs when a parent calls GPS or the school who has an identified disability:

- The school psychologist completes the EC Parent Referral form, but the screening process is skipped, and the case proceeds right to testing.

- School psychologists are assigned as the Case Manager for pre-school evaluations. In addition to the responsibilities outlined above, the school psychologist is required to follow each step of the procedures indicated below, when conducting an evaluation. Questions regarding the process need to be directed to the Director/ELC who is responsible for supervising the diagnostic staff.

Duties for the Case Manager for the preschool evaluation:

- Opens case in IIEP, fills in parent information and information needed to get permission for assessment.
- Contacts any necessary related service providers for the evaluation (including speech), informing them of date/time of evaluation and granting them all access to IIEP.
- Sends parent Assessment Reminder form to remind them of the date/time of the assessment and puts a copy in child's file for future reference.
- Obtains signature on day of evaluation, gives parent additional forms to be completed as needed, collects any completed forms given at screening, and gives them verbal notice of time/day for conference.
- Enters parent consent date into the Parent Response section of IIEP which sets the evaluation compliance date for 50 instructional days from date of consent, Easy Fax signed consent, provides date to evaluation team, adds student to the M-Team log.
- Administers IQ assessment (completed in round robin team approach) and scores test on site.
- Collects completed paperwork from parent.
- Participates in team discussion regarding student following all scoring and collaborate with team to determine eligibility to recommend at conference.
- Completes the report writing for present levels of performance, social /developmental history, adaptive scales, IQ and any other protocols (social/emotional, autism, attention issues, etc.) and merges all reports from speech and related service providers as needed.
- Completes all portions of IIEP to generate the Notice of Findings and Eligibility areas (diagnostician to upload their reports and observation into IIEP after e-mailing those results to the school psychologist for review and also write goals if a child qualifies; school psychologist completes all additional IIEP paperwork).

- Uploads the evaluation report into IIEP and lists all persons who will be attending in IIEP (including receiving TOR if student qualifies for program and administrator).
- Generates Notice of Findings and CC written notification and mails both to the parent(s)/guardian.
- Keeps TOR and Director/ELC informed of conference date/time and invites them to the CC.
- Attends all case conferences and presents findings to committee.
- Takes cc notes at conference, finalizes case on IIEP, disseminates paperwork to parent, TOR if appropriate, and related service providers.
- Provides special needs transportation form to Transportation Department.
- Is responsible for re-scheduling missed appointments, sending out new notices of conference when conference is missed, and informing staff of the same.
- Ensures the parent has completed all enrollment paperwork with the building secretary.

NON-PUBS

GPS provides special education and related services for all “nonpublic” or private, parochial and home-schooled students that meet the definition as such and are contained within the boundaries of GPS. These services include child identification and evaluation services, special education and related services to students with disabilities, due process and procedural safeguards according to 511 IAC Article 7. GPS reserves the right to determine the location of these services based on administrative need.

EVALUATION AND RECORDS FOR STUDENTS ATTENDING NONPUBLIC SCHOOLS

When a student attends a nonpublic school located within the boundaries of GPS, and the student lives within GPS boundaries as well, services will be provided as follows:

1. When an education evaluation is requested, GPS will complete the evaluation and conduct a case conference to determine eligibility.
2. If the student is determined eligible for services, the committee will develop an IEP and identify the appropriate services and programming for the student that would be provided if they attended public school (FAPE). The parents may consider that option. If they determine that these services are appropriate for their child, they may withdraw their child from the nonpublic school and enroll them in public school.
3. If the parent's do not choose to withdraw from the nonpublic school, they may not have the IEP services. They may sign the Affirmation of FAPE which explains that by not attending a public school, they agree to different special education services. If they choose to do so, they may then continue in the nonpublic school and the committee will develop a Services Plan for the student.

When a student attends a nonpublic school located within the boundaries of GPS, and the student lives OUTSIDE of GPS boundaries, services will be provided as follows:

1. When an educational evaluation is requested, GPS will meet with the parent to explain the evaluation process, including the right of parent(s) to elect that the school corporation where they reside complete the evaluation. The advantage to this is that the corporation where the family resides is the only entity that can offer FAPE or an IEP to the family. GPS may not do that. Additionally, the family may not obtain a Service Plan from GPS until an IEP from the home corporation has been offered and received by GPS.
2. Should the parents prefer GPS conduct the evaluation; GPS will continue with the same evaluation process that they use for students living within GPS boundaries. They will hold a case conference to review the evaluation results and determine eligibility. They will give the parents a copy of the evaluation and eligibility determination. They will request the parents give them consent to send a copy of the records to the school the child would attend in the corporation where the family lives. If parents give consent for this exchange of record, GPS

will send the records. If the parents do not give consent, GPS will not be responsible for sending any records; the parent will need to deliver them. Either way, GPS will then remove the case from their active system until such time that the parents present them with an IEP from their home corporation/building. (Diagnostic staff must notify data person in GPS to terminate the case.)

3. Should the parents prefer the home corporation conduct the evaluation; GPS will have the parents put in writing their decision to withdraw their request for evaluation from GPS. This will terminate the request for evaluation from GPS. (Diagnostic staff must notify data person in GPS for that to occur.) The parent(s) should then contact their home corporation and request in writing an assessment from them. After the evaluation is completed, and the child is found eligible for services and an IEP is developed, the parent(s) should bring that IEP to the nonpublic school/GPS. GPS will then conduct a conference to develop a Service Plan from that IEP for the student.

* any student moving into a private school within GPS boundaries, with an IEP, must be offered a Service Plan.

EVALUATION OF NONPUBLIC SCHOOL STUDENTS

The referred student lives within GPS: Diagnostic staff conducts a file review. Parent is notified of outcome of review. If student is being testing, diagnostic staff gains consent, conducts the evaluation and if eligible, develops an IEP (offer of FAPE).

- Parent/guardian chooses IEP, withdraws student from nonpublic school and enrolls in public school with IEP services.
- Parent/guardian elects to have student remain in nonpublic school. They refuse IEP and committee develops a Services Plan, after parent signs rejection of FAPE in the IIEP system.

The referred student lives outside of GPS: Diagnostic staff meets with parent/guardian, explains that they have the option to have their child evaluated by either GPS staff or from their home corporation.

- Parent chooses to have GPS conduct evaluation, which GPS does, including the determination of eligibility. Parents asked to sign consent to release evaluation and records to home school corporation. GPS may offer a Service Plan to any student who does not reside within GPS if eligible for services once the parent/guardian has signed the Rejection of FAPE form generated from IIEP.
- Parent chooses to withdraw request for GPS to conduct the evaluation and returns to home school corporation to request an evaluation. Diagnostic staff notifies data person at GPS to terminate record. Parent presents nonpublic school or GPS with the IEP from home corporation. GPS conducts an Initial Service Plan Conference to develop the Service Plan. Parent signs Rejection of FAPE form generated through IIEP.