

# NOTICE OF SPECIAL EDUCATION SERVICES AND PROGRAMS

## CHILD FIND AND ANNUAL NOTICE TO PARENTS (CFR 300.125)

In compliance with state and federal law, the districts listed above will provide to each protected handicapped student without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities. In order to qualify as a protected handicapped student the child must be of school age with a physical or mental disability, which substantially limits or prohibits participation in or access to an aspect of the school program.

These services and protections for "protected handicapped students" are distinct from those applicable to all eligible or exceptional students enrolled (or seeking enrollment) in special education programs.

For further information on the evaluation procedures and provision of services to protected handicapped students or eligible students, contact the appropriate district contact listed above.

Each school district, along with other public agencies in the Commonwealth, must establish and implement procedures to identify, locate and evaluate all children who need special education programs and services because of the child's disability. This notice is to help find these children, offer assistance to parents and describe the parent's rights with regard to confidentiality of information that will be obtained during the process. Each school district shall also conduct awareness activities to inform the public of gifted education services and programs and the manner by which to request these services and programs.

The content of this notice has been written in English. If a person does not understand any of this notice, he or she should contact the school district (see contacts) and request an explanation.

### IDENTIFICATION ACTIVITY

Child Find refers to activities undertaken by public education agencies to identify, locate, and evaluate children residing in the State, including children attending private schools, who are suspected of having disabilities, regardless of the severity of their disability, and determine the child's need for special education and related services. The purpose is to locate these children so that a free appropriate public education (FAPE) can be made available. The types of disabilities, that if found to cause a child to need services are: Autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment due to chronic or acute health problems, specific learning disabilities, speech or language, traumatic brain injury and visual impairment including blindness, in the case of a child that is of preschool age developmental delay. Screening activities are also conducted to determine student need for gifted support services.

The aforementioned school districts provide educational services for all eligible students either through district- operated classes, contracts with Intermediate Unit #1, or Approved Private Schools. Classes providing Learning Support, Life-Skills Support, Emotional Support, Physical Support, Multiple Disabilities Support, and Autistic Support are available for students at beginning school age through age 21, if necessary. Additional services include hearing, vision, and speech and language support. Students found to meet eligibility criteria as "mentally gifted" may receive services through district's Gifted Support programs.

Each school district is required to annually provide notice describing the identification activities and the procedures followed to ensure confidentiality of personally identifiable information. This notice is intended to meet this requirement.

Identification activities are performed to find a child who is suspected as having a disability that would interfere with his or her learning unless special education programs and services are made available. Children suspected of being "mentally gifted" who need specially designed instruction not ordinarily provided in the regular education program also go through screening activities. The activities include: review of group data, conduct hearing and vision screening, assessment of student's academic

functioning, observation of the student displaying difficulty in behavior and determining the student's response to attempted remediation. Input from parents is also an information source for identification. After a child is identified as a suspected child with a disability, he or she is evaluated, but is not evaluated before parents give permission for their child to be evaluated.

The school district will follow procedures outlined in the special education regulations (Chapter 14) for determining eligibility and need for special education services. Chapter 16 regulations will be followed to determine eligibility and need for Gifted Support services.

### **CONFIDENTIALITY (CFR 300.127)**

If after screening, a disability is suspected, upon your permission, your child will be evaluated. Written records of the results are called an education record, which are directly related to your child and are maintained by the school districts. These records are personally identifiable to your child. Personally identifiable information includes the child's name, the name of the child's parents or other family member, the address of the child or their family, a personal identifier such as social security number, a list of characteristics that would make the child's identity easily traceable or other information that would make the child's identity easily traceable.

The school district will gather information regarding your child's physical, mental, emotional and health functioning through testing and assessment, observation of your child, as well as through review of any records made available to the school district through your physician and other providers of services such as day care agencies.

The school district protects the confidentiality of personally identifiable information by one school official being responsible for ensuring the confidentiality of the records, training being provided to all persons using the information, and maintaining for public inspection a current list of employee's names and positions who may have access to the information. The school district will inform you when this information is no longer needed to provide educational services to your child and will destroy the information at designated intervals, except general information such as your child's name, address, phone number, grades, attendance record and classes attended, grade level completed, may be maintained without time limitation.

As the parent of the child you have a number of rights regarding the confidentiality of your child's records. The right to inspect and review any education records related to your child are collected, maintained, or used by the school district. The school district will comply with a request for you to review the records without unnecessary delay before any meetings regarding planning for your child's special education program (called an IEP meeting). Should you and your school district disagree about your child's special education supports and services and a due process hearing is requested, the school district will furnish you with the opportunity to inspect and review your child's records, within 30 days.

You have the right to an explanation and interpretations of the records, to be provided copies of the records if failure to provide the copies would effectively prevent you from exercising your right to inspect and review the records, and the right to have a representative inspect and review the records. This review is conducted with the assistance of an appropriate school district staff member.

Upon your request, the school district will provide you a list of the types and location of education records collected, maintained, or used by the agency. Additionally, the school district will charge a fee for copies of records made in response to your request except, it will not charge a fee if doing so will prevent you from inspecting and reviewing your child's records. A current list of reasonable fees relative to records request is available in the district's central office. The district will not charge a fee to search or retrieve information.

You have the right to request in writing the amendment of your child's education records that you believe are inaccurate or misleading, or violate the privacy or other rights of your child. The school district will decide whether to amend the records within 45 school days of receipt of your request. If the school district refuses to amend the records you will be notified of the refusal and your right to a hearing. You will be given at that time, additional information regarding the hearing procedures. Upon written request, the district will schedule and provide written notice of the hearing to challenge information in your child's education files.

Parent consent is required before personally identifiable information contained in your child's

education records is disclosed to anyone other than officials of the school district collecting or using the information for purposes of identification of your child, locating your child and evaluating your child or for any other purpose of making available a free appropriate public education to your child. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Additionally, the school district, upon request, discloses records without consent to officials of another school district in which your child seeks or intends to enroll.

A parent may file a written complaint with the Pennsylvania Department of Education at the address below alleging that the rights described in this notice were not provided.

**Pennsylvania Department of Education**

Bureau of Special Education  
Division of Compliance  
333 Market Street  
Harrisburg, PA 17126-0333

The Department of Education will investigate the matter, issue a report of findings and necessary corrective action within 60 days. The Department will take necessary action to ensure compliance is achieved.

Complaints alleging failures of the school district with regard to confidentiality of personally identifiable information may also be filed with:

**Family Policy Compliance Office**

U.S. Department of Education  
400 Maryland Ave, SW  
Washington, DC 20202-4605

The school districts listed above will provide ongoing screening services. If you wish to learn more, have questions, or believe your child may need to be identified, please contact your local school district contact.

**EARLY INTERVENTION IDENTIFICATION**

In Pennsylvania, a child between three years of age and the school district's age to begin school who has a developmental delay or one or more of the physical or mental conditions listed above, will be identified as an "eligible young child." The parents of these children have the same rights described above.

The Pennsylvania Department of Education is responsible for providing programs and services to eligible young children under Act 212 of 1990, the Early Intervention Services System Act. Screening for preschool children is available through the Child Alert Program operated by Intermediate Unit #1. To schedule an appointment for screening call Barbara Rothermel at 1.800.328.6481. For additional information, contact your local school district.

**POTENTIAL INDICATORS OF WEAKNESSES IN THE DEVELOPMENTAL DOMAIN AREAS AND OTHER RISK FACTORS THAT COULD INDICATE A DISABILITY** (Requirement of Section 14.212(b))

A developmental delay is determined by the results of a developmental evaluation. The results of one or more domain areas (adaptive, personal-social, communication, motor or cognitive) have to show at least a 25% delay or a score of 1.5 standard deviations below the mean (Standard Score of 77 or below). The delay results in the need for specially designed intervention/instruction (SDI) in order to participate in typical activities and routines.

Children with a developmental delay may show weaknesses in the following areas:

**Adaptive** – Pre-kindergarten aged children with a developmental delay may have difficulty dressing/undressing; using utensils to eat, removing shoes without assistance, distinguishing between nonfood/food substances, or have difficulty with toileting needs. One may have difficulty moving independently around the house, understanding that hot is dangerous, putting away toys when asked, indicating an illness or ailment to an adult, or demonstrating caution and avoiding common dangers.

**Personal-Social** – Pre-kindergarten aged children with a developmental delay may have difficulty responding positively to adult praise, rewards or promise of rewards; greeting familiar adults spontaneously, enjoying simple stories read aloud, helping with simple household tasks, initiating social interaction with familiar adults, expressing affection/liking for peers, playing cooperatively with peers, stating first name, last name, age, or whether he is a male/female; using objects in make-believe play, using ‘I’ or ‘me’ to refer to himself, or recognizing facial expressions of common emotions.

**Communication** - Pre-kindergarten aged children with a developmental delay may have difficulty following 2-step verbal commands, associating spoken words with pictures, recalling events from a story presented orally; engaging in extended and meaningful nonverbal exchanges with others, using words to get his needs met, responding to ‘yes’ and ‘no’ questions appropriately, or asking ‘wh’ questions.

**Motor** - Pre-kindergarten aged children with a developmental delay may have difficulty running without falling, kicking a ball without falling, walking up and down steps alternating feet without assistance, walking backward, imitating the bilateral movements of an adult, pointing with his index finger independent of the thumb and other fingers, scribbling linear and/or circular patterns spontaneously, using the pads of fingertips to grasp a pencil, holding a paper with one hand while drawing or writing with the other hand, fastening clothing without assistance, cutting with scissors, copying a circle, or imitating vertical and horizontal markings.

**Cognitive** - Pre-kindergarten aged children with a developmental delay may have difficulty attending to one activity for 3 or more minutes, reciting memorized lines from songs or TV shows, showing interest in age-appropriate books, matching/naming colors, responding to one and one more, giving three objects on request, matching shapes, identifying objects by their use, identifying items by size, identifying colors of familiar objects not in view, or identifying simple objects by touch.

## **OTHER FACTORS THAT COULD INDICATE A DISABILITY**

Developmental disabilities are birth defects related to a problem with how a body part or body system works. They may also be known as **functional** birth defects. Many of these conditions affect multiple body parts or systems. Researchers have identified thousands of different birth defects. Birth defects can have a variety of causes, such as:

Genetic problems caused when one or more genes doesn’t work properly or part of a gene is missing, problems with chromosomes, such as having an extra chromosome or missing part of a chromosome, environmental factors that the expectant mother is exposed to during pregnancy, such as Rubella or German measles or if she uses drugs or alcohol during pregnancy.

## **FACTORS CONSIDERED WHEN DETERMINING MENTAL GIFTEDNESS**

1. The child performs a year or more above grade achievement level in one or more subjects as measured by a nationally normed and validated achievement test.
2. The child demonstrates rates of acquisition/retention of content and skills reflecting gifted ability.

3. The child demonstrates achievement, performance, or expertise in one or more academic areas as evidenced by products, portfolios or research, as well as criterion-referenced team judgment.
4. The child demonstrates early and measured use of high level thinking skills, academic creativity, leadership skills, intense academic interest, communication skills, foreign language aptitude, or technology expertise.
5. The child demonstrates that intervening factors such as English as a second language, disabilities, gender or race bias, or socio/cultural deprivation are masking gifted abilities.