

NORWELL PUBLIC SCHOOLS



Office of Student Services

Special Education Procedures Manual

Revised: July 2017

Welcome to the 2017-18 school year! In this Special Education Procedures Manual for the Norwell Public Schools, you will find the current policies and procedures related to special education. Several of the procedures in this manual are currently undergoing revision. The procedures involving Instructional Support Teams (IST) and Response to Intervention (RtI) are being revised to reflect the Norwell Tiered System of Support. Additionally, procedures referencing the Massachusetts Comprehensive Assessment System (MCAS) are being revised to include information about the digital assessment.

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CHILD FIND

Procedures

The Norwell Public Schools, at least annually, reaches out to groups in the community who may be aware of students in need of special education and/or related services. These groups include shelters servicing students eligible for support according to the McKinney Vento Education Act for Homeless Children, group homes, agencies, parental and community organizations, other private or public schools, early intervention and health care agencies. Parents, who are concerned about their child's development, may contact the Office of Instruction at 781-659-8800 to request a screening or an evaluation as early as two and a half years old. All parents of two and three year olds receive this notification annually. All children are screened the first month of their Kindergarten year.

Local physicians, daycare providers and preschools in Norwell are encouraged to assist Norwell in finding eligible students. School districts must conduct child find activities to identify Norwell resident students whose parents have placed in a private school and who may have disabilities, including those students with special education needs placed in private schools out of state by their parents. In the fall notice is sent to all private schools, where Norwell students attend and in January another letter is sent to these schools.

The district conducts outreach with those groups below from which promotion or transfer of students in need of special education may be expected, or which would include students in need of special education:

- professionals in community
- private nursery schools
- day care facilities
- group homes
- parent organizations
- clinical /health care agencies
- early intervention programs
- private/parochial school
- other agencies/organizations
- the school or schools that are part of the district, including Horace Mann charter schools agencies serving migrant and/or homeless persons pursuant to the McKinney-Vento Education Act for Homeless Students

LIMITED ENGLISH PROFICIENCY

The family of every registering student is given a Home Language Survey to complete (see Appendix II for the *Home Language Survey*). The principal must notify the Director of Student Services of any student whose first language is other than English. This student will be assessed using a MELA-O and the Pre-LAS/LAS-RW. A TEAM of professionals, chaired by the guidance counselor, and referred to as the “Language Assessment TEAM” or “LAT” will determine whether this student is eligible for English Language Services.

Any student identified as an English Language Learner (ELL) is not automatically eligible for special education and/or related services. To be found eligible for Special Education and/or related services a TEAM of professionals, including an ESL teacher, must have formally evaluated, found the student to have a disability, and found the student to not be making effective progress in the regular education classroom. The basis of their decision cannot be based on the fact that the student is an English Language Learner. Moreover, the needs of English Language Learners should not be confused with those of students with disabilities. If regular education Teams need assistance with this distinction, a teacher familiar the education of ELL students will be conducted.

Norwell Public Schools will conduct all communication to a family whose first language is other than English in the primary language of the home. Additionally, Norwell Public Schools provides for oral translations of all parent/student/teacher meetings (including Special Education TEAM Meetings) for individuals who may require it. Norwell Public Schools has standing agreements with a number of interpreters for this purpose as well as a phone translation service. If a student or parent requires oral translations in their native language, the Special Education Building Coordinator and/or the Case Manager should notify the Director of Student Services within 24 hours so arrangements can be made to secure native language translation services. This oral translation is then documented in writing in the student record.

Communications with parents are in clear and commonly understood words and are in both English and the primary language of the home if such primary language is other than English. Any interpreter used in fulfilling these requirements is fluent in the primary language of the home and familiar with special education procedures, programs, and services. If the parents or the student are unable to read in any language or are blind or deaf, communications required by these regulations are made orally in English with the use of a foreign language interpreter, in Braille, in sign language, via TTY, or in writing, whichever is appropriate, and all such communications are documented.

If the district provides notices orally or in some other mode of communication that is not written language, the district keeps written documentation (a) that it has provided such notice in an alternate manner, (b) of the content of the notice and (c) of the steps taken to ensure that the parent understands the content of the notice.

Please see the “*English Language Learners Procedures Manual*” for more comprehensive information and related forms.

HOME OR HOSPITAL SERVICE

Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day of overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal arranges for provision of educational services in the home or hospital. Such services are provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal coordinates such services with the Norwell Public Schools Director of Student Services for the eligible student. Such educational services are not considered Special Education unless the student has been determined eligible for such services, and the services include services on the student's IEP (M.G.L. c. 71, s.38Q ½; 603 CMR 28.03(3)).

If, in the judgment of the student's physician, a student with an IEP is likely to remain at home, in a hospital, or in a pediatric nursing home for medical reasons and for more than sixty (60) school days in any school year, the Director of Student Services is required, *without undue delay*, to convene a TEAM meeting to consider evaluation needs and, if appropriate, to amend the existing IEP or develop a new IEP suited to the student's unique circumstances. (See 603 CMR 28.04(4).)

The Department of Elementary and Secondary Education recommends that the Director of Student Services convene the TEAM meeting within 10 school days after the school district is notified that the student is likely to remain at home or in the hospital for more than sixty days. This provision applies to all eligible students, including private school students who have been determined to need special education.

Please see the *Physician's Statement for Home or Hospital Education* Form.

EARLY CHILDHOOD EDUCATION

Referral & Screening

Referrals for screening and evaluations by the Early Childhood TEAM are received from parents (either independently or with the support of Early Intervention staff), community preschool programs, pediatricians, and/or community human services agencies and programs. Each year the Norwell Public Schools, in accordance with Child Find requirements, sends notice to the parents of students aged two or three explaining screening and referral procedures (see Appendix IV for a sample notice).

When a screening is requested an initial meeting/screening is scheduled with the parent/guardian in order to collect developmental information. Parents receive a package of material more clearly delineating the screening and referral process at the initial screening appointment. At that time, parents are asked to complete questionnaires regarding their child's development. Additional observations, medical information, and caregiver interviews may also be scheduled. The Early Childhood Special Education (ECE) Liaison will arrange for a special educator to complete the screening and review all pertinent information with the parent. A subsequent determination is then made of whether a referral for a Special Education Evaluation should be initiated or whether a referral to the Early Childhood Intervention Clinic may be appropriate.

Special Education Evaluation & Service Delivery

The Early Childhood TEAM, including an occupational therapist, physical therapist, speech/language pathologist, a developmental educator, and other professionals as appropriate will determine, in consultation with the parent, what the Special Education evaluation will include. After appropriate notification to the parent and receipt of signed parental consent, the initial evaluation is conducted. Discipline-specific assessments of young children are formal, informal, and developmentally appropriate. The Norwell Public Schools evaluates children as young as two and a half years old. The Early Childhood Evaluation TEAM makes every attempt to ensure that, if the child is found eligible, special education and/or related services begin as soon as the child turns three years of age. The ECE Liaison works collaboratively with the First Early Intervention TEAM to plan and execute a smooth transition for families and students from Early Intervention to Norwell Public Schools Early Childhood Education.

The evaluation of a two, three or four year old child should include assessment in all areas of suspected disability and an observation of the child in a natural environment by an educator qualified in observing and interpreting early childhood development. For children who are receiving service in Early Intervention, assessments from their service providers may be used to avoid duplicate assessment. Early Intervention service providers complete a Treatment Service Summary as a part of the Norwell Public Schools evaluation if several months have passed since they have evaluated the child. The Norwell Public Schools may choose to use an Individual Service Plan (ISP) to facilitate the transition of a student from an Early Intervention Plan to a Norwell Public Schools Individualized Educational Plan (IEP). The early intervention service coordinator, if the student has one, is always invited to the TEAM meeting.

The Norwell Public Schools, to the maximum extent possible, will ensure that tests and evaluation material are selected and administered so as not to be discriminatory on the basis race, gender, or economics. These assessments must be provided in the child's native language or other mode of communication (unless it is clearly not feasible to do so). Materials and procedures used to assess a child with Limited English Proficiency must be selected and administered to ensure that they measure the extent to which a child has a disability and needs special education and/or related services, and not the child's limited English proficiency.

A variety of assessment tools and strategies must be used to gather relevant functional and developmental information about the child, including information provided by the parent and information related to enabling the child to participate in appropriate activities. Assessment tools must include those tailored to assess the specific area of educational need. Assessment tools are further selected to ensure that if a tool is administered to a child with impaired sensory, manual, or

speaking skills, the measure must accurately reflect the child's aptitude or achievement level rather than reflect the impairment. No single measure may be used to determine eligibility (see 34 CMR 300.532).

In addition, the Norwell Public Schools Early Childhood TEAM uses a Transdisciplinary Play Based Assessment (TPBA) with some two and three year olds, especially those who are expected to require multiple services. The TPBA is done in a classroom setting, involves the whole TEAM (including the parent/guardian), and is videotaped. The assessment itself takes at least one hour to complete. Following the assessment a time is scheduled with the parent/guardian and TEAM to review the tape, discuss the therapist's observations and develop an appropriate plan.

Early Childhood Intervention Clinic

The purpose of Early Childhood Intervention Clinic (ECIC) is to provide a setting that promotes the development of motor and language skills as well as to provide parental support and education. The ECIC provides carefully designed intervention in a play-based setting to promote skill development that addresses the unique needs of the child. Each session may have an occupational therapy, physical therapy, speech/language, and/or early childhood education component, based on the identified needs of the children participating in each of the ECIC. There will be up to 6 children attending each ECIC. Children will be assigned to a clinic based on their individual needs. Children will work directly with the clinicians for 45 minutes. At the end of each session, 15 minutes will be dedicated to parent consultation (question/answer, handouts/teaching/home activities, and feedback/review progress).

All children will be re-screened to determine the level of progress made while participating in the ECIC. Children who score within the developmental norms on the re-screen will graduate from the ECIC. Children demonstrating improvement on re-screen but still not within developmental norms will participate in an additional ECIC (approximately halfway through the second ECIC, the child may be referred to the Early Childhood Evaluation TEAM if progress has reached a plateau). Children not demonstrating improvement on re-screen will be referred to the Early Childhood Evaluation TEAM.

KINDERGARTEN SCREENING

Overview

In September of each year the Norwell Public Schools places notice in all School Newsletters and local newspapers to advertise the screening of all children enrolled in Kindergarten in the town of Norwell (see Appendix V for a sample notice). Parents who have chosen not to send their children to Kindergarten may also have their children screened at this time. The Kindergarten Screening TEAM includes the elementary school psychologist, a developmental educator, and a speech/language pathologist.

Assessment & Procedure

The Kindergarten Screening TEAM uses three primary measures to conduct their screening: The Early Screening Instrument-K, a developmental checklist completed by the classroom teacher, and a parent interview. If behavioral or socio-emotional development has been identified as a concern, the classroom teacher or the developmental educator may complete the Norwell Public Schools Behavioral and Social/Emotional Development Rubric (NPS BSEDR, 2002, see Appendix VI).

Following identification of students the Elementary School Psychologist notifies the Kindergarten Screening TEAM, the school principal, and the classroom teacher of the screening date. Notification ordinarily occurs in the first weeks of October. Within two weeks of the screening, the Kindergarten Screening TEAM will meet with Kindergarten Teachers to go over the screening results. *The classroom teacher plays the central role in reviewing a child's progress in adjusting to the kindergarten environment.* The classroom teacher brings work samples, anecdotal records, drawings, and any other pertinent information to this meeting. The school nurse also attends, bringing all pertinent medical information as well as the results of the hearing and vision screening.

At this meeting of the Kindergarten Screening TEAM, students who may require a further evaluation are identified and referred, as appropriate. Often children are determined to be within appropriate developmental limits, while others may show slight delays in any number of areas on the screening instruments. These children will be re-screened mid-year to see if there are any concerns at that time. Parents are notified of the results of the screening the Monday following the meeting of the Kindergarten Screening TEAM, Nurse, and classroom teacher.

CONFIDENTIALITY

Overview

All employees of the Norwell Public Schools, including teachers, administrators, and clerical staff, are expected to maintain the highest level of confidentiality regarding information received through the review of student records, attendance at Special Education TEAM meetings, or discussions of student strengths and weaknesses among other staff. Parents often entrust employees with personal information about their child, family history, and their hopes/fears for their child's future. We are expected to respect this privileged information and guard as such.

General Information about the Student Record

The student record consists of the child's transcript, temporary record, and a record of the student's special education eligibility or program. There are several rights relating to the student's record. Parents/guardians (and under certain circumstances, the child) have a right to inspect and review any and all records relating to their child that are collected, maintained, or used by the school district. If the child's record includes information regarding another child, the parents have a right to inspect or review *only the information relating to their child*. The Norwell Public Schools will only limit parents' access to the student records if the district has received legal documentation that limits a parent's authority in this regard (for example, a divorce or custody decree that limits a parent's access to information about his/her child). For more information on rights associated with student records, please refer to 20 U.S.C., 1232g. Regulations: 34 CFR Part 99. (FERPA, Family Statute: Educational Rights and Privacy Act and Statute: 20 U.S.C., 1232 h. Regulations: 34 CFR Part 98 Protection of Pupil Rights Amendment (PPRA).

Electronic Mail

Communication by e-mail that includes identifiable information may be considered part of the student's record. Any correspondence by means of electronic mail should be free from any identifiable information and should not be used as a primary means of information transmission regarding students, student's families, or other confidential information. If required, electronic mail is subject to subpoena from a court of law.

The Student's Right of Access

Students who are 14 years old, or in the ninth grade, are legally granted all rights that parents have under the Massachusetts Student Record Regulations. A student aged 14 through 17 years, or has entered ninth grade, may access their records alone or with the accompaniment of their parent. Once the student has turned 18, the rights accorded parents under Student Record Regulations, become those of the student. However, parents may continue to exercise those rights unless the student makes a written request to the High School Principal or Superintendent to prevent them from doing so. If the student makes such a request, parents will no longer retain any legal right to view the records of their child.

Review of the Student Record

If a parent/s makes a request to review their child's student record, the Norwell Public Schools school must allow them access the record without any unnecessary delay and, in any event, no later than two school days after the request was made - unless the parent/s have agreed to a longer period of time. Parents' right to inspect or review the student's record include the right to do so before any meeting regarding an IEP or due process hearing relating to the identification, evaluation, or program placement of their child. Parents' right to inspect and review student records includes the right to:

- Obtain copies of any information included in the record upon request;
- Meet with qualified school personnel to have the student's record interpreted;
- Have a representative inspect, review, and interpret their child's record upon receipt of written request.

Access to the Student Record

The Norwell Public Schools is required to maintain a record of all parties who have inspected, reviewed, or had access to a student's record. This log does not apply to Norwell Public School employees who are working with this child.

Changing Information in the Student Record

Parents have the right to add information, comments, or data to the student record. They have the right to make a written request that something be removed from the student record and/or to confer with the principal to make their objection known. They have the right to include in the student record a written statement of their own opinion as to any decision regarding the objectionable data.

Limits to Confidentiality

It is important to balance the need of protecting the rights of students with the legal and ethical obligations to protect their well-being. There are circumstances in which it is neither possible nor appropriate to maintain the confidentiality of information for legal and other reasons. These include situations in which the student poses a severe risk of harm to themselves or to others, and cases of suspected physical or sexual abuse.

WHEN A STUDENT EXPERIENCES DIFFICULTY

When a student in the Norwell Public Schools experiences difficulty (including, but not limited to: learning, emotional or social development, medical or health related issues or behavioral difficulties) a teacher or parent may follow one of three avenues. The choice will depend on many factors.

Avenue One: District Curriculum Accommodation Plan

If a student experiences difficulty in the regular education setting:

“The principal shall implement the Curriculum Accommodation Plan adopted by the district and required under MGL c.71, S38Q. Such plan shall detail efforts that have been made or will be made to meet the needs of diverse learners in the general education program. As part of his/her responsibilities, the principal shall promote instructional practices responsive to student needs and shall ensure that adequate instructional support is available for students and teachers. Instructional support shall include remedial instruction for students, consultative services for teachers, availability of reading instruction at the elementary level, appropriate services for linguistic minority students, and other services consistent with effective educational practices and requirements of MGL c.71B, S2. The principal may consult with the Director of Student Services regarding accommodations or interventions for students. *Such efforts and their results shall be documented and placed in the student record. Additionally, if an individual student is referred for an evaluation to determine eligibility for special education, the principal shall ensure documentation on the use of instructional support services for the student is provided as part of the evaluation information reviewed by the TEAM when determining eligibility.*”

The Norwell Public Schools District Accommodation Plan, accompanied by a building-based Curriculum Accommodation Plan, is individually developed for each school and is included in the Student Parent Handbook. Each year the Curriculum Accommodation Plans are updated.

Please refer to Appendix VII for the *Norwell Public Schools District Accommodation Plan*.

Avenue Two: Instructional Support Team

The Instructional Support Team (IST) provides support to teachers as they develop alternatives for students experiencing difficulties (behavioral, social or academic) in the general education classroom. The IST is school- based and uses a collaborative problem-solving approach. The IST ensures that the needs of students who are experiencing difficulty in school are identified and that a variety of solutions and interventions are implemented. In addition, the support of guidance counselors, curriculum or technology specialists, administrators, Team leaders, and community agencies may provide ideas and/or peer assistance to their colleague, or offer suggestions for better utilization of resources or staff time.

When a teacher is seeking assistance regarding a student or students who are experiencing difficulty in his/her classroom, they should submit an Instructional Support Team Meeting Form (see Appendix VIII) to their principal or guidance counselor.

All IST documentation will be compiled and stored at each building as designated by the principal. Additionally, should the child be referred for an evaluation to determine eligibility for Special Education or related services the IST documentation will become part of the referral packet submitted to the Office of Instruction.

Examples of Possible IST Interventions:

After school subject assistance
Parent Conference

Student Success Plan
Reading
MCAS Math Class
Tutorial
Big Brother/Sister
Social Skills Group with the Guidance Counselor
Individual Counseling
Behavior Management Plan

Examples of Possible IST Accommodations:

Breaks
Extra Time
Peer coaching
Direct Instruction in area of difficulty e.g., phonics, handwriting, etc

Examples of Possible IST Modifications:

Individualized Homework Assignments
Reduced requirements
Grading only on work completed
Modified Curriculum Reading Level

The Individuals with Disabilities Education Act 2004 (IDEA 2004) requires that no instructional support program or any other intervention limit the right of a parent to refer his/her child for a special education evaluation. When a parent referral has been received and the IST has not discussed the student, it is the responsibility of the Building Coordinator to encourage the parent to allow the district to pursue this level of intervention. The parents' right to refer, however, should not be impeded. If a referral for a special education evaluation has been made and the district has asked for and received parental consent for an evaluation, then evaluation information from any instructional support program should be made available to the Special Education TEAM to consider when determining if the student is eligible for special education and/or related services.

Before the IST may refer a student for special education evaluation with a suspected disability of Specific Learning Disability (SLD), the IST should be able to answer two questions:

1. To ensure that underachievement in the area of concern is not due to lack of appropriate instruction in reading or math has the student has been provided appropriate instruction in the general education setting and has that instruction been delivered by qualified personnel?
2. Has there been data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the student's progress and has this documentation been provided to the student's parents?

Why does the IST have to answer these questions?

The passage of IDEA 2004 brought about significant changes related to specific learning disabilities. While the definition of SLD has not changed, the new regulations require a component of general education responsibility as well as changes in the determination of special education eligibility process.

Before a student can be found eligible for special education with a Specific Learning Disability, there must be assurances that the student has been given appropriate opportunities to learn in a general education environment from a qualified professional. During this time of general education instruction, data-based documentation of repeated assessments of achievement must be collected to reflect the student's progress. The law requires this documentation to be provided to the

student's parents.

If the school does not have the necessary information to show that the student has had adequate educational opportunities, then the special education referral request is not ready to proceed until that information is available. Circumstances that could contribute to not having enough information include:

- the student is new to the U.S. educational system and past records have not come with him/her, or
- the student has a history of moving from state to state and records have become lost in the moves.

Without knowing how the student responds to a general education environment, the school will not be able to determine if the student has a Specific Learning Disability because by nature of the definition, the student must have been given the chance to learn before it can be determined that he/she has a disability that interferes with learning.

The Instructional Support Team and Response to Intervention

At the elementary level, the IST also coordinates the implementation of the Response to Intervention program. Within this context the IST works together to identify student strengths, interests, and talents and review baseline data that has been collected. Discussions will focus on student placement and movement along the tiers of the RTI model. This will allow the IST to set projected outcomes and methods for measuring progress and design specific intervention plans. They will continue to review and monitor intervention plans and develop a plan to communicate plan/results with students' parents.

The Instructional Support TEAM meetings are chaired by the assistant principal in each of the four school sites. Core membership also includes guidance counselor, instructional tutors, general education teacher, special education Building Coordinator, and school psychologist. The following disciplines may also be represented on an as-needed basis – reading specialist, special educator, nurse, and selected specialists (occupational therapists, physical therapists, speech and language pathologists). Discussion and decision making should be time efficient and data driven.

The IST will meet on a regular basis with predetermined time slots on a rotating cycle according to grade level. The IST discussions should focus on students who are not responding to their current level of intervention as according to the RTI model. The IST will discuss different research based instructional approaches that may prove productive for promoting growth in student skills at all Tiers. After discussion, the IST may recommend continuing with a given student's current tier or progress them to the next tier as according to the RTI model. If a student does not respond to the general education interventions (Tier I, Tier II, Tier III), then the IST will refer the student to be assessed in order to determine qualification for special education services.

Avenue Three: Initial Referral for Special Education and/or Related Services

A student may be referred for an evaluation by a parent, a caregiver, a physician, or the school-based Instructional Support TEAM. The following procedures are required by 603 CMR 28.4 regarding referral:

1. When a student is referred for an evaluation to determine eligibility for special education, the school district shall send written notice to the child's parent within five days of receipt of the referral.
2. The notice required by 603 CMR 28.04 shall meet all of the content requirements set forth in MGL c. 71B, Sec 3 and in federal law and shall seek the consent of the parent for the evaluation to occur, and provide the parent with the opportunity to express any concerns or provide information on the student's skills or abilities.
3. The IST should provide the student's parents/guardians with the opportunity to consult with the Director of Student Services or his/her designee to discuss the reasons for the referral, content of the proposed evaluation, and evaluators used.

4. Upon receipt of parent referral the IST procedures will initiate and occur concurrently with the Special Education Eligibility process. This will facilitate the TEAM having enough documentation of interventions, and subsequent response, in order to determine eligibility. After speaking with the teachers and parent, it is the responsibility of the Building Coordinator to submit the referral with any documentation and a checklist with recommendations for the scope of evaluation to the Director of Student Services.

IST Referral for Special Education and/or Related Services. Once the IST has determined that all regular education interventions have been exhausted and that the student continues to experience difficulty in academic, behavioral or social-emotional areas, a Referral for a Special Education TEAM Evaluation should be submitted to the Director of Student Services. A checklist indicating what assessments the IST has recommended should accompany any pertinent documentation (please see Appendix IX for IST Checklist). The IST referral should include all relevant information about intervention attempted or any other supportive activities which have been attempted. The referral should also include documentation of parent involvement in the determination to refer, interventions that have been attempted and their effectiveness, and parent input regarding recommended assessments.

If warranted the Special Education TEAM Chairperson in each building will schedule a meeting with Special Educators, Classroom Teachers, Administrators, and other appropriate TEAM members to determine what steps should be taken next. If the meeting revealed that all regular education intervention efforts were not been implemented to the maximum extent possible, or if the documentation of such efforts is insufficient, the referral will be returned to the building Principal for further action.

Parental Referral for Special Education and/or Related Services.

When a student is referred for an evaluation by his/her parent, this request is sent immediately to the Director of Student Service. The school district is responsible to respond to the parent's request within 5 school days. The Director of Student Services, or his/her designee will, with input from the student's teachers and other professionals, determine what assessments will be recommended and seek consent of the parent for an evaluation as well as provide the parent the opportunity to express any concerns or provide information on the student's skills or abilities and have input regarding the assessments of the evaluation.

The staff-initiated assessment checklist is sent to the Office of Instruction after being completed by the IST or the student's teacher and signed by the principal. If a parent has requested the evaluation, the parent's written request must accompany the referral form. The Director of Student Services must approve the components of every evaluation. The Administrator will confer, when necessary with parents, IST members, related service providers or Evaluation TEAM members, in order to ensure that all necessary assessments are included as part of the evaluation.

When a student experiences difficulty in a Private School

Students whose parents have placed them in a private school are also entitled to an evaluation by the public school district where they reside. The school district of residence must evaluate private school students upon referral to determine eligibility and develop and implement IEP's for eligible students that provide special education and related services that are comparable in quality, scope and opportunity for participation to those provided in the public school. Under state law, services described by the IEP that are funded with state or local funds must be provided in a public school facility or in another public or neutral site (603 CMR 28.03 (1)(e)(3)). These services must be described in a properly developed IEP and the student has individual rights and full access to the state due process procedures.

Private school students receiving services from Norwell Public Schools must be reported to the Department of Elementary and Secondary Education as a part of the SIMS reports. The Norwell Public Schools uses our information management system, X2, to make such reports. At the preschool level such information is managed by the school secretary. At the elementary, middle, and high school level records of such students are maintained and reported by the Administrative Assistant to the Office of Instruction

Out of State Students Enrolled In In-District Private Schools

The Norwell Public Schools consults with private schools and provides special education evaluations for referred students. Eligibility is determined in accordance with federal and state regulations. Any out-of-state eligible private student is provided with an individual service plan (ISP). All related requirements information is provided to the out-of-state parent.

Notification of Intent to Evaluate and Request for Consent

The Principal or the Building Special Education Liaison assigns a special education aide each year to distribute notifications in each building. Notification of the referral is sent home with information regarding the Norwell Public Schools Special Education Parent Advisory Council and the consent form for parent signature. The assigned special education aide notifies all evaluators that the consent has been received and the timeline dates. The aide logs receipt of the consent in the School's Special Education Log. The timeline for the evaluation to be completed is established. It is district procedures that the evaluations of all TEAM Members should be completed twenty-five days after the consent is received. All evaluations are available for review by all TEAM Members during the following week. The Case Manager notifies all TEAM Members that the evaluations are ready for review and sets the date for the Special Education Eligibility TEAM Meeting and, if eligible, the IEP development meeting to occur within forty-five days from date of parental consent.

Informed Parental Consent

Informed consent is a legal condition whereby a person can be said to have given consent based upon an appreciation and understanding of the facts and implications of an action. In the case of informed parental consent for Special Education Evaluations, parents should be notified, in writing, of all recommended/requested assessments, what these assessments may consist of, and the possible implications and use of the results of the assessments. Please see Appendix X for sample parental consent form.

Initial Evaluation

Within five days of the receipt of the referral packet, parents of a student referred for an initial evaluation will receive notice of the School Department's intent to evaluate their child (see Appendix X). A Parents Rights Brochure accompanies notices for initial evaluations. All other families of students with an IEP receive the Parent's Rights Brochure the first week in December. A parent may waive any of the specific assessments requested by the TEAM (See Appendix XI for Sample Waiver Form). Upon receipt of the parent's signed consent to evaluate their child, the Building Coordinator will instruct the special needs aide to distribute the details of the evaluation to TEAM members along with due dates for assessment completion and the TEAM meeting. No assessments may begin until informed parental consent is received.

Three Year Reevaluation

It is the responsibility of the Special Education Building Coordinator and/or the Case Manager to generate the notice to reevaluate and the parental consent form to a parent at least three months before the Individual Education Plan of a student will expire, two years and ten months following the original IEP effective date. If the TEAM decides that no assessments are needed to determine if the student is eligible for special education and/or related services, the TEAM may recommend *in writing* to the parent:

1. That no further assessments are needed at this time and the reasons for this;
2. That the parent has a right to request a full evaluation or a specific an assessment

A parent may waive any of the specific assessments requested in an evaluation.

Documentation of multiple efforts to contact a parent in order to gain their consent must be submitted to the Office of Special Education before proceeding with a reevaluation without parental consent.

RESPONSE TO INTERVENTION: OVERVIEW & PROCEDURES

Overview of Response to Intervention

Response to Intervention (RTI) is an assessment-intervention model that allows schools to deliver sound instructional methods to all students. In RTI, all students are screened and monitored for specific educational outcomes, and those needing additional assistance are given targeted intervention that is monitored systematically using scientifically based data recording procedures. RTI uses a multi-tier model of intervention. Each tier represents an increasing level of instruction matched to the student's needs. Movement between tiers is decided by the Instructional Support TEAM based on student academic growth measured through screening and progress monitoring.

Over the years, the education policy and law has increasingly recognized the importance of prevention and intervention for student learning. Recent changes in two major US education policies (i.e., No Child Left Behind, NCLB; The Individuals with Disabilities Education Act, IDEA 2004) reflect this importance. With the implementation of NCLB, IDEA 2004 and subsequent changes to the Massachusetts education regulations, school districts are required to use a systematic data based RTI model in general education prior to identifying students with a specific learning disability. Norwell's adoption of the RTI model aligns our practices with the laws as put forth in the NCLB and IDEA 2004.

Development of Response to Intervention in Norwell

Implementation of RTI began in Norwell with a TEAM collecting data, research and consulting with other professionals during the period from December 2007 through May 2008. In June of 2008, Elementary school focus groups, K-2, were brought together at both the Cole and Vinal schools. Members of these groups included the Director of Student Services, Building Principals, Assistant Principal, Reading Specialists, Guidance Counselors, School Psychologist, Special Educators, Special Education Building Coordinator and the grade level classroom teachers, Kindergarten through Second Grade. At this time, an overview of RTI was presented. Current practices of regular education support as well as RTI developmental perspectives were discussed.

The next step in the implementation process was the formation of a week long summer RTI Task Force to be charged with developing a working draft for Fall 2008 implementation of an RTI pilot program in all K-2 classrooms in Norwell. The program then rolled out into grades 3-5 during the summer and Fall of 2009 and is now operational in all grades, K-5. The district is planning roll-out into grades 6-8 and 9-12 in the coming years.

All students, Kindergarten through grade five, are screened three times per year in the Fall, Winter, and Spring according to a detailed screening schedule. Based on the results of this screening and the student's response to intervention provided they will be placed in progressively more focused and intense intervention groups.

Tier 1 intervention reflects a strong general education curriculum. Students who are not making adequate grade level progress will be targeted for more specific intense intervention in Tier 2. General education instruction will be taught by the classroom teacher. Universal screening will be administered by the Classroom Teacher and the RTI Instructional Tutors. Progress monitoring will also be their responsibility.

Tier 2 represents those students who need more intensive and specific instruction in order to be successful in school. As depicted in the graphic above, these students should represent the bottom one third of all students participating in the Universal screening. They will be provided with small group instruction in addition to the general curriculum. These services will be provided either in the classroom or at the learning lab by instructional personnel. Progress will be monitored closely with research base interventions provided by the RTI Instructional Tutors.

Tier 3 represents those students who do not adequately respond to the targeted interventions in Tier 2 and should represent approximately one third of those students initially receiving Tier 2 intervention. Additional screening will be provided and

these students will receive intensive interventions targeted to the skills at risk. Student/Teacher ratio will be smaller and more intensive instruction will be provided by the RTI Instructional Tutors and appropriate academic specialists.

SPECIAL EDUCATION TEAM EVALUATION: OVERVIEW & PROCEDURES

Overview

State and federal law require evaluation in the areas of suspected disability. The evaluation should be comprehensive and child-driven. No single procedure should be used as the sole criterion for determining eligibility. The IST, with input from the parent, determines the questions to be answered by the evaluation. Norwell Public Schools utilizes a variety of assessment methods to guarantee that the Special Education Eligibility Determination TEAM will have an understanding of the student's suspected disability and its effect on the child's ability to make effective progress in school. Evaluation may include both formal and informal assessments. Under specific circumstances a Norwell Public Schools Special Education Eligibility Determination TEAM may request that the school district contract with an outside agency or evaluator to assist with a part of the evaluation. However, in most cases the Norwell Public School Special Education Eligibility Determination TEAM completes all requested assessments.

The intent of a TEAM approach in evaluation is to ensure that a comprehensive picture of student functioning within a school environment will emerge. *No individual assessment or assessor may determine eligibility for special education and/or related services.*

Expedited Evaluations

When the Norwell Public Schools determines a need to expedite a student evaluation to determine eligibility for procedural disciplinary safeguards the student will receive all safeguards until the evaluation is completed. The parents are immediately presented with related permission to evaluate notices with the Notice of Procedural Safeguards. Norwell staff is explicitly directed to begin assessments upon receipt of signed parental permission and depending on district staff availability; contracted services may be utilized to expedite the process. The TEAM eligibility and if eligible the IEP development meeting is scheduled as soon as assessment reports are completed.

Assessment Selection

All assessment measures used in the Norwell Public Schools must be validated, administered, and interpreted by trained individuals, tailored to assess specific areas of educational and developmental need. All assessment measures should be selected and administered to reflect aptitude and achievement levels and related developmental needs, as free as possible from cultural and linguistic bias, provided and administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally. The Norwell Public Schools ensures that assessment measures, not only those designed to provide a single general intelligence quotient, when administered to a student with impaired sensory, manual, or speaking skills, accurately reflect the student's aptitude or achievement level or any other factors the test purports to measure. All assessment measures used have been found to evidence appropriate technical soundness, reliability, and validity.

The Norwell Public Schools, when interpreting evaluation data and making decisions, uses information from a variety of sources to gather relevant functional and developmental information, including information provided by the parent. We ensure that information obtained from these sources and subsequently used to make eligibility and placement determinations conforms with placement in the least restrictive environment, and that information related to enabling the student to be involved in and progress in the general curriculum.

Required Assessments

The following assessments are completed by appropriately credentialed and trained specialists for each referred student by assessment(s) in all areas related to suspected disability(ies) including consideration of any needed assistive technology

devices and services and/or instruction in Braille:

1. An educational assessment by a representative of the school district which includes a history of the student's educational progress in the general curriculum;
2. An assessment by a teacher/s with current knowledge regarding the student's specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district's general education curriculum;
3. An assessment of the student's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults;
4. FOR CHILDREN BEING ASSESSED AT AGE THREE (3): an observation of the child's interactions in the child's natural environment or early intervention program is strongly encouraged together with the use of current assessments from early intervention TEAMS to avoid duplicate testing.

Limited English Proficiency

Any student referred for a Special Education Eligibility Evaluation who has been determined to be an English Language Learner (as identified by the procedures outlined in the *Norwell Public Schools English Language Learner Manual*) has the right to an evaluation conducted in the student's native language. The Special Education Building Coordinator will notify the Director of Student Services when they submit the Evaluation Proposal Form (see Appendix XLIII for the *Evaluation Proposal Form*) of the need for assessors who speak the student's native language. The Director of Student Services, using a variety of contact sources, will contract with the evaluators and arrange for their assessment services within the specified timelines for Special Education TEAM meetings as delineated by the Commonwealth of Massachusetts Regulations and the Massachusetts Department of Elementary and Secondary education.

SPECIAL EDUCATION TEAM MEETING: TIME LINES & PROCESS

Norwell Public Schools has a two meeting model for all Initial and Re-Evaluations: Meeting 1: Eligibility Determination; Meeting 2: IEP Development & Placement. While the district implements a two meeting model, the entire process must be completed within the timelines as established by the Massachusetts Regulations and the Massachusetts Department of Elementary and Secondary Education. In some instances, there may be a third “Placement” meeting – but not for the vast majority.

A properly constituted TEAM should have four representatives (as a basic minimum): an individual with the ability to commit the resources of the town, a general education teacher, a special education teacher and the student/parent or guardian. While it may be permissible for a parent to not attend a Special Education TEAM meeting - no meeting shall proceed without an individual with the ability to commit the resources of the town, a general education teacher, a special education teacher.

If a member of the TEAM is unable to attend, the “Waiver of Attendance” form must be completed just prior to the meeting beginning (please see Appendix XLIV for the *Waiver of Attendance* form). It should be noted that any individual who has attendance has been excused from a TEAM meeting must submit written input to the TEAM. Such input should be submitted to the TEAM Chairperson not less than three days prior to the TEAM meeting. Should the parent not waive the attendance of the TEAM member, the TEAM must re-convene at another time with that TEAM member present.

For initial and re-evaluation meetings, the TEAM has thirty (30) days from the receipt of parental consent to complete all assessments, and then an additional fifteen days in which to hold an eligibility meeting and, if eligible, develop an IEP (total of forty-five (45) days from the receipt of parental consent). District procedures dictate that assessments are to be completed not more than 25 days following parental consent, with reports being available to other TEAM members for review within 30 days following parental consent.

Re-Evaluation Meetings

The re-evaluation process begins about three months prior to the IEP expiration. The case manager completes the “Evaluation Proposal” form and submits it to the Office of Instruction for approval (see Appendix XLIII). As soon as it is received, a new workflow in X2 (the district’s electronic student information database) is begun. It is the responsibility of the Case Manager to send out the NIA and consent form. If the parent wishes to waive any parts of the assessment, send out the Assessment Waiver form (see Appendix XI). Once consent is received, distribute the “Evaluation Proposal” form to all TEAM members. This will be the indication to them that consent has been received and the evaluation may proceed.

Annual Review Meetings

It is the procedure of Norwell Public Schools that all Case Managers begin to plan for a student’s Annual Review Meeting beginning approximately two months prior to the expiration of the currently active IEP. At the two month mark, the Case Manager should set up a TEAM Meeting for roughly one month prior to the IEP expiration date. The Case Manager must begin a new workflow in X2 to begin this process. When an IEP is written, even though it may be one month prior to expiration, it is written for the SAME IEP EFFECTIVE DATES as the original IEP. For example, if the plan runs 11/25/06-11/24/07 – then the new plan that is written should run 11/25/07-11/24/08 even though your meeting was held in late October/early November. This will facilitate the parent receiving enough time to review the proposed plan, sign it, and return it to the Central Office.

The meeting should occur no later than two weeks prior to the IEP expiration date. All service providers, including the general education teacher, should submit all necessary materials to the Case Manager no later than 5 days prior to the TEAM meeting. Also, the Case Manager will mail a copy of any and all written updates and/or assessment reports to the

parent/guardians in enough time for them to have received the documents two days prior to the meeting. If a member of the TEAM is unable to attend, the “Waiver of Attendance” form must be completed prior to the meeting beginning. It is essential that an IEP is not allowed to “lapse”. TEAM Meetings must be held prior to the expiration of the currently active IEP.

SPECIAL EDUCATION TEAM EVALUATION: EARLY CHILDHOOD

Overview

It is difficult to assess the needs of very young children using standardized tools. The observations of the child's parent, preschool teacher, day care provider, and trained developmental educator are, therefore essential to the preschooler's evaluation. Speech and language development and fine motor development are assessed by speech/language pathologists and occupational therapists, respectively. Sometimes a physical therapist is included when there are gross motor delays. A parent interview should be conducted and the Early Childhood Special Education Evaluation TEAM should have a thorough understanding of any medical issues including vision and hearing.

Procedures

The Early Childhood Education (ECE) Liaison meets with the parent determines from the referral material what assessments should be included in the child's evaluation. The ECE Liaison may, in consultation with the parent, determine that the student is a good candidate for a Transdisciplinary Play Based Assessment.

An Individualized Family Service Plan (IFSP) may be developed in accordance with federal and state law for children with disabilities by their third birthday. If the school district chooses to offer an IFSP for the year that the student turns age 3, and parents are in agreement, parents have been provided a detailed explanation of the differences between an IFSP and an IEP. In such case, the parents give written informed consent if the TEAM chooses to use an IFSP.

The school district understands that it is good practice to invite providers of early intervention programs to participate in transition planning conferences in order to ensure effective transition from early intervention programs to preschool programs. In Massachusetts, this means the school district meets with representatives of the Massachusetts Department of Early Education and Care (ECE) or other entities providing early intervention services to discuss the facilitation of transition from Part C to Part B programs.

The Public Norwell Schools is not obligated to provide a student transitioning from Early Intervention with the same level of services that the Early Intervention agency was providing. Rather, the district must review the information that has been gathered, including Treatment Summaries from Early Intervention providers and design an appropriate service delivery plan. This plan must address the individual needs of the student in the school environment and enable the child to benefit from his/her educational program.

In all instances the Norwell Public Schools ensures that students either have an IEP developed (or the district accepts the IFSP) prior to the student's third birthday.

SPECIAL EDUCATION TEAM EVALUATION: ASSESSMENT OVERVIEW

Required Assessments: Initial Evaluation

The following assessments are required as a part of an Initial Special Education Eligibility Determination TEAM Evaluation:

1. An assessment in all areas related to the suspected disability.
2. An educational assessment which includes:
 - a. History of student's progress in general education curriculum;
 - b. At least one teacher's assessment in the area of curriculum conducted by a teacher with current knowledge regarding the Mass. Curriculum Frameworks;
 - c. An assessment of behaviors that contribute to learning (attention, participation, memory, social skills, etc.);
 - d. For Early Childhood Evaluations: a classroom performance summary or parent pre-k developmental inventory for a child at home.
3. Optional Assessments: The Assessment TEAM and/or the Director of Student Services may recommend or the parent may request an assessment in one or more of the following areas:
 - a. A comprehensive Health assessment by a physician that identifies medical problems or constraints that may affect the student's education. The school nurse may add additional relevant information from the student's health record;
 - b. A psychological assessment;
 - c. A home assessment that includes the student's developmental history and other pertinent family information.

All assessors conducting assessments/evaluations apart of the Special Education Eligibility Determination TEAM must submit in writing the procedures employed as part of the assessment, the results of any assessment given, their professional diagnostic impressions, and their determination of the student's needs and specific services needed.

These written reports/summaries shall be made available to the TEAM Chairperson at least five days prior to the scheduled Special Education Eligibility Determination TEAM meeting. These reports/summaries, upon request, are made available to the parent at least two days prior to the Special Education Eligibility Determination TEAM meeting.

Required Assessments: Three Year Reevaluations

Students should be assessed in their area of need. If a TEAM has additional questions or concerns about a child, other assessments may be included. As a three-year evaluation will be re-determining eligibility, all components of the initial evaluation should be repeated with age appropriate instruments. When a student enters at three or four years old, a full evaluation should be administered on or about their sixth or seventh year, at the time of their reevaluation. When a TEAM evaluation determines that a child younger than 9 years old is developmentally delayed, they must reevaluate him/her by

his/her ninth birthday to determine eligibility category. Developmentally delayed is a disability category and is appropriate for children only up to nine years of age. At this time, a psychological evaluation is needed to change the identified disability category.

Writing Comprehensive Evaluation Reports

Many specialists have developed their own format for preparing their written evaluations. The format may vary but should always include:

- Student's Name
- School
- Date of Birth
- Dates of Assessment
- Date of Report
- Name of Evaluator and credentials
- Reason for Referral
- Behavioral Observations during Assessment (and possibly classroom)
- Names and abbreviations of Assessments used
- Results of the Assessments
- Impact of Results on Classroom Performance (strengths/weaknesses)
- Summary and Recommendations

Comprehensive evaluation reports should utilize state of the art and up-to-date evaluation tools. The measure should provide sufficient data (subtest scores, percentiles, stanine scores, etc.) and results should be explained in easy to understand language. Excessive "jargon" should be avoided. Results of the assessment should relate to the student's needs within a school program: do not simply defer to other TEAM Member's recommendations or the recommendations of the TEAM in general.

When appropriate, be sure to include items such as family history, developmental history, milestones, parents' impressions, teachers' impressions, and therapists' impressions. State whether the assessment can be deemed to be reliable (consider any behavioral, attentional, medical issues interfering with student's performance) and always read other evaluations, including independent evaluations, and, where appropriate, agree or disagree with these assessments. Avoid writing a report that is too short or too long – you should strive to be sufficiently thorough and concise at the same time. When possible include examples from the actual testing (i.e., include a language sample, an answer on a projective test, a difficult item that was correctly completed by the student). And above all, remember that school evaluators are educational experts, and are well qualified to defend their assessments.

SPECIAL EDUCATION TEAM EVALUATION: EDUCATIONAL ASSESSMENTS

Regular Education Assessment

At least one of the student's regular education teachers in the area(s) where the student is experiencing difficulty *must* complete an evaluation of the student. However, all teachers of a student who has been referred for an evaluation should complete an Educational Assessment..

Special Education Assessment

The special educator may perform formal and informal assessments as well as an observation. The special educator's assessment usually includes achievement testing in Math, Reading, and/or Written Language. This depends on the curriculum area identified by the teacher as particularly difficult for this student. An observation of learning behaviors or social skills is also sometimes very helpful. In addition, the special educator will need to utilize processing assessments to determine the student's learning style.

Assessment of Educational History

The Guidance Counselor, who reviews the chronology of the student's school experience in Norwell and elsewhere, may complete a Developmental History, an Educational History, or a Home Assessment.

SPECIAL EDUCATION TEAM EVALUATION: RELATED SERVICES ASSESSMENTS

Overview

Related services are transportation and such developmental, corrective and other supportive services that are required to assist a child with a disability to benefit from special education. Some related services are defined by Massachusetts as special education. This is determined based on the unique and individual needs of the child. Speech and Language therapists, occupational therapists and physical therapists are some of the related service providers that may be recommended to be part of an evaluation.

Speech/Language Assessment

A Speech/Language Pathologist administers an assessment focusing on language development, specifically, articulation, phonological disorders, specific language impairment and fluency. The pathologist may also determine current performance in four areas related to the regular education curriculum: listening, speaking, reading and writing. When a Speech/Language Assessment is recommended, the pathologist may have already been consulted during the school-based intervention process.

Occupational Therapy Assessment

A Licensed Occupational Therapist (OTR) administers an Occupational Therapy Assessment. Formal and informal testing procedures are used to assess the student's performance in the regular education classroom. Performance components, which are assessed, include sensory processing, upper extremity coordination, and perceptual and visual motor skills. When an Occupational Therapy Assessment is recommended, the therapist may have already been consulted during the school-based intervention process.

Physical Therapy Assessment

The physical therapy assessment is administered by a Licensed Physical Therapist. This assessment includes classroom observation and independently administered testing procedures. These procedures may assess one or more of the following: range of motion, muscle strength, muscle tone, reflex integration, posture, endurance, gait, functional skills and gross motor skills. The evaluation determines if the student can safely navigate the school environment and participate in all elements of the school program. When a Physical Therapy Assessment is recommended, the therapist may have already been consulted during the school-based intervention process.

Assistive Technology Assessment

When a TEAM is considering whether specific technology will be required in order to assist a student access to the general education curriculum or participate more fully in the school day, the TEAM may include an assistive technology evaluation. In most cases members of the students Evaluation TEAM will collaborate on this evaluation. This evaluation may include input from the special educator, a regular educator, the speech and language therapist, the occupational therapist, the physical therapist, or the technology integration specialist, to name a few.

Occasionally, the Special Education Evaluation TEAM may feel that there is more technological expertise required for the evaluation than they have immediately available to them. In that case, a request is made to the Director of Student Services for an assistive technology evaluation to be contracted. In the past, we have contracted with South Shore Collaborative for this service. In some cases, however, another facility may have even more expertise for a specific student, e.g. Carroll School for the Blind, Children's Hospital Community Inclusion Project, and Easter Seals. The Director of Student Services will assist the Special Education Evaluation TEAM in making that determination.

Functional Behavior Assessment

If behaviors that are associated with the student's disability are thought to be affecting the student's progress in the general education curriculum, a functional behavioral assessment should be recommended by the TEAM. In some cases this is facilitated by the guidance counselor. A TEAM may choose to invite the Behavioral Specialist to participate (see Appendix XIV for FBA Form)

Health Assessment

The School Nurse is responsible for following up on the Health Assessment. The School Nurse should determine if it is appropriate to receive a release so that a member of the TEAM may communicate directly with the physician or other health care provider (see Release Form in Appendix XV). When a Health Assessment is included as part of a TEAM evaluation the medical form (see Appendix XVI) should be included with the consent form when it is sent home to the parent. It should be returned to the school nurse once completed by the child's doctor.

If the parent chooses to not use the child's primary care physician, and has consent to a health assessment, the Norwell Public Schools Physician, will give the student a physical. The school nurse will arrange it.

Developmental Assessment

The parent completes the developmental history with the assistance of the guidance counselor, when the Special Education Evaluation TEAM or the parent feels it should be a part of the evaluation. The parent may choose to not have elements of the developmental history included in the guidance counselor's final report. This is entirely up to the discretion of the parent and guidance counselor. The guidance counselor has forms for developmental history to assist in covering all the necessary information. Different Developmental History forms are fashioned specifically for Initial Assessments, Preschoolers, Elementary, or Middle and High School students. The guidance counselor may choose the form most appropriate, given the child's age.

Psychological Assessment

A psychological assessment is conducted by a certified school psychologist or a licensed educational psychologist. The psychological evaluation may contain information gained from both formal and informal means and may include: parent interview, student interview, cognitive assessment, academic assessment, socio-emotional assessment, classroom recommendations, and diagnostic impressions.

Psychological evaluations are conducted as part of most initial evaluations that occur after a child is six years old. Moreover, if the Special Education Assessment TEAM suspects the student may be presenting with a SLD or emotional disturbance, a Psychological Evaluation will be requested. Should the Special Education Evaluation TEAM want to change the child's disability category, if the circumstances under which the initial psychological was given have changed dramatically (for example neurological damage is suspected, a child is now on medication but was not when first tested, the child was bilingual and his/her English has improved greatly) an updated psychological assessment will be requested. Further, when a child had previously been determined to be developmentally delayed and will be turning 9 years old, an updated psychological evaluation should be part of the evaluation.

Outside Evaluations (Parent Initiated)

At the request of the parent other evaluations may be considered. Records from previous evaluations or other schools should be gathered. The TEAM Chairperson should ask the parent to sign a Release Form (see Appendix XVII and/or Appendix XV) for other providers to confer with the school's TEAM.

Assessment Waiver

In order to avoid unnecessary or excessive testing, a TEAM Chairperson may ask a parent to waive certain redundant or

other assessments that are not needed either to write the educational plan or determine eligibility.

SPECIAL EDUCATION TEAM EVALUATION: INDEPENDENT EDUCATIONAL EVALUATIONS

Overview

Should the parent disagree with the findings of the evaluations conducted as part of the Special Education TEAM Evaluation, they have the right to request an Independent Educational Evaluation (IEE) at public expense. The IEE must be conducted by a qualified professional(s) not employed by the school system. Both federal and state law allows parents to seek an IEE. Parents may only request an IEE in direct dispute to an evaluation conducted by the Norwell Public Schools. Should parents request an IEE for an evaluation not conducted by the Norwell Public Schools, the district shall reject their request until an evaluation – using district personnel – can be conducted.

In Massachusetts, Special Education Regulations, 603 CMR 28.04 offer parents a choice when exploring options for the payment of Independent Evaluations. Parents may choose to share their personal financial information with the district and share the cost of the evaluation based on their income. If the family is income eligible, the Norwell Public Schools will pay for their portion of the evaluation. Parents may also choose not to share their financial information with the district. Then the district must choose to either pay for the entire Independent Educational Evaluation or move forward to a hearing at the Bureau of Special Education Appeals (BSEA). An IEE that is publicly funded, in whole or in part, must meet state requirements for using evaluators who are registered, certified, licensed or otherwise approved and who agree to abide by rates set by the state agency responsible for setting such rates.

Sliding Fee Scale

According to 603 CMR 28.04(5), when parents seek public funding for an Independent Educational Evaluation (IEE) the district shall consider family size and family income information in relation to Federal Poverty Guidelines:

- If the family income is equal to or less than 400% of the federal poverty guidelines, the district shall pay 100% of the costs of an IEE.
- If the family income is between 400% and 500% of the federal poverty guidelines, the district shall pay 75% of the costs of an IEE.
- If the family income is between 500% and 600% of the federal poverty guidelines, the district shall pay 50% of the costs of an IEE.
- If the family income is over 600% of the federal poverty guidelines, the district shall have no obligation to cost-share with the parent.
- 400% of the federal poverty level is currently (as of September 2001) \$68,200 for a family of four.

According to state regulations, any student eligible for free or reduced cost lunch or who is in the custody of a state agency with an appointed Educational Surrogate Parent is entitled to receive an equivalent IEE at public expense. School districts must offer parents seeking public funding for IEE information about the sliding fee program. Participation in the sliding fee program, other than for students who are eligible for free or reduced cost lunch, requires the family to provide financial documentation.

Upon receipt of the family financial documents, the Norwell Public Schools will promptly evaluate the information and inform families of their status. All financial documents will be immediately returned to the family, with no copies being made. However, documentation of eligibility for the sliding scale fee will be made in the student's record. Based on this financial information, the family and the district will share the cost of the IEE.

In cases where students are not eligible for the sliding fee program, the parents do not wish to provide financial documentation, or parents are requesting an evaluation in an area not assessed by the school district, the IDEA 2004 provides that families may still request public funding of an IEE. Upon such a request, the Norwell Public Schools will,

within five school days, either agree to pay for the IEE or initiate a hearing with the Bureau of Special Education Appeals (BSEA). Should the BSEA agree that the evaluation done by the district was comprehensive and appropriate, the district will not be obligated to publicly fund the IEE (IDEA 300.502).

Students Eligible for Special Education and/or Related Services

Publicly funded Independent Educational Evaluations are only available to individual students with whom the district has evaluated for Special Education and/or related services. Regular education students, who have not been evaluated by the school district of record at the time of the evaluation, are not entitled to publicly funded Independent Educational Evaluations.

Upon receipt of an Independent Educational Evaluation for a student currently eligible for Special Education and/or related services the student's Case Manager should be provided a copy. The Case Manager will contact the parent/guardians and establish a time for the student's Special Education TEAM to convene to discuss the results and will ensure that all members of the student's TEAM are provided copies and have read the evaluation prior to attending the TEAM meeting. This meeting must take place within 10 school-working days following receipt of the evaluation. At this TEAM meeting the results of the evaluation will be discussed and the TEAM will determine what, if anything, in the IEP and/or placement needs to be revised in light of the new information.

Independent Educational Evaluations at Parent/Guardian Expense

At any time parents/guardians may have their child evaluated at their own expense. Norwell Public Schools urges parents/guardians to share this information with their student's team of educators. All information gathered regarding a student's learning profile is useful information to those working with him/her to be aware of.

SPECIAL EDUCATION TEAM EVALUATION: SPECIFIC LEARNING DISABILITY ASSESSMENT

Overview

The passage of [IDEA 2004](#) brought about significant changes in the determination of eligibility for students with Specific Learning Disabilities (SLD). Under the revised procedures, as delineated by the Massachusetts Department of Elementary and Secondary Education, there are four necessary components for Specific Learning Disability (SLD) eligibility determination.

The required documentation the TEAM must complete during the eligibility determination process is located in Appendices XVIII-XXII.

Component One: Historical Review [34 CFR 300.309(b)]

To ensure that underachievement in the area of concern is not due to lack of appropriate instruction in reading or math the TEAM must consider that:

1. the student has been provided appropriate instruction in general education settings and that instruction has been delivered by qualified personnel;
2. there is data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the student's progress and this documentation was provided to the student's parents.

Participation Skills [603 CMR 28.04(2)(a)(2)(ii)]

As part of the student's educational history, the TEAM must be able to provide an assessment of the student's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults. Refer to Educational Assessment: Part B.

Performance History [603 CMR 28.04(2)(a)(2)(iii)]

As part of the student's educational history, the TEAM must review supporting evidence within the area of concern that indicates the student has:

- consistently performed within the range of performance of same-age peers; or
- consistently performed better than same-age peers; or
- consistently performed less well than same-age peers; or
- demonstrated inconsistent performance throughout his/her educational history.

Refer to Educational Assessment: Part A.

Medical Information [34 CFR 300.311(a)(4)] and optional [603 28.04(2)(b)(1)]

As part of the required documentation, the TEAM must provide educationally relevant medical findings, if any. The parent will most likely provide this information.

If all of the components of the Historical Review have been met, then the eligibility determination can continue using data from a response to scientific, research-based intervention methods, or using the results from an IQ/achievement discrepancy model. Both of these processes will be explained in more depth later in this section.

If some, but not all, aspects of the Historical review have been met, and additional information is needed, then further information should be gathered within the general education setting during the evaluation period. Concurrently, the TEAM should move forward with all other eligibility requirements.

If information is not available to assess the aspects of the Historical Review, the referral for special education evaluation should not move forward until the school has sufficient information to determine that the student has been given appropriate opportunities to learn in the general education environment. This instruction should be delivered by qualified personnel and data-based documentation of repeated assessments that reflect the student’s progress should be collected. This documentation is to be provided to the student’s parents. Some of this information may already be in existence and needs to be gathered and recorded, however, there are likely to be times when more is necessary. All information must be collected within the evaluation period [603 CMR 28.04(2)] in order to meet evaluation timeline requirements.

Historical Review Requirement	What should be considered?	If not available, what can be done to meet the requirement
A. The student has been provided appropriate instruction in general education settings and that instruction has been delivered by qualified personnel	<ul style="list-style-type: none"> ● A chronology of the student’s educational history to the extent possible (i.e., teachers, grade retention, special education, attendance, classroom grading and curriculum information). ● Information about the nature of general education instruction. ● In reading look for the five essential components of reading: phonemic awareness; phonics knowledge; fluency; vocabulary; and comprehension. ● In math look for concepts and reasoning; automatic recall of number facts; computational algorithms; functional math; and verbal problem-solving. 	<ul style="list-style-type: none"> ● During the evaluation period, ensure provision of appropriate, research-based instruction using qualified personnel in the general education setting to determine how the student learns within a good general education program. ● Document the nature (i.e., group size), frequency, duration and results of the instruction or intervention.

Historical Review Requirement	Possible sources of information	If not available, what can be done to meet the requirement
B. There is data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the student’s progress and this documentation was provided to the student’s parents	<ul style="list-style-type: none"> ● Benchmark and progress monitoring data (i.e., DIBELS graphs); ● Additional achievement/performance data (i.e., results of classroom assessments, teacher observations, grades, behavior data); ● Evaluation reports; ● Report cards and progress reports sent to parents; ● Communication sent from teacher to 	<ul style="list-style-type: none"> ● Implement a process of student progress monitoring where progress is monitored through data collection at least once a week for the time during the evaluation timeframe. ● Provide documentation to parents regarding the student progress monitoring

	parents regarding assessments in the classroom.	that will be done within the evaluation timeframe.
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In addition to the above information, supplementary data may need to be obtained for the student. The TEAM should consider the need for appropriate diagnostic tests.

While completing the Historical Review, concurrently move forward with the other requirements in Component 1; Component 2 - determining the area of concern and implementing the evaluation method; Component 3 - consideration of exclusionary factors; and Component 4 – student observation.

Component Two: Area of Concern and Evaluation Method

Area of Concern [34 CFR 300.309(a)(1)]

To determine the existence of a SLD the TEAM must establish that the student is not able to demonstrate the necessary processing skills to achieve adequately for his/her age or to meet ELA or Math Curriculum Framework standards when provided with appropriate learning experiences and instruction in one or more of the following areas:

- Oral Expression
- Written Expression
- Basic Reading Skills
- Reading Comprehension
- Reading Fluency Skills
- Listening Comprehension
- Mathematics Problem Solving
- Mathematics Calculation

Evaluation Method [34 CFR 300.307(a)]

IDEA 2004 allows for a process of eligibility based on the student’s response to scientific, research-based intervention. It does not require the completion of an IQ/ achievement discrepancy model, although it can be used at the district’s discretion.

A. Response to Scientific, Research-Based Intervention

Determine that the student is not making effective educational progress for his/her age or to meet ELA or Math Curriculum Framework standards when using a process based on the student’s response to scientific, research-based intervention. This could be established through a research-based, Response to Intervention (RTI) model or a multi-tiered instruction process. Districts are encouraged to consider this option; however the student should be participating in the process before the referral for evaluation occurs. In addition to the data gathered through the response to scientific, research-based intervention process, supplementary data may be necessary. The TEAM should consider the need for appropriate diagnostic tests that determine how the student learns and what is impeding learning.

More detailed information regarding the district’s Response to Intervention model is included in the “Response to Intervention” section of this handbook.

B. IQ/Achievement Discrepancy Model

Using appropriate assessments, determine that the student exhibits a pattern of strengths and weaknesses in performance, achievement or both, relative to age, or ELA or Math Curriculum Framework standards, or intellectual development. This can be established through the implementation of technically sound assessment instruments that assess cognitive and

behavioral factors as well as physical or developmental factors. This is often referred to as the IQ/Achievement discrepancy model.

Component Three: Exclusionary Factors [34 CFR 300.309(a)(3)]

No matter what evaluation method used, the TEAM must ensure that the identified area of difficulty is not primarily the result of:

- cultural factors;
- an environmental or economic disadvantage;
- limited English proficiency;
- a visual, hearing, or motor disability;
- mental retardation; or
- an emotional disturbance

Component Four: Observation [34 CFR 300.310]

The student must be observed in his/her natural learning environment to document academic performance and behavior in the area(s) of difficulty. An observation can be conducted after the student has been referred for evaluation, or information from an observation in routine classroom instruction that was done before the student was referred for an evaluation can be used. If the student is less than school age (3-5 years old) the observation must be done in the student's natural environment.

Procedures for Implementing SLD Process

When the TEAM has come to the point of eligibility determination and the TEAM is considering a Specific Learning Disability as an area of identified disability, the TEAM Chairperson shall direct the TEAM's attention to the "Specific Learning Disability TEAM Determination of Eligibility" form. The TEAM Chairperson explains the process and will direct the TEAM's attention to the "Required Documentation for Component 1" form. At that time the TEAM Chairperson will guide the TEAM through each of the components of the Historical Review, Participation Skills, Performance History, and Medical Information. Once the TEAM has completed Component 1, the TEAM Chairperson will sign and date the page and will document the TEAMs decisions on the "Specific Learning Disability TEAM Determination of Eligibility" form.

The TEAM Chairperson will then direct the TEAM's attention to the "Required Documentation for Component 2" form. At that time the TEAM Chairperson will guide the TEAM through either determining eligibility using the RTI model, or the achievement-discrepancy model. Once the TEAM has completed its discussion, the TEAM Chairperson will sign and date the page and will document the TEAMs decisions on the "Specific Learning Disability TEAM Determination of Eligibility" form.

The TEAM Chairperson will then direct the TEAM's attention to the "Required Documentation for Component 3" form. At that time the TEAM Chairperson will guide the TEAM through discussion of exclusionary factors. Once the TEAM has completed its discussion, the TEAM Chairperson will sign and date the page and will document the TEAMs decisions on the "Specific Learning Disability TEAM Determination of Eligibility" form.

The TEAM Chairperson will then direct the TEAM's attention to the observations and will prompt the observers to offer general commentary before documenting the TEAMs decisions on the "Specific Learning Disability TEAM Determination of Eligibility" form.

At this point the TEAM can determine whether or not the student has a specific learning disability. The TEAM Chairperson will then direct the TEAM back to the Special Education Eligibility/Initial and reevaluation Determination for or, more simply referred to as the "flowchart" (see Appendix XXIII) and will complete the eligibility flowchart with the input from the TEAM. Once the TEAM has determined eligibility and documented the determination on the

“flowchart” the TEAM Chairperson will then direct the TEAM back to the “Specific Learning Disability TEAM Determination of Eligibility” form and will guide the TEAM through answering the final question. Once the TEAM has done this, all members must sign the form and indicate their support, or lack thereof, for the TEAM’s decision.

SPECIAL EDUCATION TEAM EVALUATION: AUTISM SPECTRUM DISORDER ASSESSMENT*Overview*

Whenever an evaluation indicates that a child has a disability on the autism spectrum, which includes autistic disorder [autism], Asperger's disorder, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Rhett's Syndrome as defined in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV, 2000), the Special Education Evaluation TEAM shall consider and shall specifically address the following:

1. the verbal and nonverbal communication needs of the child;
2. the need to develop social interaction skills and proficiencies;
3. the needs resulting from the child's unusual responses to sensory experiences;
4. the needs resulting from resistance to environmental change or change in daily routines;
5. the needs resulting from engagement in repetitive activities and stereotyped movements;
6. the need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder;
7. Other needs resulting from the child's disability that impact progress in the general curriculum, including social and emotional development (SECTION 1. Chapter 71B, Section 3 of the General Laws)

The verbal and nonverbal communication needs of the student

Impairment in communication is one of the defining characteristics of ASD; therefore communication skill development should be addressed as an essential piece of the student's IEP. When considering the verbal and nonverbal communication needs of a student with ASD, the TEAM should review:

- the student's current level of communication,
- the system of communication most effective for the student,
- the functions for which the student uses and understands language,
- the student's ability to use and understand non-verbal communication (e.g., eye gaze, facial expression, gesture), and any emerging communication skills reported by the family or other TEAM members.

The IEP must include information about the student's current strengths with communication modalities, skills that need further development and the specific supports and interventions necessary to increase the student's ability to effectively communicate and understand others. Alternative augmentative communication (AAC) is often effective for students with ASD who are non-verbal. AAC can be used in lieu of, or in combination with, oral communication. There are many products on the market that support AAC including picture communication products, book boards, and touch devices. Assistive technology assessments are useful for determining whether a student would benefit from using an AAC system. When evaluating a student with ASD, the instrument must be appropriate to the student's modality of communication (e.g., using non-verbal scales for students who do not use oral communication).

The need to develop social interaction skills and proficiencies

In the most severe expression of qualitative impairments in this area, a student with ASD may seem distant or avoidant when it comes to social interactions, even those with immediate family members. In the least severe cases, s/he may appear to frequently misunderstand the social situation and/or be unable to maintain a conversation on a subject other than his/her high interest topics. A young student with ASD may have a lack of variation in spontaneous or social imitative play, or may have unusual play with toys (e.g. lining up video cases end to end). When examining a student with ASD's needs in the area of social skill development, the TEAM should consider:

- the student's ability to respond appropriately to the social approach of others,
- the types of social interactions the student is capable of initiating,
- the student's pragmatic language skills, and
- Anecdotal information about the student's abilities within small and large group settings and in typical activities for students of that age.

For students with ASD, social interaction skills are largely associated with the ability to communicate within a situation. The IEP TEAM should determine if a social impairment is the result of a language deficit. Impairments in social interaction may be mistaken for behavior problems in students with ASD. A functional assessment is useful for identifying factors that affect the student's social proficiencies. Where behavior plans are warranted, they should include the teaching of new social skills to prevent the occurrence of inappropriate behaviors serving a similar function.

Progress in social skill development is a likely focus within the IEP of every student with ASD. Social skills instruction should be at the student's skill level and appropriate for his/her age (e.g., "pull out" instruction in high school may be stigmatizing to the student). Collecting and analyzing data on the student's social proficiencies will assist in the development of his/her IEP goals.

The needs resulting from the student's unusual responses to sensory experiences: The IEP TEAM should consider whether a student with ASD exhibits under- or over-sensitivity to particular stimuli. The following questions may be helpful in addressing this area:

- Tactile: Does the student with ASD demonstrate a lack of awareness to his/her body in space, and/or a need for a higher level of input in tactile experiences? For example, does s/he "crash" into the playground fence during a running game or regularly "bump" into peers in line? Conversely, does s/he become loud and upset when presented with play dough or a mixed-texture food item, or wear only "tagless" clothing?
- Visual: Is the student's eye gaze avoidant of, or fixated on, particular sights? For instance, is s/he drawn to certain objects, such as a shiny item of clothing, needing to stare at or touch it? Does s/he avoid looking at a particular sight, for instance the flickering of a video screen? Or, do certain visual stimuli excite him/her to increase their movement (e.g., jump or run) or cause a fear response?
- Sound: How does the student with ASD respond to auditory events? Does s/he have significant responses to sound volume, pitch, tone or intensity that others may not hear (e.g., the hum of fluorescent lighting)? Does s/he appear deaf because of a lack of response to loud noises or the calling of his/her name? Do loud or quiet sounds, echoes, or a particular pitch enthrall or bother him/her?
- Smell/ Taste: Does the student with ASD respond in an atypical fashion to olfactory events or tastes? Does s/he have significant responses to environmental smells or tastes that interfere with appropriate activities and focus in the educational environment? Does s/he smell or taste objects in the environment with unusual frequency or in unusual circumstances? Do certain smells or tastes upset the student with an ASD or appear to cause him/her to act in an unusual fashion (e.g. becoming loud or upset when a teacher wears a certain perfume?)

The TEAM should consider all elements of the student's environment and note any specific environmental modifications or accommodations that are necessary for participation and effective progress in the general education curriculum.

The needs resulting from resistance to environmental change or change in daily routines

Students with ASD often have unusual or intense responses to a change in their environment such as moving the location of a piece of classroom furniture, or a change in daily routine even when part of a familiar schedule. Preparing for transition with visual supports, timers and verbal reminders often helps to ease the student's transition and promote greater success, flexibility, and independence. Visual supports are evidence-based strategies for supporting a student with ASD in

managing change and transition. Providing a preview before initiating change in an environment or schedule can support a student with ASD to be able to adjust to the change. A visual schedule can teach the student to rely on written (or pictorial or object schedule) information to manage moving between activities and it allows the student to anticipate change and rely less on a rigid memory of the order in which events occur. Even the most capable of students with ASD would benefit from using a visual schedule to manage the activities of the day, to reduce anxiety, and allow the student to better focus on the important activities within each day, rather than on their sequence.

The TEAM must consider the most successful modality for communicating the coming change or transition. The IEP TEAM is encouraged to consider the use of a schedule and other visual supports when working to address the needs resulting from a student's resistance to environmental change or change in daily routines, as well as to consider other evidence-based methods for introducing new content to the student.

The needs resulting from engagement in repetitive activities and stereotyped movements

Students with ASD may exhibit ritualistic behaviors or repetitive phrases in physical activities and in verbal exchanges. For instance:

- Preoccupation with one or more restricted and stereotyped patterns of interest that is atypical either in intensity or focus (e.g., knowing and reviewing the schedule of nationwide trains).
- Inflexible adherence to specific nonfunctional routines or rituals (e.g., repeating all answers 3 times) or a need to follow the same routine or sequence when completing tasks (e.g., tapping a spoon on the table between each mouth full of yogurt).
- Stereotyped/repetitive motor mannerisms (e.g., hand flapping) or a persistent preoccupation with parts of objects (e.g., fixating on the wheels of toy car).

The TEAM should consider their function and the extent to which these activities interfere with engagement in other, more appropriate, activities such as socialization or academic lessons. Informal observation and/or formal daily data collection (for more significant behaviors) may be used. This information will assist the TEAM in determining how and when to allow and/or modify the behavior within a student's day. As appropriate, TEAMS should consider using positive behavior supports to encourage participation in learning and other activities. Depending on the nature of the behavior, practices for addressing engagement in repetitive activities and stereotyped movements may include:

- Modifying an interfering behavior to be more socially acceptable (such as modifying a behavior of constantly shaking hands to occur only when introduced to a person).
- Teaching the student appropriate "replacement behaviors" that will lead to more interest or "on task" behavior in academic learning.
- Teaching the student appropriate "replacement behaviors" that will enhance increased and appropriate participation in social activities with peers.
- Providing the student with frequent breaks in the form of motivating and pleasant sensory activities.
- Having sensory therapies take place in the classroom when it is compatible with the learning activity and does not take away the student's focus from learning, in order to decrease frequency in high rates of repetitive movement.
- Using special equipment to reduce frequency of movement such as a cushion for the student to sit on during group reading time in order to decrease rocking behavior.
- Developing curriculum activities around the student's topic of interest and slowly expanding the student's interest to involve other topics.

Reinforcement strategies should also be considered in order to reduce frequency of activities or movements and as an accompaniment to replacement behaviors. Data should be used to determine the reinforcement rate and monitor

effectiveness of the intervention strategy. The plan to address concerns in this area should be described within the student's IEP.

The need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder

Because of the complex developmental, learning and adaptive needs of students on the autism spectrum, they often exhibit behaviors that are challenging in their intensity, frequency, or interference with engagement in appropriate activities. The IEP TEAM should consider and discuss the need for a functional behavioral assessment (FBA) of the student's behavior(s). The intensity level of the FBA should match that of the presenting problem behavior. For a behavior that has a relatively clear pattern, an FBA can be completed by obtaining some simple frequency data and antecedent-behavior-consequence information. Significant repetitive behaviors (such as hand flapping or rocking) or self-injurious behaviors warrant a full functional behavioral assessment to determine the reason for, and function of, the behavior and possible alternatives to it.

It is important to use the assessment data to determine why the behavior is occurring. Knowing the function that the behavior serves will help the TEAM determine whether positive behavior interventions, strategies and supports are necessary, and which replacement behaviors are appropriate for reducing or eliminating the interfering problem behavior. The TEAM should select the least amount of intervention that is likely to be effective, efficient, and produce the minimum unwanted effects. (e.g., ignore a behavior rather than issue a "time out").

Other needs resulting from the student's disability that impact progress in the general curriculum, including social and emotional development

A student with ASD often exhibits deficits in executive function, the ability to organize and the ability to generalize learned skills into other environments/activities or functional routines. The student may have a tendency to perseverate or over-focus on unimportant features, which may distract him or her from the learning of the "whole". The IEP TEAM should consider whether there is a need to provide structure in the student's classroom environment and learning activities, including but not limited to:

- intervention strategies for social skill development (self-advocacy, peer interaction)
- reviewing classroom and individual expectations;
- organizational supports (including visual organizers such as color coded folders and organized environments so that the environment has limited distraction factors);
- previewing information;
- direct instruction in order to learn new skills or to generalize learned skills; and
- repeated instruction and practice in multiple environments with a variety of materials and people, in order to master a single skill.

At every IEP meeting for a student whose disability is Autism, The team chairperson should complete the ASD checklist and include with the file submission

SPECIAL EDUCATION ELIGIBILITY MEETING: PREPARATION, MEMBERS AND ROLES

In an effort to establish a positive vehicle for effective communication, the following guidelines are recommended as preparation for eligibility Special Education TEAM Meetings.

Within 10 days prior to the TEAM Meeting:

- Establish communications between school representative(s) and parent prior to the TEAM meeting.
- The Chairperson will call parents to discuss specific issues or concerns that the parent would like addressed at the meeting. This allows the TEAM Chairperson to set a mutually established agenda and sets the foundation for a positive working relationship.

Two days prior to the Special Education Eligibility Meeting:

- Make assessment reports available to parents and other professional staff at least two days prior to the Eligibility TEAM meeting. This allows parents and staff an opportunity to review the information contained within these reports prior to the meeting, to expedite the discussion during the meeting, and to focus on the determination of eligibility.
- The TEAM Chairperson should ensure that the parents, upon their request, have received all necessary assessment reports.
- The TEAM Chairperson should ensure that all TEAM members have read the assessments and have initialed their receipt of such information.

The day of the Special Education Eligibility Meeting, the Case Manager should:

- Greet the parent privately, prior to the TEAM meeting to ascertain concerns parents wish to be addressed at the TEAM meeting.
- Determines whether the parent wishes to share these issues at the meeting or whether the parent would prefer that the Case Manager share this information.
- Escorts the parent into the meeting and sits in close proximity to the parent in an effort to make the parent feel comfortable and help elicit parent participation.
- Invites the parent to share any issues or concerns the individual would like the TEAM to address during the meeting.

During the Special Education TEAM Meeting, the Chairperson should:

- Encourage optimal participation from all parties in attendance in order to determine eligibility.

IEP TEAM Composition

The following persons are members of the IEP Team and may serve in multiple roles:

- The student and/or the student's parents.
- A representative of the school district who acts as Chairperson and who is (a) qualified to supervise or provide special education; (b) is knowledgeable about the general curriculum; and (c) is knowledgeable about the

availability of resources of the district.

- A representative of the school district who has the authority to commit the resources of the district (and who may act as the chairperson).
- If the student *may* be involved in a general education program, a general education teacher. If the student *is* involved in a general education program, a general education teacher of the student.
- If the student is participating in a special education program, a special education teacher of the student or, if appropriate, a special education provider for the student.
- The student, if one purpose of the meeting is to discuss transition services or if otherwise appropriate and if he/she chooses.
- Other individuals at the request of the student's parents.
- An individual who is qualified to interpret the instructional implications of evaluation results.
- Other individuals who may be necessary to write an IEP for the student, as determined by the Director of Student Services.
- When one purpose of the Team meeting is to discuss transition services, a representative of any public agency who may be responsible for providing or paying for transition services is invited to the Team meeting. If the representative(s) does not attend the meeting, the school district takes other steps to obtain the participation of these agencies.
- When one purpose of the Team meeting is to discuss placement, a person knowledgeable about placement options is present at the meeting.
- Members of the Team attend Team meetings unless:
 - the parent and district agree to use alternative means, such as a video conference or a conference call, for any Team meeting
 - (i) the school district and parent agree that the member's attendance is not necessary or consent to the member's excusal AND
 - (ii) the parent's agreement or consent is in writing AND
 - (iii) the member submits in writing any input he or she has related to the IEP's development.

Roles of TEAM Members

The Special Education TEAM Meeting involves a number of individuals committed to the success of the student. Apart from the parents, student (if over 14 years of age), and persons having completed assessments, the Special Education TEAM may include of the following additional individual roles (see Figure 2 for expanded definition of some roles):

- TEAM Meeting Chairperson, the Assistant Principal, Case Manager, or Building Coordinator
- Special Education Building Coordinator
- Case Manager
- Note-taker
- Regular Classroom Teacher (curriculum expert)
- Other Specialist/s

It is entirely permissible for the Case Manager and the TEAM Chairperson to be the same person. In some cases, especially with newer staff, it may be most appropriate for the Special Education Building Coordinator to Chair the TEAM Meeting. Because all TEAM evaluations and TEAM meetings are unique, there may be exceptions to these rules. For example, at the high school, a student may ask to Chair his/her own meeting. The TEAM Chairperson is the TEAM member with the authority to commit the resources of the town.

A classroom teacher who has the student must participate in the TEAM in order to affirm that the plan that is being developed will assist the student in accessing the general education curriculum. In some cases where the special education teacher is in fact the teacher of general education, the special educator fills this role.

Special Attendees at the TEAM Meeting:

Attorney invited to the meeting. If parents unexpectedly bring an attorney to a TEAM meeting, the Chairperson should inform all parties that attorney that Murphy, Hesse, Toomey & Lehane, LLP is the law firm which represents the Norwell Public Schools Special Education TEAM. Ethics rules prohibit the attorney from having contact with the school staff without the presence of the school's attorney. The parent may choose to continue the meeting with neither attorney present.

Parents invite a consultant or expert to a TEAM meeting. The TEAM Chairperson, or Case Manager, should request a copy of the expert's evaluation prior to the TEAM meeting. TEAM members should familiarize themselves with the content of this evaluation and discuss the results as a TEAM prior to the TEAM meeting. The TEAM Chairperson may ask the parent to sign a consent to allow the TEAM to communicate directly with the expert should they have specific questions regarding his/her recommendations. The Director of Student Services and/or the School Principal/Assistant Principal should be invited to the subsequent meeting.

Parents invite an Advocate or Educational Consultant to the Meeting. The TEAM Chairperson should invite the Director of Student Services and/or the Assistant Principal to the meeting.

Other Agency Participation. When a student has turned 16 and a Chapter 688 referral has been filed, a case manager from an agency other than the school district may be assigned. That case manager from DSS, DYS or Mass Rehabilitation must be invited to the TEAM meeting. The invitation to this agency must be documented in the student record.

Preparation for an Eligibility TEAM Meeting

When the evaluations are completed (within 25 days of the received consent) the Case Manager is to contact the parent to arrange a mutually convenient date and time for the Special Education TEAM meeting. This meeting should be scheduled during the following week in order to keep within regulatory timelines. The Case Manager also notifies the Assistant Principal that the evaluations are ready to be reviewed by the TEAM. TEAM members should sign when they have read the evaluations. This meeting date must be within 35 days of receipt of the signed consent and it is the responsibility of the Chairperson to notify all TEAM members of agreed upon date of the TEAM meeting. The Chairperson is also responsible for sending the meeting invitation and Attendance Sheet to the parent at least 10 school days prior to meeting. Then, if a new date is agreed upon, the Chairperson will send a new invitation and notify all TEAM members. It is the Chairperson's responsibility to document all efforts to contact parents and ensure their participation in the TEAM meeting.

The Building Coordinator and/or Case Manager also have the following organizational responsibilities:

- Ensure that the regular education teacher/s have an Educational Assessment Form
- Collect summaries of reports or written reports prior to the meeting
- Review evaluation results and seek clarification where necessary
- Secure Parent Release of Information when necessary

It is the responsibility of all TEAM members to contact the TEAM Chairperson if a conflict exists with their schedule and to notify the TEAM Chairperson of any concerns or issues they may have. Individuals conducting assessments are responsible for scheduling testing dates, reviewing the student's file and prior assessments, to then evaluate student and send summary or written report to the TEAM Chairperson at least 5 days prior to the TEAM meeting. Effective TEAM meetings are predicated upon a positive communication among all participants including internal constituencies such as

professional staff and teacher assistants, and external constituencies such as parents, agency representatives, private school providers and advocates.

SPECIAL EDUCATION TEAM MEETING: ATTENDANCE

Norwell Public Schools maintains that each and every IEP meeting must be properly constituted. If a TEAM member's input is not needed, the Case Liaison should send an excusal form to the parent so the parent may excuse that TEAM member's attendance. It should be noted that a TEAM member would only be excused in rare circumstances. If a TEAM member's excusal is questionable, please contact the Director of Student Services for clarification.

Alternatively, there may be times when an invited TEAM member cannot make the meeting. In this instance that TEAM Chairperson should ask if the parent would consider waiving that TEAM member's attendance. The parent has the right to, and the district expects, a fully constituted TEAM. If that parent chooses to not waive the TEAM members attendance, the TEAM should re-convene at such a time as all TEAM members are present.

SPECIAL EDUCATION TEAM MEETING: PROCEDURES

At the beginning of the Special Education TEAM Meeting the Chairperson will:

- Introduce all TEAM members and identify themselves as the person who has the authority to commit resources of the Town;
- Explain the Section 28 Process sharing the TEAM Evaluation Process Packet including Eligibility Flow Chart and a blank IEP and distribute the Parent's Rights Brochure;
- Set the agenda for meeting and establish reasonable time parameters;
- Give an overview of the reasons for referral;
- Verify Administrative Data page, if appropriate;
- Facilitate Eligibility Discussion and Determination of Eligibility using the Flow Chart (see Appendix XXIII);
- Notify the Principal if there is a need for a 504 Eligibility Review.

Individuals who have conducted assessments are responsible to:

- Present their summary as jargon free, clear, and as briefly as is appropriate
- Offer recommendations based on TEAM consensus

Once all assessment information is presented, the Special Education TEAM then will determine the student's eligibility for Special Education and/or related services.

SPECIAL EDUCATION RE-EVALUATION: PARENTAL WAIVER OF ASSESSMENTS

When the student's needs warrant it or a parent or teacher requests it, the school district, with parental consent, conducts a full re-evaluation consistently with state and federal requirements provided that (a) a re-evaluation is conducted every three years unless the parent and the district agree that it is unnecessary and (b) a re-evaluation is conducted no more frequently than once a year unless the parent and district agree otherwise.

If the district and parent agree that it is unnecessary to conduct testing as apart of the re-evaluation process, the district must ensure that the TEAM utilizes other means by which to determine continued eligibility or ineligibility for special education and/or related services. These other means may include work samples, class grades, tests/quizzes, data collection as apart of measuring progress toward annual goals or MCAS scores. No one source of information should be used as the basis for the eligibility determination.

SPECIAL EDUCATION TEAM MEETING: ELIGIBILITY DETERMINATION

Overview

An eligibility determination meeting must occur within forty-five (45) school/working days from receipt of signed parental consent. This timeline also applies to the subsequent writing of the IEP for student's who are eligible for Special Education and/or related services. Therefore, given the district's two-meeting model, if it permissible for an Eligibility Meeting to be held well before the 45 day timeline.

When the Special Education TEAM reaches the eligibility decision-making phase of the evaluation process, it must consider all of the assessment data, all observations of the student throughout the school environment, the family's input, the teacher's observations, information regarding the curriculum in the student's particular grade, and information regarding specific areas of disability. Close examination of the student's school history/record, systematic observation of the student in the classroom and throughout the school environment, and the input of TEAM members with expertise in the area of suspected disability and regular educators should assist the TEAM in determining if the student has a disability.

Concurrently, the TEAM must review the definition of "to progress effectively in regular education" to determine whether there is a causal relationship between the disability and the student's ability to progress effectively. A student is making effective progress if their progress in school is equivalent to that of a typically developing same-aged peer with similar strengths and weaknesses. The TEAM must consider the student's ability to access the general curriculum as well as other facets of school life. If the disability is shown to be inhibiting the student's ability to progress effectively in regular education and the student requires *specially designed instruction* in order to access the general education curriculum, the student is eligible for special education.

To develop appropriate specially designed instruction for each student, educators and parents work together to analyze student work, evaluation information, and any other available data to determine the student's strengths and weaknesses. Based on that student's unique learning needs, strategies are developed.

Specially designed instruction is any specific instruction, support, or services provided to students with an identified disability which allows them to access the regular education curriculum. The focus of the specially designed instruction should focus on enabling students to successfully develop by providing a free appropriate public education.

A student is found eligible for Special Education and/or related services only if the student has a disability, the disability affects their progress in school, and the student requires specially designed instruction and/or related services in order to access the curriculum.

SPECIAL EDUCATION TEAM MEETING: DISABILITY DETERMINATION

End-of-School Year Evaluations

If consent is received between 30 and 45 school working days before the end of the school year, Norwell Public Schools ensures that a TEAM meeting is scheduled so as to allow for the provision of a proposed IEP or written notice of the finding that the student is not eligible no later than 14 days after the end of the school year.

An Eligible Student

If the Special Education TEAM has determined that the student is presenting with one or more disabilities in the areas identified by federal and state law, and has determined that the student – as a function of their disability – is failing to make effective progress in the regular education curriculum, the TEAM may recommend the development of an IEP. The Special Education TEAM, including the parent, will then work collaboratively to develop an IEP which meets statutory compliance and is reasonably calculated to provide the student with educational benefit. This IEP must be developed prior to the 45th day following parental consent for the initial evaluation and prior to the expiration of the current IEP for re-evaluations.

A date to develop an Individual Education Plan should be set when a student is found eligible.

The disability categories, as identified under the IDEA 2004 and their characteristics are as follows:

Autism

Autism is a developmental disability significantly affecting verbal and nonverbal communication and social interaction. The term shall have the meaning given it in federal law at 34 CFR 300.7.

Federal Definition:

(i) Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3 that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in paragraph (b)(4) of this section.

(ii) A child who manifests the characteristics of "autism" after age 3 could be diagnosed as having "autism" if the criteria in paragraph (c)(1)(i) of this section are satisfied.

In April, 2006, Chapter 71 B, Section 3 was amended to insert the following:

Whenever an evaluation indicates that a child has a disability on the autism spectrum, which includes autistic disorder, Asperger's Disorder, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Rhetts's Syndrome as defined in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV, 2000), the IEP TEAM shall consider and shall specifically address the following: the verbal and nonverbal communication needs of the child; the need to develop social interaction skills and proficiencies; the needs resulting from the child's unusual responses to sensory experiences; the needs resulting from resistance to environmental change or change in a daily routine; the needs resulting in engagement in repetitive behaviors and stereotyped movements; the need for any positive behavioral interventions, strategies and supports to address any behavioral difficulties resulting from autism spectrum disorder; and other needs resulting from the child's disability that impact progress in the general

curriculum, including social and emotional development.

Communication Impairment

The capacity to use expressive and/or receptive language is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: speech, such as articulation and/or voice; conveying, understanding, or using spoken, written, or symbolic language. The term may include a student with impaired articulation, stuttering, language impairment, or voice impairment if such impairment adversely affects the student's educational performance.

Developmental Delay

The learning capacity of a young child (3-9 years old) is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: receptive and/or expressive language; cognitive abilities; physical functioning; social, emotional, or adaptive functioning; and/or self-help skills.

Emotional Impairment

As defined under federal law at 34 CFR §300.7, the student exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance: an inability to learn that cannot be explained by intellectual, sensory, or health factors; an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; inappropriate types of behavior or feelings under normal circumstances; a general pervasive mood of unhappiness or depression; or a tendency to develop physical symptoms or fears associated with personal or school problems. The determination of disability shall not be made solely because the student's behavior violates the school's discipline code, because the student is involved with a state court or social service agency, or because the student is socially maladjusted, unless the TEAM determines that the student has a serious emotional disturbance.

Health Impairment

A chronic or acute health problem such that the physiological capacity to function is significantly limited or impaired and results in one or more of the following: limited strength, vitality or alertness including a heightened alertness to environmental stimuli resulting in limited alertness with respect to the educational environment. The term shall include health impairments due to asthma, attention deficit disorder or attention deficit with hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, if such health impairment adversely affects a student's educational performance.

Intellectual Impairment

The permanent capacity for performing cognitive tasks, functions, or problem solving is significantly limited or impaired and is exhibited by more than one of the following: a slower rate of learning; disorganized patterns of learning; difficulty with adaptive behavior; and/or difficulty understanding abstract concepts. Such term shall include students with mental retardation.

Neurological Impairment

The capacity of the nervous system is limited or impaired with difficulties exhibited in one or more of the following areas: the use of memory, the control and use of cognitive functioning, sensory and motor skills, speech, language, organizational skills, information processing, affect, social skills, or basic life functions. The term includes students who have received a traumatic brain injury.

Physical Impairment

The physical capacity to move, coordinate actions, or perform physical activities is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: physical and motor tasks; independent

movement; performing basic life functions. The term shall include severe orthopedic impairments or impairments caused by congenital anomaly, cerebral palsy, amputations, and fractures if such impairment adversely affects a student's educational performance.

Sensory Impairment

The term shall include the following:

1. Hearing - The capacity to hear, with amplification, is limited, impaired, or absent and results in one or more of the following: reduced performance in hearing acuity tasks; difficulty with oral communication; and/or difficulty in understanding auditorally-presented information in the education environment. The term includes students who are deaf and students who are hard-of-hearing.
2. Vision - The capacity to see, after correction, is limited, impaired, or absent and results in one or more of the following: reduced performance in visual acuity tasks; difficulty with written communication; and/or difficulty with understanding information presented visually in the education environment. The term includes students who are blind and students with limited vision.
3. Deaf-Blind - Concomitant hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs.

Specific Learning Disability

The term shall have the meaning given in federal law at 34 C.F.R. §§300.7 and 300.541.

Federal Definition:

Specific learning disability is defined as follows:

(i) General. The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

(ii) Disorders not included. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage

Extended Evaluation

When the TEAM determines that a child is eligible but questions remain about how best to program for a student, an extended evaluation should be implemented. When the TEAM has determined eligibility and some necessary objectives and services, then the TEAM should write a partial IEP while the Extended Evaluation is occurring. The evaluation may not extend beyond eight school weeks. An extended Evaluation may not be used for the following purposes.

The extended evaluation period is not used to allow additional time to complete the required assessments. If the parent consents to an extended evaluation, the Team documents its findings and determines what evaluation time period is necessary and the types of information needed to develop an IEP. The Team may decide to meet at intervals during the extended evaluation, but in all cases reconvenes promptly to develop an IEP when the evaluation is complete. The extended evaluation may extend longer than one week, but does not exceed eight school weeks. The extended evaluation is not considered a placement.

A Finding of No Eligibility

The TEAM must make a finding of no eligibility:

- If the student does not have a disability;
- If the student does have a disability but is making effective educational progress without the need of supportive services;
- If the student shows a lack of educational progress but it is not due to a disability;
- If the student does not require specialized instruction.

Parents must be informed by the TEAM Chairperson in writing of the finding of no eligibility using the N2 Form. Parents also have the right to appeal any eligibility determination to the Bureau of Special Education Appeals, including a finding of no eligibility. Parents may contact the BSEA directly or request the district's assistance with this process. This information is included in the Parents Rights Brochure.

If it is the determination of the TEAM that the student does not qualify for special education services under Section 28 or that a student is no longer in need of services under Section 28 the TEAM must make a finding of "No Eligibility". It is the

Case Manager's responsibility to:

- Complete the Eligibility Sheet;
- Complete Notice of Finding to the Parents. (Initial Evaluation: Refusal to Act (N2);
- Reevaluation: Refusal to Act - this notice should include a summary of assessments, rationale for the decision, a listing of any accommodations needed to ensure that the student continues to make effective progress. These accommodations may be made with or without a 504 accommodation plan. A parent has the right to have services continue for at least thirty days while they consider appealing to BSEA;
- Send copies of ED1 (see Appendix XXVI) and N1 (see Appendix XXVII), N2 (see Appendix XXV), N3 (XXVIII) to the Office of Special Education along with:
 - All assessments
 - All notifications
 - parent response on the Eligibility flow chart

The Building Coordinator/Case Manager is also responsible for providing the parents with copies, at their request, of all paperwork generated at the TEAM meeting. Should the parent disagree with the Special Education TEAM determination that the student is not eligible for Special Education and/or related services, they have a right to appeal that finding with the Bureau of Educational Appeals (BSEA).

At the Conclusion of the Eligibility Determination Meeting

Following the eligibility meeting, the Case Manager should provide the parent with a completed copy of the "Eligibility Determination TEAM Meeting Notes". The parent/guardian is asked to sign the form – not indicating acceptance or rejection – just acknowledging the form was provided to them.

SECTION 504 OF THE REHABILITATION ACT OF 1973

Eligibility

A student's eligibility for a 504 Accommodation Plan is not determined at the Special Education TEAM Eligibility Determination Meeting. The TEAM may only suggest that an accommodation plan may be appropriate. The Principal is responsible to convene a TEAM, which may include a member of the Evaluation TEAM to determine if the student's disability warrants a 504 Accommodation Plan and what should be included on that plan. The principal and a classroom teacher as well as the parent must all be members of that TEAM. The Principal may identify other TEAM members. Eligibility for a 504 Accommodation Plan is determined following the guidelines delineated in the "Section 504 Procedures Manual". Please refer to this manual for more detail explanation of the process and procedures.

In some instances, the TEAM will have clear evidence of a disability, well-documented data and a history of diagnosis. In others, the disability may not be as clear or there may be elements of two or more disabilities present. It is the responsibility of the TEAM to make a good faith effort to determine the category of disability. It is recognized that this is not always easy and may, in fact, be altered at some other date.

THE IEP MEETING

Overview

The Special Education IEP process represents a shift in focus away from the emphasis on assessment reports, toward discussion around accommodations, the learning needs of the student and the impact of the student needs within the regular education setting. This model should afford the TEAM participants more opportunity to share ideas, establish trust and reach consensus around the Service delivery to students.

The TEAM Chairperson has the authority to commit the town's resources. At the TEAM meeting, the Chairperson should make the following very clear:

“I am the TEAM Chairperson, and I have the authority to commit the resources of the town.”

The TEAM Chairperson is identified on the consent form. The Case Manager is the Primary Service deliverer. Most importantly, these two roles, Chairperson and Case Manager, must be identified before and/or after the meeting and the parent must know who they are.

Each Special Education TEAM should have a clear and straightforward agenda. The agenda for the TEAM meeting should reflect the interests of all participants in an effort to reach consensus around the following:

- The focus of special education services
- Types of strategies that will foster effective progress
- Collaborative effort
- Relationship between proposed goals and the core curriculum
- Delivery of special education services

THE IEP MEETING: PROCEDURES

At the beginning of the IEP TEAM Meeting the Chairperson will:

- Introduce all TEAM members and identify the Chair as the member of the TEAM who has the authority to commit resources of the town;
- Set the agenda and establish reasonable time parameters;
- Provide parent with a draft IEP developed by the Case Manager;
- Assist the parent's in a discussion parent's goals (concerns) for the year and the parent's and student's vision.

The Case Manager Should:

- Assist the parent in going through the IEP, making changes as the TEAM suggests;
- Discuss draft goals, objectives, and service delivery;
- Assist in other IEP determinations: Transportation, Assistive Technology, Behavior, Discipline, Transition issues, etc;
- Give a copy of the draft with edited remarks to the parent;
- Make a determination whether a Placement Meeting is required and who should attend;
- Do not schedule any services in the proposed IEP until the Chairperson notifies you that the IEP has been signed

It is best to determine what the goals for the year will be and *then* develop a service delivery to achieve those goals always reminding the TEAM that we are mandated to develop and IEP which offers a Free Appropriate Public Education in the Least Restrictive Environment.

THE IEP MEETING: MCAS DISCUSSION AND ACCOMMODATION IDENTIFICATION

Every year the TEAM must discuss the student's participation in all relevant MCAS examinations. This must occur for every student in grades three through ten (and possibly grades eleven and twelve, should the student still need to fulfill an MCAS requirement for graduation). It should be noted that documentation of this discussion must be made on the "Summary of Proposed IEP Form" and should be given to the parent at the completion of the TEAM meeting.

The TEAM must also determine the accommodations required in order for the student to demonstrate their understanding on all relevant MCAS examinations. It should be noted that no accommodation should be listed in the IEP which is not used in the general education of the student. Additionally, general accommodations may exceed MCAS accommodations; however, MCAS accommodations shall not exceed those provided in the general education of the student.

FREE AND APPROPRIATE PUBLIC EDUCATION

A child who is eligible for special education services is entitled by federal law to receive a Free Appropriate Public Education (FAPE). FAPE ensures that all students with disabilities receive an appropriate public education at no expense to the family. FAPE differs for each student because each student has unique needs. FAPE specifies that needed services must be provided without cost to the family.

FAPE guarantees that for students who are found eligible for special education, school districts must be prepared to provide services according to an IEP beginning no later than their third birthday. If a student continues to be eligible, services may continue until the student graduates from high school with a standard diploma or turns 22, whichever comes first.

FAPE also means that students receiving special education services have access to and make meaningful progress in the general curriculum (i.e. the same curriculum as students without disabilities) and the right to be full participants in the life of the school. Students with disabilities are not only entitled to access the academic portion of school, but also to participate in extracurricular and other activities sponsored by the school. Full participation means that students with disabilities are entitled to the aids and services needed to assist them in participating in all areas of school life.

WRITING THE IEP

When writing the IEP the first step is to explicitly outline: Parents/Student Concerns, Student Description, and the TEAM Vision for the student.

Step One:

Parents and/or students need to give input into IEP development. Parent and/or student input become the first indicator for defining the IEP focus. The placement of this item as the first order of business is deliberate and in keeping with the importance given to parent input in IDEA 2004. Parents need to be asked to share their biggest concerns and their hopes for their child's accomplishments, as the parent perspective is unique and important to the TEAM's work. Parents, without exception, have a view of the student that cannot be duplicated by even experienced evaluators.

Key evaluation results should include the area of disability and the results of the most recent MCAS. TEAMS should keep a whole child perspective. The TEAM must next review the student's strengths, interests, personal attributes and personal accomplishments as well as key evaluation results to enable TEAM members to keep a whole child perspective when writing the IEP. TEAMS should avoid a segmented look at the student where individual skills or problems are identified in isolation. The TEAM will want to keep the big picture in mind and plan to use the student's strengths to best advantage in planning steps for the next IEP period. When developing an IEP for a student with an existing IEP, the TEAM should always review the content of the existing IEP as they begin developing a new IEP. The new IEP should be revised and updated as needed to shift goals and services and to demonstrate a progression of learning. Each year's measurable annual goals should clearly show a step by step increase in a student's learning outcomes. Also, if necessary, any lack of expected progress needs to be discussed and addressed.

The vision statement directs the TEAM's attention towards the future. The vision statement focuses the TEAM on the future of the student. The TEAM steps back from the here and now to take a broader, long-range perspective as it looks to where this student is headed in the future. Developing the vision statement helps the TEAM balance between the immediate concerns and the hopes and dreams for the future. Knowing where the student is headed makes it easier for the TEAM to eventually determine what progress needs to be made this year. TEAMS must remember the ultimate goal for all students with disabilities is independence and productive lives. Depending on the student's age, the TEAM needs to look one to five years in the future when writing the vision statement. As the student becomes older and more involved in transition planning, the vision statement becomes the hopes and dreams of the student and not the parent and TEAM. Also, the statement for older students must conform to Federal regulation and be based on the student's preference and interests and include desired outcomes in adult living and post-secondary and work environments. For younger students, the TEAM might want to project over a shorter span of time and concentrate on times when the student might be transitioning from preschool to elementary school, elementary school to middle school or from a more restrictive environment to a less restrictive environment. For these younger students, the adults take the more active role in developing the vision statement.

Step Two: PLEP A

Accommodations: All accommodations required in order for the student to access the curriculum should be included in this section. Only accommodations listed in this section may be used during MCAS testing.

The IEP includes specially designed instruction to meet the needs of the individual student and related services that are necessary to allow the student to benefit from the specially designed instruction, or consists solely of related services that are necessary to allow the student to access the general curriculum, consistent with federal and state requirements.

In developing the IEP, the TEAM proposes specially designed instruction and related services according to the needs of the child and not according to the availability of such instruction or related services.

Assistive technology and any specialized materials and equipment specified in IEPs are provided to the student. Norwell Public Schools provides evidence (in Summary of Proposed IEP form and in Meeting Notes) that assistive technology is considered for each eligible student and—if the student needs it in order to receive a free, appropriate public education--described in the IEP and provided by the district.

Step Three: PLEP B

The IEP must also address areas of other educational need. Student participation and progress in the general curriculum is a core concept of IDEA 2004; however, it is not the only required purpose of special education. The TEAM must also take a broader look at the student's overall involvement within the school including participation in extracurricular and other nonacademic activities and, for preschool students, participation in appropriate activities to ascertain other areas of need. The TEAM may consider how students communicate with others, how the students' behavior affects their learning or the learning of others, how assistive technology could support effective progress or how the students' disabilities affect transition to post-secondary activities.

When discussing how a student's disability(ies) affects transition to postsecondary activities, the TEAM must ensure that its discussion relates to the Vision Statement based on the student's preferences and interests (on IEP 1) and considers vocational education options that include a full range of occupational and career development possibilities. A TEAM that concludes a student's IEP should include vocational education must ensure that the student's IEP addresses how the disability would impact vocational education and include measurable, annual goal(s) and the necessary special education, related services and supplementary aids and services needed for the student to reach the vocational goal.

Step 4: GOALS AND OBJECTIVES

Upon determining that the student is eligible for special education, the TEAM, including the parent(s), develops an IEP at the TEAM meeting using the evaluation data to guide development of measurable, annual goals and objectives/benchmarks for the student. If the district chooses to draft any element(s) of the IEP for discussion, the TEAM Chairperson ensures that those elements are genuinely considered by the district prior to proposing the IEP.

IEP goals are written to make the greatest difference for students. Goals must be measurable and must specify the expected knowledge, skill, behavior or attitude to be achieved within the IEP period, typically one school year. Goal statements address priority needs and focus the instruction over the next year. The TEAM will have to make choices as to what can reasonably be accomplished in a single year's time. The TEAM must ensure the selected goals are the ones that matter to the parent, to the future of the student and in making the biggest difference for the student in the school.

Most IEPs should include only three to four direction-setting goals. However, the TEAM is responsible for making the final determination of the number and types of goals that are included in the IEP. Remember, though, an IEP is not a daily, weekly or monthly lesson plan but rather is a guide that supports the development of these other plans.

Goals must be challenging to ensure that students with disabilities are being held to high standards and are being adequately prepared for independence and productive lives. Yet, they must also be measurable and attainable. If a goal is being repeated year after year, there is something wrong. Most likely, the goal is not an annual goal and is not written in measurable terms. If the same goal is being repeated year after year, the goal is too vague or too broad and, in reality, becomes meaningless to judging a student's progress.

Goals need to spell out how the TEAM will determine if the student has met the goal. If a goal does not include evaluation strategies and/or criteria, the TEAM can not see whether the student has accomplished what was intended. The evaluation procedures should specify how the student's performance, resulting from instruction, will be documented

Norwell Public Schools utilizes a six-point approach to goal writing in an attempt to make our goals clear, concise, and measurable. The individual writing the goal must indicate the (1) direction the student will go, (2) the area being worked on, (3) baseline performance, (4) where the student will be with their performance, (5) how the teacher/specialist will accomplish this and (6) how they plan on measuring the performance of the student.

For example, a well-written goal adhering to the 6-point method would be:

“John will increase his ability to independently read sight-words from 20 words out of a standardized list of 50, to 30 words out of a standardized list of 50 by the end of the IEP period through direct instruction and teacher modeling as measured by bi-weekly data collection and oral reading accuracy.”

Service Delivery

Services for each student must be individually considered and recommended and should not depend on known or existing services. Services within the IEP may assist the student with the following:

- To reach the IEP goals
- To be involved and progress in the general curriculum
- To participate in extracurricular and nonacademic activities
- To allow the student to participate with non-disabled students while working towards the IEP goals

Overall, the services and aids should lead the student to success and to greater independence. To accomplish this aim, services may be provided directly to the student and/or on behalf of the student. In others words, the supplemental aids and services recommended to benefit the student may be provided to the student, to the parents and/or to the school staff. Services that are provided to parents and school staff members should help them assist the student in reaching IEP goals.

Supplemental aids and services should, to the maximum extent possible, allow the student to work within the general education environment along with non-disabled peers. The requirement for the student to work within the least restrictive environment is regardless of the nature and severity of the student’s disability. When writing an IEP, TEAM members must ensure such aids and services are recommended to ensure consistency with IDEA 2004 mandates.

Determining a Service Delivery Model – Students Ages 3-5

The least restrictive environment for a preschool age child is either in the home or in a day care or preschool environment. Preschool education includes social, fine and gross motor, language and cognitive development in the child’s home or day care or preschool environment. In these environment children are expected to begin to learn about relationships and books and play.

When children are challenged in their learning because of a developmental delay, related services are provided in order to support this development in the least restrictive environment. In some instances a child requires specific specially designed instruction in a more structured environment to develop these readiness skills. Only when a child will not progress in a less restricted environment is the integrated preschool in the public school setting recommended because it is a more restrictive placement. Even more restrictive placements may also be recommended by a TEAM. Those preschool placements may be an integrated preschool at the collaborative, which is different in that the instruction is more intensive, the students are more severe and the school day is longer or a small class that includes only special needs students with a low teacher pupil ratio and more direct instruction. A private day school may be recommended if the instruction is very unique and must be specially designed by an expert. Rarely is a preschool age child recommended for a residential environment.

Nonparticipation Justification

To reinforce IDEA’s strong preference for involvement in the general education environment, the law requires a clear statement justifying why removal is necessary when removal occurs. TEAMS no longer need to identify the steps for moving a student to a less restrictive environment. Rather, TEAM members must clearly identify times when a student is removed from the general education classroom and give good reason for such removal. Given reasons should focus on the benefit the student will receive from being outside of the general education environment. TEAMS will run counter to Federal mandates if their justification center on why the school district cannot provide the services within the general

education environment. For instance, the general education classroom not being large enough for the speech therapist to provide specially designed instruction within the same room or the speech therapist's schedule only allows for small group, pullout services would be inappropriate justifications. TEAMS are providing their justification during IEP development before the placement decisions have been made. Therefore, the justification should refer to any special education and related services recommended to occur in other settings during the service delivery discussion and not to potential placements.

Modified School Day/School Year

Most students with disabilities will attend school on the same daily and yearly schedule as their non-disabled peers. However, in certain circumstances, a TEAM will recommend a schedule modification. The TEAM may decide the student requires a year or residential services. In each case, the IEP must describe the modification and the reasons for such modification.

Typically a shortened day or school year may only be considered if a physician recommends such a change due to the student's health and consequent inability to participate in a full day program of instruction. Other reasons for a shortened day or year may exist but TEAMS should exercise extreme caution when making this type of recommendation as it may limit a student's ability to make effective progress, to reach higher standards, to meet graduation requirements, and to receive FAPE.

Extended school day and year services must be considered and recommended on an individual basis and the school may not routinely deny such services nor establish policies that deny such services without a consideration of the needs of the individual student. Not all students will require extended services and not all students who require extended services will require the same extended services. Even though school districts need not provide extended services to all students, school districts must make sure that their policies or procedures do not limit the individual consideration and provision of such services.

The TEAM's consideration of extended school day and year services must be based on:

1. the unique nature of any specially designed instruction or related services needed due to the disability of the student OR
2. If the student has demonstrated, or is likely to demonstrate, substantial regression due to a break in service (such as a summer vacation period). In regard to regression, all students "regress"—lose progress, forget, and revert to previous behavior—to some extent between school years. It must be determined whether a student's regression would likely be substantial, and whether the student would require a greater than usual time to "recoup"—to get back to the level the student had achieved before a break in service. These decisions as with earlier IEP decisions must be made by the TEAM based on the needs of the individual student and regardless of the nature and severity of the disability.

Transportation

Only if modified regular transportation is not a reasonable alternative should the TEAM move on to recommend a special transportation vehicle. Again, the TEAM must carefully review and include in the IEP any needed modifications, specialized equipment or precautions for this type of transportation.

Students who are placed away from the local school district are transported to the placement that that TEAM has determined to be appropriate. There is "special" transportation only when there is a unique requirement of the transportation vehicle or time in the vehicle.

STUDENT INVOLVEMENT IN STATE AND DISTRICT-WIDE ASSESSMENT

Eligible students must be included in state and district-wide assessment programs. The IDEA 2004 designates the TEAM as the group responsible for determining how a student will participate in these types of assessments.

For each district or statewide assessment, the TEAM must first decide whether the student can take the on-demand test as given. If not, TEAM members must ascertain whether the student can take the on-demand test with accommodations. TEAM members should ensure that their accommodation recommendations in this IEP section coincide with their earlier recommendations included in the PLEPs.

If the TEAM feels the student should not take any one of the on-demand assessments even with accommodations, then the TEAM must recommend and discuss why the student is being recommended to be assessed through an alternate assessment. Since Massachusetts has adopted state models for alternate assessments, after recording the reason for such assessment, TEAMS need only indicate that state alternate assessment models will be used.

All Special Education Students, barring medical exemption, participate in the MCAS. Each year the Massachusetts Department of Elementary and Secondary Education updates the *Requirements for the Participation of Students with Disabilities in MCAS*. This includes updated information on test accommodations and alternative assessments. Norwell Public Schools staff is advised of this revision via a memorandum issued directly to them by the Director of Student Services. Implications of the revisions are highlighted and discussed at length with the TEAM Chairpersons. Additionally some staff, if needed, may attend related training offered through the Massachusetts Department of Elementary and Secondary Education.

All Norwell Public Schools Special Education staff is expected to access the MCAS section of the DESE website and be familiar with the presented information. Any questions regarding MCAS and staff's related responsibilities should be directed to the Building Principal and the Director of Student Services.

IEP TEAM Meetings will address student assessment participation and relate any needed parent information. MCAS Appeal procedures are on file and staff is informed of the required implementation practices. MCAS results are closely reviewed for any needed instructional changes. Selected staff members may be required to attend trainings in data analysis and participation in the development of new program directions.

The Massachusetts Bullying Prevention and Intervention Law:

Chapter 92 of the Acts of 2010 ([An Act Relative to Bullying in Schools](#))¹ requires school leaders to create and implement strategies to prevent bullying, and to address bullying and retaliation promptly and effectively if they occur. Sections 7 and 8 of the law have specific implications for the IEP process and for students with disabilities.

Section 7 states: Whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. (G.L. c. 71B, §3, as amended by Chapter 92 of the Acts of 2010.)

Section 8 states: For students identified with a disability on the autism spectrum, the IEP Team must consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. (G.L. c. 71B, §3, as amended by Chapter 92 of the Acts of 2010.)

Sections 7 and 8 of the bullying intervention and prevention law refer to three groups:

Students with disabilities

- on the autism spectrum;
- when the disability affects social skills development; and

- when the disability may result in a vulnerability to bullying, harassment, and teasing.

It is recommended that IEP Teams for these students carefully consider the supports needed to build each student's social skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

Implications for the Individualized Education Program (IEP)

Because the IEP serves as a vehicle for improving the educational experience and achievements of a student with disabilities, the IEP Team uses a variety of information sources, including evaluations, assessment information, and its discussions of the student's present level of educational performance and social acumen, to inform the development of the IEP. The IEP Team's discussion focuses comprehensively on the student's educational needs and on the student's overall involvement in the school, including participation in the general curriculum and in extracurricular and other nonacademic activities. In this process, the IEP Team considers the student's disability and the impact of the disability on the student's interaction and communication with others.

- For all three groups of students with disabilities named in the bullying prevention and intervention law, the IEP Team must consider how the student's disability affects his/her learning the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. Many students will receive support in developing appropriate skills and proficiencies through general instruction. In such cases, the Team should include in the IEP any supports the student needs to learn the needed skills through the existing curriculum. As appropriate, the Team should include in the IEP needed accommodations to the general education program, or goals and objectives and special education services related to student's learning the necessary skills.
- Because of the nature of Autism Spectrum Disorders (ASD), progress in positive social skill development is already a likely focus within the IEP of every student with ASD. Social skills instruction should be at the student's skill level and appropriate for his/her age. The focus of the IEP in relation to the bullying intervention and prevention law will be to aid the student in accessing social and emotional learning to handle more effectively challenges in his/her academic, social, and communication realms.
- IEP Teams should consider ways that the age-appropriate instruction on bullying prevention and intervention incorporated into the school's general curriculum already assists a student with a disability in these areas and should reflect this discussion in the IEP. As noted earlier, the IEP should address those skills and proficiencies that the Team has determined the student would be unlikely to learn solely within the general curricular program, or any supports the student needs to make learning possible in the general curricular program.
- IEP Teams should consider whether modifications or services are needed for students with all types and severities of disabilities to be involved and progress in the school's or district's bullying prevention and intervention program that is incorporated into the school's or district's general curriculum. Also, Teams should ensure that students can participate fully in all procedures related to the reporting and investigation of bullying incidents. The district must ensure that the IEP Team includes a member of the school's staff who is knowledgeable about the school's bullying prevention and intervention general education curriculum when those issues are discussed at a Team meeting.
- Incorporated within the Team meeting process and the Team's discussion of a student's skills and proficiencies to respond to bullying, harassment, or teasing may also be education for families about the district's bullying prevention and intervention plan, the general education curriculum the school is using to instruct all students about bullying prevention and intervention, and the reporting mechanisms that are in place within the school.

Each time the IEP Team convenes, the Team should consider whether the student has been involved in any bullying incident, and use that information to inform its discussion of the student's needs. Additionally, the district should convene the IEP Team if the parent or any staff member believes that the student is at risk of being bullied or is exhibiting bullying behavior and such risk or behavior is directly tied to the student's disability.

WRITING THE IEP: PRESENTATION

If the TEAM members are unable to agree on the IEP, the TEAM Chairperson will state the elements of the IEP proposed by the school district. The school district ensures that each IEP TEAM has at least one person with authority to commit the resources of the district and that whatever services are set out in the IEP will actually be provided and that the IEP will not be changed at a higher administrative level within the district. The IEP should be written in generally understandable language.

Immediately following the development of the IEP, and within 45 school working days after receipt of the parent's written consent to an initial evaluation or reevaluation, the district shall provide the parents with two copies of the proposed IEP and proposed placement along with the required notice, except that the proposal of placement may be delayed according to the provisions of 603 CMR 28.06(2)(e) in a limited number of cases. Case Managers should present the parent with a completed copy of the "Summary of Proposed IEP" form (see Appendix XLVI).

No later than 30 days after receipt of the proposed IEP and proposed placement, the parents shall either accept or reject the IEP in whole or in part; request a meeting to discuss the rejected portions of the IEP or the overall adequacy of the IEP; or if mutually agreed upon, accept an amended proposal; and accept or reject the proposed placement.

Once the IEP has been developed, the Case Manager shall:

- Notify Director of Student Services, by sending a completed "File Submission Checklist" (see Appendix XLVII), all paperwork (including documentation from the pre-referral process) and all assessments in a new Special Education Student Record File. Submission of this package shall be no later than 3 school-working days following the IEP development meeting. For a complete summary of all required documentation for submission, please see the checklist on the "File Submission Checklist".
- The Director of Student Services will review the package to ensure procedural compliance and will sign the signature page and will return it and the placement page to the Case Manager
- The Case Manager will send two copies of the proposed IEP and placement, along with the N1 notification, to the parent within 5 school-working days of the IEP development meeting.
- The Office of Instruction will then monitor the signatures for all proposed yet unsigned IEPs. Once a signed IEP signature page and placement page is received the Case Manager will notify all service providers and general education teachers and will submit the signature pages to the Central Office for filing. The Case Manager should keep a copy for the teacher-based yearly student file.
- Once received the Office of Instruction will file the signature pages and will enter the IEP signature into X2.

WRITING THE IEP: PLACEMENT

The TEAM decides the placement after the IEP is written. The school district must work cooperatively with the TEAM to implement the placement determination, and must ensure that final placement is made consistent with the IEP, least restrictive environment requirements and requirements related to giving preference to approved programs and programs in Massachusetts.

The IEP forms the basis for the placement decision. Once the TEAM has decided on the student's needs and required services, the TEAM decides which placement is required to implement the IEP. The placement should be chosen individually for each student from a full continuum of placement options based on the most appropriate placement to provide the services on the student's IEP.

A placement in the general education environment is presumed. IDEA 2004 presumes the first placement option considered for all eligible students will be the general education classroom with the use of supplemental aids and services. Students may not be denied education in age-appropriate general education classrooms solely because the students' education requires modification to the general curriculum.

The TEAM must first consider if the eligible student may be served in the school and classroom the student would attend if not disabled. Other options should be considered only when the nature and severity of the disability would prevent satisfactory achievement within the general education environment.

In cases where the placement would be other than the child's local school, a Placement Meeting is required. The Placement Meeting should be attended by all typical TEAM Members, the Norwell Public Schools Director of Student Services, and a representative from the proposed placement (attendance by phone, for this person, is permitted).

The TEAM Chairperson and Case Manager should be in touch with the Director of Student Services who will assist in this process.

PLACEMENT: THE LEAST RESTRICTIVE ENVIRONMENT

The IDEA 2004 mandates that students with disabilities must be educated with their non-disabled peers to the maximum extent appropriate based on the student's needs. This is known as the Least Restrictive Environment (LRE). The TEAM determines the placement that the student needs to provide the services on the student's IEP and the TEAM must choose the least restrictive environment able to provide those services. This means that the student should attend the school he or she would attend if they had not been found eligible for special education and/or related services, unless the TEAM determines that the nature of the student's disability will not allow that student to have a successful educational experience in that environment.

The TEAM must carefully consider whether supplemental aids and services and specialized instruction could make it possible for the student to be educated with non-disabled peers. If services can be appropriately provided in a less restrictive setting, the TEAM must choose that type of program and setting. If the student's program requires a more restrictive setting to be successful, then the TEAM may consider other settings.

Determination of the LRE is based on the student's IEP, not on a diagnosis or specific disability label. This determination must be made individually and carefully. Students cannot be placed in separate or more restrictive environments only because they require modification of the curriculum.

Norwell Public School Standards

- The programs selected by the Norwell Public Schools are the least restrictive environment for students, with consideration given to any potential harmful effect on the students or on the quality of services that he/she needs.
- If the student is removed from the general education classroom at any time, the TEAM states why the removal is considered critical to the student's program. The TEAM states the basis for its conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.
- The Norwell Public Schools does not remove an eligible child from the general education classroom solely because of needed modification in the curriculum. The Norwell Public Schools ensures that all students eligible for special education services have access to the general curriculum in the LRE. The District provides a full spectrum of services including, a learning center, academic classes that are aligned with the curriculum frameworks, academic support services, general education classes with support (co-teaching or teacher/aide models), and specialized and regular vocational programs. School Counseling and Speech and Language services are accessible for eligible students.
- The Norwell Public School provides assistive technology when the TEAM determines it is necessary for the student to access the curriculum.

An in-district placement should always be considered and recommended before an out-of-district placement is considered. If the TEAM determines that an out-of-district placement is necessary, the TEAM must be mindful of the requirement to give preference to approved programs located in Massachusetts.

It is worth noting that if the TEAM determines an out-of-district placement is required, most such programs are not within the jurisdiction of the public school district and specific program locations cannot be guaranteed. In such cases, the public school district must work cooperatively with the TEAM to implement the placement determination, and may have to consider referrals to multiple program locations.

If any member of a TEAM has questions regarding what the most appropriate placement for a student may be, or how

certain services may be delivered in the least restrictive setting, he/she should be in touch with the Director of Student Services. The Director of Student Services is available to attend any meeting where the TEAM feels it will be discussing resources beyond those, which are readily available in their school building. Parents should be informed that the Director of Student Services would be attending the TEAM meeting.

If questions arise regarding placements outside the school district or if the parent introduces issues that the Chairperson did not anticipate and is unprepared to respond, the TEAM Chairperson may do either of the following:

1. Take a brief recess and call the Director of Student Services, or the Building Coordinator. In most cases, the Director or Building Coordinator will either be able to provide immediate assistance or come to the meeting;
2. End the meeting and reconvene at a later date, remaining within the prescribed timelines, a meeting that includes the Director of Student Services or the Building Coordinator.

The TEAM may determine that a Placement Meeting is required following the meeting to develop the IEP. This must occur within the forty-five day timeline.

A Student may be placed at an elementary school outside his/her attendance area only under the following circumstances:

1. The parent has filed a written request with the Superintendent and he has formally approved the placement.
2. The TEAM determines that the student's special education needs require that he/she be placed in a specific school environment.

For more information regarding attendance area policies and practice, please refer to the Norwell Public Schools Attendance Area Policy.

PLACEMENT: MORE RESTRICTIVE PLACEMENTS

The Norwell Public Schools offers a continuum of LRE placements in more restrictive settings.

The Norwell Public Schools is a member of the South Shore Educational Collaborative (SSEC). SSEC provides placements for student with a variety of disabilities who the TEAM has determined requires a substantially separate placement.

Norwell also utilizes several other collaborative programs as appropriate. The North River Collaborative has building based self-contained programs for students who have emotional disabilities but may need opportunities for integration in the general education setting. NRC has programs for multi-handicapped students and has expertise in the development of assistive technology for students with complex needs. NRC's North River Academy is a separate school and services students whose emotional disability and learning style suggest that they would do well with a structured program that emphasizes hands on learning, while following the curriculum frameworks. NRC also has programs and services for students with visual impairments. North River Collaborative also supplements some of our high school programs with Vocational support or Job Coaching.

Pilgrim Area Collaborative is particularly excellent in developing programming for students with autism. Their programs are housed in neighboring districts. Pilgrim Academy is a placement for students whose behaviors are interfering with their ability to progress in the regular high school environment.

Hanover Public Schools runs a prevocational program for intellectually impaired students that offer opportunities for work experience in and out of the high school environment. Scituate High School offers a prevocational program for students with intellectual impairments similar to Hanover's program.

Private Approved Massachusetts Special Education Day Programs: Norwell has placed students in several private special education programs, e.g. Manville, Cotting, Gifford. When appropriate, Norwell will place a student in a Private Approved Special Education Residential Program, e.g. Higashi.

Norwell may share responsibility for students who cannot live at home because of an emotional disability with the Department of Mental Health. When an appropriate placement cannot be secured in state, Norwell has sought an approved out of state placement.

In rare circumstances of a difficult to place student, Norwell has placed a student in an unapproved placement out of state. In most cases, the TEAM who wrote the IEP will decide the placement immediately after the IEP is developed. If the student's needs and corresponding services are complex and the TEAM is considering an initial out-of-district program or a different setting for a student currently in an out-of-district placement, a subsequent meeting might be scheduled to finalize the placement decision. In all cases, the parent continues to be an equal participant in the TEAM process

PROCEDURES FOR APPROVED AND UNAPPROVED OUT-OF-DISTRICT PLACEMENTS

Norwell Public Schools school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the students' files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Elementary and Secondary Education, or to the out-of-district program.

Norwell Public Schools retains full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district program.

Norwell Public Schools, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. Preference is given to approved programs located within the Commonwealth of Massachusetts if the choice of such program is consistent with the needs of the student and the choice of such program complies with LRE requirements. When an approved program is available to provide the services on the IEP, the district makes such placement in the approved program in preference to any program not approved by the Department.

Norwell Public Schools enters into written contracts with all public and private out-of-district placements. At a minimum, such contracts meet the content requirements of 28.06(3)(f)(1-5).

When Norwell Public Schools places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures that such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student's IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation.

Placement documentation: The following documentation is maintained by Norwell Public Schools pursuant to its placement of students in unapproved out-of-district programs:

- Search: The Director of Student Services documents the search for and unavailability of a program approved by the Department. The Director of Student Services files such documentation in the student record.
- Evaluation of facility: The Director of Student Services or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such program. Such evaluation determines whether the unapproved facility can appropriately implement the student's IEP in a safe and educationally appropriate environment. Such evaluation determines whether the unapproved facility can and will provide the student with all the rights that are accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.

School district approval to operate a private school in Massachusetts: If services in an unapproved program are provided in a school setting, the Director of Student Services ensures that such school has received approval from the school committee where the private school is located under M.G.L. c.76, §1 and a copy of such approval is retained in the student record.

Pricing: Pursuant to the requirements for Compliance, Reporting, and Auditing for Human and Social Services at 808

CMR 1.00, the administrator obtains pricing forms required to set program prices for programs receiving publicly-funded students. Such pricing forms are completed by the proposed placement and document that the price proposed for the student's tuition is the lowest price charged for similar services to any student in that program.

Notification of the Department of Elementary and Secondary Education: Prior to placement, if the TEAM determines that placement in such facility is appropriate, the administrator notifies the Department of the intent to place the student and the name and location of the proposed placement before placing the student into the program by sending a completed mandated 28M3 form titled "Notice of Intent to Seek Approval for Individual Student Program" (see Appendix XLIX) and all the required supporting documentation (i.e., completed pricing forms, signed written contract that will govern such placement, and monitoring plan pursuant to 603 CMR 28.06(3)(b)). Norwell Public Schools maintains copies of this documentation, as well as any documentation of the Department's objections to such placement and the steps the district has taken in regard to such objection. The Director of Student Services maintains documentation of the approved price for publicly-funded students as set by the state agency responsible for setting program prices. The Director of Student Services maintains documentation of actual monitoring of the unapproved placement, including any site visits made and other monitoring activities undertaken by the school district.

Out of state programs: If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the Director of Student Services ensures that such school has received approval from the host state.

ACCEPTANCE OF THE IEP

Overview

Once the TEAM has developed an IEP reasonable calculated to provide educational benefit, it should be sent to the Director of Student Services for review and signature. Once the Director of Student Services has signed the IEP it will be formally presented to the parents. Once the IEP has been presented to the parent, the parent is asked to carefully review it and sign, in ink, their full acceptance, partial rejection, or full rejection. The IEP is a legal document which allows the Norwell Public Schools to service the student with informed parental consent.

For initial IEP development, no services can be delivered – as outlined in the IEP – until the parents have signed and returned the IEP to the Norwell Public Schools.

Full Acceptance

Once the parent/s has signed the IEP, Norwell Public School staff shall immediately implement all aspects of the plan immediately.

Rejection (Full or Partial)

If the parent should reject all, or portions, of the IEP the TEAM should schedule a follow up meeting, which shall include a building or district administrator, that may assist in mediating the disagreement. If no mediation is possible, or the parent does not agree to another meeting, the rejected IEP should be sent immediately to the office of the Director of Student Services. Upon receipt, it will be sent to the Bureau of Special Education Appeals. A mediation or Hearing may follow.

SPECIAL EDUCATION TEAM MEETING: ANNUAL REVIEWS

Once the Special Education TEAM has developed an IEP, which has been signed by the parent and Director of Student Services, the TEAM will meet once a year to review student progress toward the goals identified in the IEP. This meeting of the TEAM is referred to as an Annual Review.

The TEAM members have the same responsibilities for the Annual Review as were outlined previously in this manual. In some cases, the student's primary service deliverer acts as the TEAM Chairperson for the annual review. His/her responsibilities as the Chairperson include but are not limited to: maintaining communication with the home; ensure that progress reports of all service deliverers go home when report cards go home.

The TEAM Chairperson (or Case Manager) is also responsible to setting up the meeting, coordinating the schedules of the parents and other service providers. Once a meeting date has been established the Case Manager sends invitation and signature page to the parents (and/or student depending on age) at least ten school days prior to the TEAM meeting. The Case Manager then should also notify TEAM members of the meeting date and should document any change of time and notify all participants of the change in time.

Prior to the TEAM meeting the Case Manager should review student's file, prior assessments, and current progress and update assessments as indicated on the IEP to determine Performance Criteria on PLEP A & B.

At the TEAM meeting the Case Manager should following procedures already outlined in this manual. Essentially, the Case Manager ensures:

- that introductions are facilitated and TEAM members sign-in on the attendance sheet;
- that they have introduced themselves as the individual with the authority to commit the resources of the town;
- that the parent/student is asked to share their perceptions of the student's progress and any concerns they have;
- that the parent and student, along with the entire TEAM, update the communal vision for the student;
- that PLEP A & B are updated;
- that student progress and data collection activities are discussed and progress toward the goals is established and revise goals/objectives as appropriate;
- that for students aged 14 years or older there is a transition goal in the IEP and the TEAM discusses transition services;
- that the proposed service delivery grid is updated
- that the non-participation justification, extended/shorter day/year is discussed and updated and that transportation services are discussed and updated;
- that MCAS accommodations are discussed and the examinations the student will be participating in is discussed and documented;
- that any other discussions relevant to the IEP are documented in the additional information section of the IEP.
- that the TEAM has had the opportunity to discuss transportation concerns, assistive technology needs, behavioral needs, any implications for the discipline code, etc.

Following the meeting that case Manager provides the parent/student with a draft IEP (if possible) or a completed copy of the "Summary of Proposed IEP" form.

Once the IEP has been developed and is ready for submission, the Case Manager shall:

- Notify Director of Student Services, by sending a completed "File Submission Checklist", with all necessary paperwork attached. Submission of this package shall be no later than 3 school-working days following the IEP development meeting. For a complete summary of all required documentation for submission, please see the

checklist on the “File Submission Checklist”.

- The Director of Student Services will review the package to ensure procedural compliance and will sign the signature page and will return it and the placement page to the Case Manager
- The Case Manager will send two copies of the proposed IEP and placement, along with the N1 notification, to the parent within 5 school-working days of the IEP development meeting.
- The Office of Instruction will then monitor the signatures for all proposed yet unsigned IEPs. Once a signed IEP signature page and placement page is received the Case Manager will notify all service providers and general education teachers and will submit the signature pages to the Central Office for filing. The Case Manager should keep a copy for the teacher-based yearly student file.
- Once received the Office of Instruction will file the signature pages and will enter the IEP signature into X2.

IEP MONITORING

It is required that documentation be kept on file to demonstrate that Regular Education Teachers and all Service Providers have read the student IEP, and that the contents of the IEP have been explained to them in full. The staff has the opportunity to clarify any statements on the IEP, which are unclear.

The IEP implementation and monitoring form is to be processed to the staff by the student's Case Manager--- whenever a new IEP/Amendment is developed and signed by the parent/guardian. A copy of the new document[s] is/are attached to the form for staff review.

Signatures by the Regular Education Teachers and Service Providers indicate that they have read the IEP/Amendment and understand it.

The Norwell staff is legally responsible for implementing any and all parts of the IEP that relates to their class – subject area – service area throughout the students school day.

All questions – concerns – issues should be immediately brought to the attention of the student's Case Manager.

It is the responsibility of the Case Manager to see that a completed copy of the form is placed in the student's Special Education record (housed in Central Office). The Case Manager will also monitor the implementation of the IEP to correspond with the report card schedule.

The goal is for everyone to work together cooperatively to provide a cohesive appropriate program to the student while he/she is attending the Norwell Public Schools.

IEP PROGRESS REPORTS

Progress reporting may coincide with an Annual Review Meeting.

Documentation from an Annual Review Meeting should reflect the student's progress towards the existing IEP goals. Therefore, TEAMS will want to refer to the most current progress report during such review meetings. However, the Annual Review Meeting may never substitute for a required, written progress report even if the two activities coincide.

At the Annual Review Meeting, the TEAM should review IEP progress towards the previously developed annual goals, adjust the IEP in any necessary section to ensure the information is current, and add new goals for the next IEP period. Each IEP period's measurable annual goals should clearly show a step by step increase in a student's learning outcomes, a progression of learning.

Progress reports are sent home as often as regular education report cards.

It is case manager's responsibility to send home progress reports of all service deliverers.

It is the responsibility of service deliverers to give the progress reports to the case manager.

The case manager should send ALL progress reports to the Office of Instruction when they send in the Annual Review. Alternatively, case managers may elect to submit progress reports to the Office of Instruction following their being sent home. Either way is acceptable as long as they are submitted and filed with the student record prior to the end of the school year.

Progress reports should specifically address the goals that have been set by the TEAM and include appropriate measures of progress related to those goals. If benchmarks have been achieved they should be mentioned in the progress report. If they have not, ways in which the specialized instruction or accommodation will be altered to improve progress must be addressed in the progress report.

Parents receive reports on the student's progress toward reaching the goals set in the IEP at least as often as parents are informed of the progress of non-disabled students. Progress report information sent to parents includes written information on the student's progress toward the annual goals in the IEP.

Where a student's eligibility terminates because the student has graduated from secondary school or exceeded the age of eligibility, the school district provides the student with a summary of his or her academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her postsecondary goals.

MISSED SERVICE DELIVERY

If a student has missed more than three sessions of service delivery in a progress report period because a special educator was delayed or assigned or responsible for other duties during that child's service delivery time, the parent and the Director of Student Services must be notified, immediately. This Norwell Public Schools requirement does not apply to sessions missed because a student is absent or on a field trip or a special educator is absent. The report must be made only if the special educator is asked to perform duties that interfere with his/her ability to deliver services.

All service providers must keep track of students missed sessions and the reasons why (including field trips, your own illness, student illness, etc.). Parents have a right to know when services have been missed and you should have a procedure in place that allows you to be accountable if a question arises.

CHANGES TO THE IEP

Overview

IDEA, 2004 allows parents and the district to make changes to the IEP outside the TEAM meeting, without convening a TEAM meeting and without doing a new IEP. This may practice has the potential of lacking good documentation. No change may be made to a signed IEP without first being cleared by the Director of Student Services who will help ensure that the proper documentation of the change is available.

Amendments

In most cases if the TEAM determines that changes to the IEP are required, an amendment must be developed. An amendment may be used to change the service delivery model when a student changes districts if this is appropriate. An amendment may not be used to change a placement. The TEAM must be reconvened following issuance of notification to the parent.

SCHOOL-BASED TRANSITION SERVICES

Overview

Transition planning begins at age fourteen, or earlier, and is updated annually. Realizing successful post-secondary outcomes is a goal we have for all students. Depending on the disability and the support services required in adult life, successful transition from high school to adult life may require that planning activities begin in elementary school with students exploring their interests in middle school.

Starting the process early prepares students with disabilities to think about what they want to be able to do in adult life. In high school transition planning includes exploring post-secondary opportunities and employment options and may include connecting with the adult service agencies that may provide them with services when they graduate school or turn twenty-two years of age.

Shared Decision Making & Age of Majority

One year prior to the student reaching 18, Norwell Public Schools informs the student of their right at age 18 to make all decisions in relation to Special Education Programs and Services. Upon reaching the age of 18, the Norwell Public Schools implements procedures to obtain consent from the student to continue the student's Special Education Program. The Norwell Public Schools will continue to send the parent written notices and information, but the parent will no longer have decision-making authority, except in the following instances:

- If the parent sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority. The parent does not have authority to override any decision or lack of decision made by the student who has reached the age of majority unless the parent has sought or received guardianship or other legal authority from a court of competent jurisdiction;
- The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to share decision-making with his or her parent (or other willing adult), including allowing the parent to co-sign the IEP. Such choice is made in the presence of the TEAM and is documented in written form. The student's choice prevails at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making;
- The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent, to other willing adult. Such choice is made in the presence of at least one representative of the Norwell Public Schools and one other witness and is documented in written form and maintained in the student record.

Graduation

School districts must notify parents about graduation plans. The IEP calls for this information on the last page. Graduation, under IDEA 2004, is considered a change of placement. TEAMS should discuss plans for graduation every year of high school and document discussion on the additional information page. In addition, the Office of Instruction notifies the parents of all seniors who will be graduating the first week of February of the year they will graduate.

Statement of Needed Transition Services

The statement of needed transitional services begins no later than the first IEP developed when the eligible student is fifteen.

Recognizing the need for students with disabilities to engage in effective transition planning, the IDEA 2004 requires that transition planning be part of the Individualized Education Program (IEP). Beginning no later than the first IEP developed when the eligible student is fifteen; the TEAM considers the student's need for transition services and documents this discussion. If appropriate, the IEP includes a statement of needed transition services. The school district understands that it must maintain documentation of a full discussion of the student's transition needs, whether or not such discussion identifies needed transition services for the IEP. Such documentation must be reviewed and updated annually thereafter. Students must be invited to all educational meetings and allowed to participate actively when transition planning is discussed.

It is the practice of Norwell Public Schools to initiate Transition Planning during the IEP cycle during the student's seventh grade year.

Linkages to Post School Option

Beginning no later than the first IEP developed when the eligible student is fifteen the IEP's of students should include a post school vision statement as well as identify the transition services necessary to support the vision. IDEA 2004 defines transition services as a coordinated set of activities for a student with a disability that:

- Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- Is based on individual strengths, preferences and interest;
- Includes instruction, relate services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of dialing living skills and functional vocational evaluation. (P.L. 108-446, Sec 603 (34))

Transition Planning Chart

The Transition Planning Chart should be shared with parents and students ahead of the TEAM meeting to assist in formulating the IEP Vision Statement and to ensure that meaningful transition planning discussions are held at TEAM meetings.

This is NOT a mandated IEP form AND should not be attached to the IEP. Rather, it is a working document that helps focus relevant input in the for required transition planning areas of Course of Study, Employment, Community Experiences and Daily Living Skills and Needs, towards identifying the student's desired post-school outcome and determining the action plan that will help the student achieve this vision.

This chart, once completed, should be placed in the student's special education file and revisited each year. IF a special education-related goal has been identified on the chart as being needed, THEN the "Additional Information" section of IEP 8 could include a notation referring to the Transition Planning Chart located in the student's file.

The IEP is completed when it addresses all elements of the most current IEP format provided by the Department of Education. Where applicable, the district includes in the IEP, or other notice to the parent, information regarding any necessary restraint procedures for students as required under 603 CMR 46.00.

Summary of Student Performance

Students whose eligibility for Special Education and/or related services is terminating due to graduation of exceeding the age of eligibility requirements must be given a summary of their performance that includes the following;

- Student's Academic Achievement;
- Student's Functional Performance;
- Recommendations on how to assist the student in meeting his/her desired post-secondary outcomes.

VOCATIONAL EDUCATIONAL SERVICES

According to Massachusetts Law each school must ensure that students with disabilities have available to them “a variety of educational programs and services available to non-disabled students, including art, music, industrial arts, consumer and homemaking education and vocational education”

When considering the vocational needs of a student with special educational needs, a TEAM must be aware that:

- Vocational education is not exclusively the responsibility of vocational schools;
- IEP’s for students with disabilities must address vocational education needs and services based solely on the needs of the student;
- IEP TEAMS do not have the authority to make placements in vocational schools;
- Public schools must address needs related to vocational preparation or experience;
- Vocational schools must provide appropriate education and special education services

EDUCATIONAL SERVICES IN INSTITUTIONAL SETTINGS (ESIS)

Students who have been determined to be the educational responsibility of the Norwell Public Schools and who reside in a state facility (DMH; DYS; County House of Corrections; DPH) receive all evaluations and, if eligible, special education services in accordance with state and federal law.

Norwell Public Schools assigns a specific Case Manager to ensure regulation compliance. IEP services that are not available at the assigned facility remain the responsibility of the Norwell Public Schools. Norwell Public Schools maintains and updates annually a confidential list of these students. Norwell Public Schools' Case Manager coordinates all related meetings and required evaluations.

Department of Elementary and Secondary Education responsibility: In cases where the Department provides certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health, the Department retains the discretion to determine, based upon resources, the type and amount of special education and related services that it provides in such facilities.

Norwell Public Schools responsibility:

1. The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, issuing proposed IEPs in a timely manner, and providing special education and/or related services in accordance with state and federal law.
2. Where a student's IEP requires a type or amount of service that the facility does not provide, it remains the responsibility of the parent's school district to implement the student's IEP by arranging and paying for the provision of such service(s).
3. The parent's school district coordinates with the state agency to ensure that the student receives an evaluation, an annual review, and special education services as identified at a TEAM meeting convened by the parent's school district.

TRANSITIONAL SERVICES INTO ADULT LIFE

Interagency Collaboration

The adult service system is complex and understanding it is essential for effective transition planning. When students with disabilities graduate from school or turn 22 years of age, they move from an entitlement to a non-entitlement system. While in school students receive services and supports mandated by federal and state law. As adults, while they may be eligible for services from adult service agencies, these services are not an entitlement which means they are not guaranteed. Consequently, it is essential that educators, parents and students understand the adult service system years before adult services need to be accessed

It is a sound practice to invite adult service agencies to speak to groups of students and individuals who live with and work with students with disabilities in order to understand the eligibility processes specific to each agency as well as the services that are available to adults with disabilities.

Please see the “Request of Invite Outside Agency Representative(s) to the IEP Meeting” form. This form is to be completed and filed in the student record when the district invites outside agencies to participate in the TEAM meetings.

Chapter 688 Referral

For students with severe disabilities, a Chapter 688 referral should be made to ensure that students who will require ongoing supports and services from one or more public agency are part of the eligibility process for receiving services and supports as adults. For other students who require fewer supports and services and may not meet the eligibility requirements for Chapter 688, a general referral for services can be made to adult service agencies.

Filing a Chapter 688 referral creates a documented need for services and supports for adults with severe disabilities. The primary goal of filing a Chapter 688 referral is to plan for needed adult services for students. In those cases where a student is determined to be eligible and services are not provided due to a lack of funding or program availability, agency personnel can advocate to increase funds in the budget planning process for the next fiscal year in order to provide the needed services.

In Massachusetts, students with severe disabilities access adult service agencies through the Chapter 688 referral process. Chapter 688 provides a two year coordinated planning process for students whose entitlements to special education services will end when they graduate from school or turn 22 years of age. Contact each agency to find out the eligibility processes specific to each agency as well as the services that are available to adults with disabilities in order to determine the appropriate agency that should receive the Chapter 688 referral for each student.

Eligibility

Students who receive services in accordance with an IEP and receive SSI/SSDI and/or are on the registry at the Massachusetts Commission for the Blind (MCB) are automatically eligible for Chapter 688. Other students who may be eligible are those students with severe disabilities who are in need of continued services and are unable to work 20 or more hours per week in competitive, non-sheltered, non-supported employment at the time they are ready to leave school. Also, students who receive services from any state agency (Department of Youth Services, Department of Social Services, or the Department of Mental Health) who are an IEP or a 504 Plan may be eligible.

Only school systems can refer students that they believe may be eligible for adult services through Chapter 688. A referral must be made at least 2 years before the student is expected to graduate from school or turns 22 years of age. This 2 year planning period allows enough time to determine eligibility for adult services and for an agency(ies) to include the anticipated cost of services for the student in the budget request which is submitted to the Massachusetts Legislature each year.

Chapter 688 referrals and supporting documentation are sent directly to the appropriate agency and a copy of the 688 referral form is sent to the Bureau of Transitional Planning (BTP). Referrals can be made to the Department of Mental Retardation, the Department of Mental Health, and Massachusetts Rehabilitation Commission or the Massachusetts Commission for the Blind.

SCHOOL DISCIPLINE

Students identified as receiving Special Education and/or related services expected to meet the requirements for behavior as set forth in the Norwell Public Schools Student-Parent Handbook. The regulations in 603, CMR 28.00 pursuant to MGLc.69 Section 1B and Chapter 71B, Section 3 require that additional provisions be made for students who have been found eligible for special education by an evaluation TEAM. The following are these additional requirements:

- The IEP for each student with special education needs will indicate if the student's disability requires a modification of the discipline code.
- The principal must notify the Director of Student Services in writing within one school working day of the suspendable offense of any special needs student whose IEP does not reflect the need for modifications of the regular education discipline code. A record must be kept of such notices.

No single area in State or Federal Regulations has changed with as much frequency as the area of Discipline. It is therefore advisable to stay abreast of the most recent advisories. Discipline is the responsibility of the school principal and all authority for discipline rests with him/her. Any questions around procedures regarding the discipline of students with special education needs or students who have been referred for an evaluation or even students who may be suspected as having a disability should be addressed to the Director of Student Services.

Special Education staff and guidance counselors should be familiar with the regulations regarding:

- Free and Appropriate Public Education, (FAPE): Norwell Public Schools is responsible for providing FAPE to all of its students. A student may not be suspended for more than ten cumulative school days without the provision of FAPE.
- Manifestation Determination: The TEAM must consider whether appropriate services were in place and whether the behavior was a manifestation of the student's disability (Manifestation Determination Form).
- Functional Behavioral Assessment/Behavioral Intervention Plan: A FBA must be completed ten business days after the removal that will result in the 11th day of suspension; the BIP must be completed as soon as is possible following the FBA. The goal of a functional behavioral assessment is to understand why a student misbehaves. What does the TEAM feel is the function of the behavior: attention? Sensory input? What behaviors could be chosen to try and redirect the student? The Behavioral Intervention Plan should include instructions on how to replace problem behavior with replacement behavior (Please see Appendix XXXIX which will assist in compliance with this requirement).
- Alternative Educational Setting, AES: In cases of a dangerous weapon or drugs, the principal may place a student in an alternative educational placement for up to 45 days. The Principal and the Director of Student Services work with the TEAM to determine this placement. One option for placement in an Alternative Educational Setting is the TIDES program in Hull.

The Tides program is a substantially separate program for students with social emotional disabilities, on IEPs, who would benefit from the support of a low student staff ratio, a dedicated psychologist, group and individual therapies, and significant behavioral and academic support. The TIDES class is located in a separate room in the high school, and the students are all included in the regular classes to the extent that this is appropriate. Internships are available for students who have passed MCAS, and all high school activities are available. It is also an option to place a student requiring an EE in the North River Academy or Pilgrim Academy or Granite Academy. All of these placements have assisted Norwell in this manner in the past.

- “Stay-put” provision: Parents may request a due process hearing which invokes “stay-put”, freezing the placement during the pending expedited hearing.

Special educators should be certain that a student understands the discipline code outlined in the Student Handbook.

HIGHLY-QUALIFIED SPECIAL EDUCATION TEACHERS

All special education teachers must have at least a bachelor's degree, be fully certified as a special education teacher in Commonwealth of Massachusetts.

A special education teacher, who teaches core academic subjects exclusively to students who are assessed against regular or alternative achievement standards, must also meet the requirements of either an elementary or secondary school teacher or the subject matter requirements for Massachusetts licensure.

There is no right of action for a parent or student whose teacher is not highly qualified.

Norwell Public Schools actively monitors the licensure status of all professional faculty/staff to ensure they are currently certified/licensed. All faculty/staff, upon hiring, are entered into the district's electronic database. At that time all pertinent licensure information is entered and notices are provided to staff in sufficient time for them to renew their licensure prior to expiration. The Director of Student Services and the Director of Teaching, Learning & Technology, in consultation with the Building Principals, actively monitor the licensure status of all special education and related service faculty and staff.

OBSERVATION OF EDUCATIONAL PROGRAMS BY PARENTS AND/OR DESIGNEES FOR EVALUATION PURPOSES

Overview

Norwell Public Schools is committed to working collaboratively with parents/designees to ensure that families participate fully and effectively in determining the appropriate educational program for a student found eligible for Special Education and/or related services. To this end, Norwell Public Schools ensures that all parents and or their designees are afforded ample opportunity and proper access within the context of the school day to observe their child's current and/or proposed special education programs, in accordance with Massachusetts General Laws Chapter 71B, Section 3.

Norwell Public Schools will accept verbal or written observation requests from the parent or designee, directed to the Building Principal/Assistant Principal or Special Education Case Manager. Should a designee contact the school directly, the parent/guardian must confirm in writing that the designee is acting on their behalf.

Norwell Public Schools will provide timely access for an observation following such a request. Scheduling will be determined based on the student's individual educational program. It is reasonable for the district to designate certain periods of the year in which observations are not generally scheduled (e.g., MCAS testing, first/last week of school, etc.).

Norwell Public Schools will provide an observation of sufficient duration and extent to allow the parent/designee to participate fully and effectively with school personnel in determining an appropriate educational program. Each request will be scheduled on an individual basis taking into consideration the complexities of the student's educational needs as well as the nature and scope of the individual education program. Typically, observations will range in time from 30-60 minutes per academic or non-academic period.

Norwell Public Schools will not condition or restrict observations except when necessary to protect: (a) the safety of the children in the program during the observation, (b) the integrity of the program during the observation, and (c) confidential or personally identifiable information of children obtained while observing the program. The Building Principal, in collaboration with the Director of Student Services, will be responsible for determining any safety, integrity or confidentiality issues related to a requested observation.

Procedures & Restrictions

Norwell Public Schools provides appropriate access within a reasonable period of time to a student's program for purposes of observation by a parent, parent-designated evaluator or educational consultant upon request. The extent of observations shall be determined on an individual basis in an effort to permit access to a program that is sufficient in duration and extent to accomplish the purpose of the visit.

Norwell Public Schools will not condition or restrict program observations except when necessary to protect: (a) the safety of the children in the program during the observation, (b) the integrity of the program during the observation, and (c) children in the program from disclosure by an observer of confidential or personally identifiable information he or she may obtain while observing the program. Norwell Public Schools will consider the need for these conditions or restrictions on an individual basis at the discretion of the Building Principal, in collaboration with the Director of Student Services.

Building Principals, or designees, may exercise their discretion at any time to reschedule or terminate an observation in the event of a building emergency or a disruption that impacts the physical or emotional well-being of the children in the school or the program being observed. It is expected that these cases will be limited and that mutually agreeable observation schedules will occur.

A School Department staff member will accompany the Observer. S/he will be designated by the Building Principal, in

collaboration with the Director of Student Services. Scheduling of the observation shall include enough advance notice to ensure that the observation protects the safety of the program, the integrity of the program, and the confidentiality of participating students.

Additional Procedures and Restrictions:

1. If the designee reviews the student's records, as well as observes the program, the designee must have received written consent from the parent/guardian.
2. Any personally identifiable information regarding other students in the classroom shall not be included in the observation notes and shall be treated in accordance with the confidentiality laws and regulations including the Massachusetts School Record Regulations.
3. No part of the observation may be used to evaluate a staff member's performance.
4. Observation schedules will be determined prior to the observation in accordance with the schedule established between parties.
5. Videotaping and/or photography is/are prohibited.
6. Audio taping is not permitted without separate authorization.
7. In some cases, it may be necessary to obtain prior permission from other parents to have their children included in an observation.
8. No observation shall be conducted without the signed agreement on file with Norwell Public Schools.

SPECIAL EDUCATION AIDES AND INSTRUCTIONAL SUPPORT

Norwell Public Schools supports the individual Special Education Programs of student's through the hiring and employment of Special Education Aides. All Special Education Aides are supervised by a Norwell Public Schools professional staff member, namely, the Special Education Building Coordinator. This supervision and training is on-going and responsive to the individual needs of students and the student's individual needs in both instructional and non-instructional environments. Supervision, however, should not be confused to imply constant, direct and personal contact.

Student information is shared as needed for appropriate instructional approaches. At all times student record confidentiality is maintained. Special Education Aides are informed of their mandatory obligations regarding confidentiality at least annually.

Building principals, in consultation with the Director of Student Services, have final responsibility for the performance evaluations of the Special Education Aides.

Training opportunities are provided to Special Education Aides to increase both staff and student learning. A team approach to the education of all Norwell students is a priority. Use of support personnel, assistive technology and specialist consultation services are selected as needed to individual students. Special Education Aides increase safety for out students with disabilities and can facilitate multiple opportunities for consistent time on learning.

STUDENTS WITH DISABILITIES IN PRIVATE SCHOOL AT PRIVATE EXPENSE

Overview

Norwell Public Schools Office of Student Services maintains an up-to-date census of all private and parochial schools that enroll students living within the Town of Norwell. Students enrolled in private school at private expense have all rights for Special Education and/or related services as students enrolled within the Norwell Public Schools.

Letters are sent annually to all private and parochial schools to both request student enrollment information and to provide information regarding referral procedures, as well as the types of services available to students with disabilities

Evaluation Procedures

Norwell students enrolled in private school at private expense have all rights for Special Education and/or related services as students enrolled within the Norwell Public Schools. Upon receipt of a request for evaluation the Norwell school which would have been the student's placement if they attended Norwell Public Schools is notified. The Special Education Building Coordinator then initiates all referral paperwork as already outlined in this manual. This school is then referred to as the "host-school" and the Special Education Building Coordinator will establish parental contact and invite them to a conference meeting to discuss the presenting concerns and recommended evaluation components.

Upon receipt of a signed parental consent to evaluate the individual assessors will contact the parent to inform them of their assessment plans, as well as to establish a mutually convenient assessment schedule. Testing may occur at the host school, at the student's private school or in any mutually agreeable location (e.g., library, etc.). Information regarding the student's performance in the private school is requested and the student's classroom teacher/s is/are invited to participate in the TEAM meeting process.

Norwell Public Schools provides special education and/or related services designed to meet the needs of eligible students, who are attending private schools at private expense and whose parents reside in the district, and does so according to a properly developed IEP. The district provides to such students genuine opportunities to participate in a public school special education program consistent with state constitutional limitations.

In providing or arranging for the provision of the special education and/or related services described by the student's IEP, the district ensures that special education services funded with state or local funds are provided in a public school facility or other public or neutral site. When services are provided using only federal funds, services are provided on public or private school grounds. When the student attends a private school located outside of the district, the district makes reasonable efforts to provide or arrange for the provision of services for the student in the community where the school is located.

Norwell Public Schools does not withdraw or withhold services from a student whose parents reside in the district solely because the district has met the spending requirements of federal law.

Special education services and/or related services for a private school student whose parents reside in the district are comparable in quality, scope, and opportunity for participation to those provided to public school students with needs of equal importance.

An expedited special education evaluation, which is limited to a student's physician statement unless there is a clear indication of the need or unless the parents request additional evaluation, is conducted and services provided to eligible students whose parents reside in the district within 15 calendar days of the district's receipt of the student's physician statement.

Norwell Public Schools calculates the proportionate share of Federal Special Education Entitlement funds (Fund Code 240)

required to be spent on eligible private school students (including all eligible students attending private school in the district whether their parents reside in the district, in another Massachusetts district, or out of state) and documents the spending of at least this amount of federal entitlement funds (Fund Code 240) on one or more of the eligible private school students attending private school in the district whose parents reside in the district or out of state.

PROCEDURES TO PROVIDE STUDENTS WITH DISABILITIES ENROLLED IN PRIVATE SCHOOL AT PRIVATE EXPENSE

For all students with disabilities attending private school located within Norwell whose parents reside in Massachusetts or out of state, the school district The Norwell Public Schools:

1. Conducts child find activities comparable to those for public school students, for all students enrolled at private expense in private schools located in the geographic boundary of the district.
2. Provides or arranges for the provision of an evaluation for any private school student who is referred for evaluation. The evaluation may take place in the public school, the private school, or an appropriate contracted facility.
3. Provides for ongoing timely and meaningful consultation with private school representatives and representatives of parents of parentally-placed private school children with disabilities prior about
 - a. the child find process for students suspected of having a disability, and how parents, teachers, and private school officials will be informed about the child find process;
 - b. what the determination of proportionate share funds is and the calculation of which that determination is based, including the underlying data
 - c. how the consultation process will occur during the school year between the district, private school representatives, and parents
 - d. how, where, and by whom special education and related services will be provided to eligible private school students with disabilities using proportionate share funds, including types of services, how funds will be apportioned if federal funds are insufficient to serve all eligible students, and how and when decisions about proportionate share services will be made; and
 - e. how the district will notify private school officials, in writing, if the district does not agree with the view of the private school offices about the provision of services or specific types of services.
4. Obtains signed, written affirmation from participating private school officials that consultation has occurred, and if there is no written affirmation, the district sends ESE documentation about the consultation process.
5. Calculates the proportionate share of federal special education entitlement funds (Fund Code 240) required to be spent, based on the child count taken between October 1 and December 1 of the *prior* fiscal year that includes the number of all eligible private school students attending school in the district's geographic catchment area including residents, non-residents, and home school students, using the ESE form. (N.B.: A student remains eligible for 3 years following identification. Child count includes all students found eligible attending school in the district, regardless of whether they receive(d) special education services.)
6. Determines equitable services and how they will be provided to one or more students with disabilities attending private schools in the district through
 - a. discussion of student needs and possible types of special education and related services that can be provided either directly or through alternative service delivery mechanisms;
 - b. consideration that federal grant funds can be used to provide services on the grounds of private schools, although services provided with state and local funds must be provided at a "public school facility or other public or neutral site"
 - c. if the amount of proportionate share grant funds are insufficient to serve every eligible student, a discussion of how the district will apportion the services among eligible students, or may choose to supplement the proportionate share of the grant funds with additional grant funds or with state or local funds; and
 - d. if the school district disagrees with the views of the private school officials on the provision or type of services, the district must provide private school officials with a written explanation of the reasons the district chose not to provide services directly or through a contract. The school district has the final decision-making authority.

7. Creates a services plan for each eligible private school student who will receive special education or related services from the district using proportionate share funds
 - a. Initiates and conducts meetings to develop, review, and revise services plans for eligible students.
 - b. Ensures a representative of each student's private school attends each meeting or is able to participate through individual or conference calls.
8. If using federal funds only, provides special education services and/or related services to private school children at the private school, and if using state funds, provides services to private school students on the grounds of the public school or another public or neutral site.
9. Collects the following data and information, and reports to ESE as necessary in the Fund Code 240 application:
 - a. the number of private school and home school children evaluated in a school year;
 - b. the number of private school and home school children determined to be eligible in a school year (may include evaluations conducted, or, for non-residents, evaluations provided by the district of residence and accepted as evidence of eligibility); and
 - c. the number of private school and home school children served in a school year regardless of where they attend school.

INSTRUCTIONAL GROUPING REQUIREMENTS FOR STUDENTS (FIVE AND OLDER)

The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP. Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs.

When eligible students are assigned to instructional groupings outside of the general education Classroom for 60% or less of the students' school schedule, group size does not exceed:

- 8 students with a certified special educator,
- 12 students if the certified special educator is assisted by 1 aide, and
- 16 students if the certified special educator is assisted by 2 aides.

For eligible students served in settings that are substantially separate, serving solely students with disabilities for more than 60% of the students' school schedule, the district provides instructional groupings that do not exceed:

- 8 students to 1 certified special educator, or
- 12 students to 1 certified special educator and 1 aide.

After the school year has begun, if instructional groups have reached maximum size as delineated in parts 3 and 4 of this criterion, the Director of Student Services and the certified special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than 2 additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school.

In such cases, the Director of Student Services provides written notification to the Department of Elementary and Secondary Education and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated.

Age-Span Requirements

The ages of the youngest and oldest student in any instructional grouping do not differ by more than 48 months. A written request for approval of a wider age range is submitted to the Commissioner of Elementary and Secondary Education in cases where the district believes it is justified. Such requests are implemented only after approval of the Department of Elementary and Secondary Education.

SPECIAL EDUCATION PARENT ADVISORY COUNCIL

Norwell Public Schools has a district wide parent advisory council offering membership to all parents of eligible students and other interested parties. The parent advisory council duties include, but are not limited to, advising the district on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school district's special education programs.

The parent advisory council has established by-laws regarding officers and operational procedures, and, in the course of its duties, the parent advisory council also receives assistance from Norwell Public Schools without charge, upon reasonable notice, and subject to the availability of staff and resources. The district conducts, in cooperation with the parent advisory council, at least one workshop annually within the school district on the rights of students and their parents and guardians under state and federal special education laws. (See MGL c71B, 1C and 3.

The mission of the Norwell SEPAC is to work for the understanding of, respect for and support of all children with special needs in the community. To that end, they will work to:

- Promote a network of parents of children with special needs and provide the forum to share information;
- Advise the Director of Student Services and School Committee on operations and development of special education programs, parent and teacher training needs, and help develop policy;
- Promote communications between SEPAC members, local, State and National organizations, councils and groups;
- Promote communication and programs within the community to encourage understanding, acceptance and inclusion.

For more information about the Norwell Public Schools Special education Parent Advisory Council, please refer to the group's website, which can be found linked to the Norwell Public Schools website at www.norwellschools.org.

SPECIAL EDUCATION PROGRAM EVALUATION

Norwell Public Schools, annually, conducts a Program Evaluation of some aspect of its Special Education Program. The Program Evaluation is either conducted internally (with the support of all stakeholders) or contracted through a third-party vendor.

EQUAL OPPORTUNITY TO PARTICIPATE

Norwell Public Schools ensure that all students receiving special education, regardless of placement, shall have an equal opportunity to participate in and, if appropriate, receive credit for the vocational, supportive, or remedial services that may be available as part of the general education program as well as the non-academic and extracurricular programs of the school.

Programs, services, and activities include, but are not limited to:

- art and music
- vocational education, industrial arts, and consumer and homemaking education
- work study and employment opportunities
- counseling services available at all levels in the district
- health services
- transportation
- recess and physical education, including adapted physical education
- athletics and recreational activities
- school-sponsored groups or clubs
- meals

Appendix I

Child find letter

Appendix II

Home language survey

Appendix III

Child find letter