

## RSU #63

- a. **NEPN/NSBA Code:** IHBAA-R
- b. **Title:** Referral and Use of General Education Interventions – Administrative Procedures  
Director of Special Services
- c. **Author:**
- d. **Replaces Policy:**
- e. **Date Approved:** 04/24/2017 RSU #63
- f. **Previously Approved:** 08/26/2013
- g. **Policy Expiration:** Review as Needed
- h. **Responsible for Review:** Director of Special Services, Superintendent, & Policy Committee  
04/06/2017 Policy Committee
- i. **Date Reviewed:** 04/06/2017 Superintendent, Director of Special Services  
04/06/2017 Policy Committee
- j. **References:** Me. Dept. of Educ. Rules (May 2012), Ch. 101, §§ II (17), III, IV(2)(D), E, V(4)(A)  
Cross Referral: Policy IHBAA
- k. **Narrative:**

These procedures are established for the purpose of meeting RSU 63's obligations under state and federal regulations and RSU 63 policy IHBAA governing referral and use of general education interventions.

### I. REFERRALS

RSU 63 will refer to the Individualized Education Program (IEP) Team all school-age students suspected of having a disability that requires special education and related services. Referrals to the IEP Team may be made by a student's parent, by professional school staff, or by others with knowledge of the student. Referrals should be made and processed consistent with these procedures.

- A. **Referrals by parents/guardians:** A parent/guardian may refer his/her student to the IEP Team at any time. That referral will be made in writing directly to the office of the Director of Special Services. Should the parent/guardian seek to make a referral through other professional staff (such as teachers, guidance counselors, or administrators), that professional staff member will directly assist the parent/guardian in making the referral in writing to the office of the Director of Special Services. Should a parent/guardian attempt to make a referral orally, professional staff will assist the parent/guardian in reducing that referral to writing and submitting it to the office of the Director of Special Services.

A parent/guardian referral will be processed consistent with these procedures and governing timelines even if the student is receiving interventions pursuant to the district's general education interventions. These general education interventions will continue during the referral process, however.

- B. Referrals by staff:** Any professional employee of the district may refer a student to the IEP Team regardless of the results of initial Child Find activities, but only after completion of any general education intervention process used by the district. The district may move directly forward with the referral process in those circumstances where the district and parent agree to do so. Even in that situation, however, general education interventions will continue during the referral process.

Professional school staff will prepare a referral in writing and will review that referral with the grade level special education teacher and building principal. Once the building principal approves the referral, it will be submitted to the Director of Special Services.

- C. Referrals by others:** Individuals or agency representatives (including representatives of the Department of Health and Human Services) with knowledge of the student may refer that student to the IEP Team regardless of the results of initial Child Find activities, but only after completion of any general education intervention process used by the district.

Should a person attempt to make a referral orally, professional staff will assist that person in formulating a written referral and submitting it to the office of the Director of Special Services.

- D. Receipt of Referral:** Regardless of the source of the referral, a referral is received by the district on the date that the written referral is received by the Office of the Director of Special Services. It will be signed and dated by the Director of Special Services, thereby indicating the date of the receipt of that referral.

- E. Time Line for Processing Referral:** Once the referral has been received in the office of the Director of Special Services, the IEP Team will review existing evaluation data and determine the need for additional evaluations. The IEP Team may conduct its review without a meeting. If additional evaluations are needed, the district must send a “consent to evaluate” form to the parent/guardian within 15 school days of receipt of the referral. Also, upon receipt of the referral (from any source), the district will send the parent/guardian its Written Notice form documenting that referral.

Once the office of the Director of Special Services receives the signed consent for evaluation back from the parent/guardian, the district will have 45 school days to complete the evaluation and hold an initial IEP Team meeting to determine whether the student qualifies for special education services. If the student is identified as a student with a disability in need of special education, the Team should develop an IEP for that student at that same meeting, or within 30 calendar days of determining that the student is eligible.

The district will implement the IEP as soon as possible following the IEP Team meeting when the student is found eligible, but no later than 21 school days after that meeting.

- F. Transfer Students:** Students who have already been identified as in need of special education services and who transfer into RSU 63 from another district within Maine (and who had an IEP that was in effect in a previous district in Maine) will, on enrollment and in consultation with the parent/guardian, be provided with FAPE<sup>1</sup> (including services comparable to those described in the student's IEP from the previous school district) until RSU 63 either drops the student's IEP from the previous district or develops, adopts, and implements a new IEP.

Students who have already been identified as in need of special services and who transfer into RSU 63 from another district from outside Maine (and who had an IEP that was in effect in a previous district in another state) will, on enrollment and in consultation with the parent/guardian, be provided with FAPE (including services comparable to those described in the student's IEP from the previous district) until RSU 63 conducts an evaluation (if determined to be necessary by RSU 63) to determine whether the student is eligible for special education and, if so, develops, adopts, and implements a new IEP.

If the transfer student's IEP from his/her prior district is not available, or is believed to be inappropriate by either the parent/guardian or RSU 63, RSU 63 will develop a new IEP through appropriate procedures within a short time after the student enrolls at the school.

If a student transfers into RSU 63 after the referral timeline has begun in the previous district but before an eligibility determination has been made, the timeline referenced above for completing that process will not apply if RSU 63 is making sufficient progress to ensure a prompt completion of the evaluation, and the parent/guardian and RSU 63 agree to a specific time when the evaluation will be completed and the eligibility decision made.

## **II. GENERAL EDUCATION INTERVENTIONS**

- A.** General education interventions are general education procedures involving regular benchmark assessments of all students, using curriculum-based measurements, to monitor student progress and identify those students who are at risk of failing. Students who are at risk receive responsive interventions in the general education program that attempt to resolve the presenting problems of concern. General educators are encouraged to confer with specialists and teaching professionals, but general education personnel are responsible for the

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<sup>1</sup> (Free Appropriate Public Education), the educational right of children with disabilities in the United States that is guaranteed by the Rehabilitation Act of 1973 and the Individuals with Disabilities Act (IDEA)

implementation of the intervention.

- B.** RSU 63 will implement general education interventions. These interventions will include:
1. Documentation that every student, prior to entering the general education intervention process, was provided with appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the Every Student Succeeds Act of 2015 (ESSA), appropriate mastery based instruction in math, appropriate instruction in the writing process, and positive behavioral supports;
  2. A team-based decision-making process;
  3. Screening at reasonable intervals to determine whether all students are progressing toward meeting the content standards of the parameters for essential instruction and graduation requirements;
  4. Data Analysis of screening results focusing on determining to what extent all students are progressing toward meeting the content standards of the parameters for essential instruction and graduation requirements and identifying which students are not making adequate progress toward these goals and are in need of targeted general education interventions;
  5. A determination as to whether a student's assessed difficulties are likely the result of linguistic or cultural differences;
  6. Provision of research-based general education interventions targeted at the student's presenting academic and/or behavioral concerns as determined by screening results;
  7. Repeated formative assessments of student response to targeted interventions, conducted at reasonable intervals, that generate rate-based measurable data for both specifying academic and behavioral concerns and monitoring student progress during general education interventions;
  8. Documentation that parents/guardians were notified about the process, given the opportunity to participate in instructional decision-making, and kept informed of their student's progress during targeted general education interventions;
  9. A team will review the student's progress no later than 60 school days after the start of formal general education interventions and approximately every 30 school days thereafter. At each meeting the team will review data on the student's progress to determine if modifications to the general education interventions are needed and/or if a referral to special education is indicated; and
  10. Provisions for targeted general education interventions to continue during any subsequent special education referral.
- C.** The parent/guardian of a student receiving general education interventions may request RSU 63 conduct a full and individual evaluation for possible special education eligibility determination at any time during RSU 63's established general education intervention process.

The general education interventions developed through this pre-referral process will continue in the event of a referral while the referral is being handled by the IEP Team, and the resulting data will become part of the student's special education file.