

## **NOTICE TO PARENTS/GUARDIANS OF CHILDREN WITH SPECIAL NEEDS AND CHALLENGES TO OBTAIN EDUCATIONAL SERVICES IN MEETING THOSE NEEDS**

**Member School Districts and Colonial Intermediate Unit 20 provide programs and related support services for children residing in the following school districts:**

Bangor Area School District  
Bethlehem Area School District  
Delaware Valley School District  
Easton Area School District  
East Stroudsburg School District  
Nazareth Area School District  
Northampton Area School District  
Pen Argyl Area School District  
Pleasant Valley School District  
Pocono Mountain School District  
Saucon Valley School District  
Stroudsburg Area School District  
Wilson Area School District  
Northampton County Juvenile Detention Center  
Monroe County Correctional Facility  
Northampton County Correctional Facility  
Evergreen Community Charter School  
Lehigh Valley Academy Regional Charter School  
Lehigh Valley Charter High School Performing Arts  
Lehigh Valley Dual Language Charter School

The Federal Law Individuals With Disabilities Education Improvement Act (IDEIA): IDEA 204-PL-108-446 34 Section 612 and 125 Pennsylvania Code 22 Chapter 14: Special Education Services and Programs – Section 1412 (a)(3) and 1412 (a)(10) and Chapter 16 (Gifted), Chapter 15 (or Protected Handicapped Students), Rehabilitation Act of 1973, PL 93-112 as amended by the Rehabilitation Act of 1974, Pub-L93-516, 29 U.S.C. 4-794 Section 504, Chapter 11 (Alternative Education), McKinney-Vento Homeless Assistance Act, Education for Homeless Youth 42 USCA 11431, No Child Left Behind (NCLB) all school districts are required to actively identify every student with disabilities residing within the district's jurisdiction who may be eligible for special education and related services. Written information must be published in the school district handbook and school district website. These services are available to children whether the child is officially "enrolled" in the district. In fact, preschool (3 years up), school age and youth incarcerated in adult facilities and/or residential/detention facilities, homeless children, wards of the state, and private school students are eligible for services.

*Gifted* Education: similar to the Federal requirements for identifying disabled children, Pennsylvania law also requires districts to locate and identify all students within the district who may qualify for gifted education services. See 22 Pa. Code § 16.21 (a). Districts must conduct awareness activities to inform the public, including parents of students enrolled in private schools, of the availability of gifted education services and how to request screening for such services. See 22 Pa. Code §16.21(b). The confidentiality requirements applicable to use of information about disabled students apply equally to gifted education services.

#### Procedures:

Parent/Guardian may telephone resident school district or Colonial Intermediate Unit 20 to obtain specific information regarding available resources in determining their child's needs for services.

#### Confidentiality of Student Records:

Each school district and Colonial Intermediate Unit 20 has current Education Records Policy in recognizing the need to protect the confidentiality of personally identifiable information in the education records of exceptional children. Therefore, any and all information you share about your child is protected by federal (IDEA 2004 & 2006) and state laws (PA Code 22). The Family Educational Rights and Privacy Act (FERPA) Statute: 20 U.S.C. 1232g Regulations: 34 CIR Part 99, Protection of Pupil Rights Amendment (PPRA) Statute: 20 U.S.C. 1232h. Regulations: 34 CFR 98. A child's school records are always open and available to his/her parent or guardian and school officials who have legitimate "need to know" about your child.

#### Procedural Safeguards Notice:

State and federal laws and regulations outline your rights and the safeguards to be followed in providing a free appropriate public education.

A school district must provide parents with prior written notice each time it proposes or refuses to initiate or change the identification, evaluation or educational placement of a child or proposes or refuses to make changes regarding the provision of a free appropriate public education (FAPE) to the child and no later than the date on which the decision to take disciplinary action is made, LEA must notify the parent of that decision and of all available procedural safeguards.

At any time you feel that the program is not appropriate, you may initiate due process procedures. You may also request reevaluation of the student and/or revisions to the individualized education program. Your request to initiate your rights to a due process hearing means that your child must remain in his/her present educational

placement, unless you and your school district both agree to a change while any disagreement is resolved through these procedures. Additionally, if your child has not started school at the time you initiate these due process procedures, your school district cannot deny your child admission to attending public school.

The parent or LEA may request a due process hearing with respect to any matter relating to the identification, evaluation or educational placement of the child or the provision of a free appropriate public education (FAPE) by filing a "Due Process Hearing Request". A due process hearing will not proceed until all required information is provided and procedures followed.

Information contained in the Procedural Safeguards Notice is important to you and your child. Please take time to review it. While we have attempted to consolidate a great deal of information into a readable format, we recognize that the information can be cumbersome. If you need clarification, you can seek help from personnel in your school district. You also have the right to be informed of organizations that are established to assist parents in understanding their rights under these laws. Some of these resources are listed in the Procedural Safeguard Notice.

If you have a concern about your child's educational program, you may wish to contact your child's teachers, principal, or district administrators. This type of communication is often helpful in resolving concerns.

You also have the right under federal law to file a complaint with the Pennsylvania Department of Education and/or initiate due process procedures as described in Section VI of the Procedural Safeguards Notice.

Prior written notices must be written in the native language of the parent unless it clearly is not feasible to do so. Prior written notice must contain:

1. A description of the action proposed or refused by the LEA;
2. An explanation of why the LEA proposes or refuses to take the action and a description of each evaluation procedure, assessment, record, or report the LEA used as a basis for the proposed or refused action;
3. A description of other options considered by the Individualized Education Program (IEP) Team and the reasons why those options were rejected;
4. A description of the factors that are relevant to the LEA's proposal or refusal;
5. A statement that the parent of a child with a disability has procedural safeguards protection and, if the notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
6. Sources the parent may contact to obtain assistance in understanding these provisions;

7. A statement informing the parent about the state complaint procedures, including a description of how to file a complaint and the timelines under those procedures.

The school district's public awareness effort must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.

Intermediate units are responsible for child find activities necessary to provide equitable services consistent with 34 CFR 300.130 – 300.144, regarding children with disabilities enrolled by their parents in private schools.

### SCREENINGS

Each school district must establish a system of screening which may include early intervening services for the following:

- Identify and provide initial screening for students prior to referral for a special education evaluation.
- Provide peer support for teachers and other staff members to assist them with students in the general education curriculum. Instructional Support teams or alternative process may be implemented.
- Conduct hearing and vision screening in accordance with section 1402 of the Public School Code 1949 (24P.S.) 14-1402 to identify students with hearing or vision difficulty so they can be referred for assistance or recommended for evaluation for special education.
- Identify students who may need special education services and programs. Therefore, each school district shall implement a comprehensive screening process. Instructional Support or alternative screening according to Department guidelines. If instructional support is not used for screenings districts shall develop and implement a comprehensive screening process that meets the following requirements.
  - o Students with academic concerns, an assessment of the student's functioning in the curriculum - based on performance – based assessment.
  - o Students with behavioral concerns a systematic observation of the student's behaviors in classroom or area in which the student is displaying difficulty. An intervention based on results of assessment and an assessment of student's response to the intervention must be completed.

Determination as to student's assessed difficulties are due to lack of instruction or limited English proficiency. Also a determination as to whether the student's needs exceed the functional ability of the regular education program to maintain the student's appropriate instructional level.

If screening activities have produced little or no improvement within 60 school days after initiation, the student shall be referred for evaluation under 14.123. Screening activities do not prevent the right as a parent to request an evaluation at anytime, including prior to or during the conduct of screening activities.

A parent / guardian may request a screening or evaluation of their child's educational needs at any time by contacting the building principal. You may also contact Jacquelyn Bartek, Supervisor of Pupil Personnel Services, Colonial Intermediate Unit 20 at (610) 252-5550, Ext. 6452.

## **AVAILABLE SPECIAL EDUCATION PROGRAMS AND SERVICES**

### SERVICES FOR ELIGIBLE YOUNG CHILDREN (PRESCHOOL)

The Preschool Program is for children ages 3 years to school age who have delays in cognitive readiness skills, communication skills, gross and fine motor development, self-help skills, or social behavioral/affective functioning. Services are delivered in CIU 20 classrooms, regular education programs, or community agencies. Itinerant and home-based services are also available.

### CLASSROOM PROGRAMS

#### Autistic Support (AS)

This program concentrates on the communication skills of students who have a diagnosis on the Autism Spectrum Disorder . A wide variety of techniques are used to develop independent skills.

#### Deaf or Hearing Support (HIS)

Three classrooms have services for deaf and/or hard of hearing children: one classroom at elementary level, one at middle school level, and one at high school /vocational-technical school level. A variety of educational approaches and strategies are utilized and individualized according to each student's needs.

#### Northampton Detention Center

The program provides assessment and educational maintenance at the Northampton County Juvenile Court Home. In addition to counseling and instruction, the teacher provides important educational information to the court upon request.

#### Northampton County Detention Treatment Center

The Treatment Center is a twenty four (24)-bed group home designed to treat youth ages 10 to 18 years who have been adjudicated delinquent by the Northampton County

Juvenile Court. Services include educational program; individual, group and family therapy; behavior modification program; life skills instruction; recreation; psychological services and psychiatric services.

### Emotional Support

This program is designed to respond to a student's needs when they exhibit one or more of the following characteristics over a period of time and to a marked degree; an inability to learn which cannot be explained by intellectual, sensory or health factors; an inability to build or maintain satisfactory interpersonal relationships with peers and teachers, inappropriate behavior; pervasive mood of unhappiness and profound adjustment issues within the school environment. This program is based on a collaborative effort between regular and special education personnel.

### Learning Support

The Learning Support Program provides assistance to students who have average or above average intelligence and are diagnosed with specific learning disabilities. A learning disability is defined as a "specific learning disability" disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may affect a student's ability to listen, speak, read, write, spell or do mathematical calculations. The Learning Support Program structures, organizes, and assists the student having difficulty with spoken and written language, coordination, self-control or attention.

### Life Skills Support

This program provides services for students with intellectual challenges, which require instruction in daily living skills. Community-Based Instruction, as well as Functional Academics, Domestic Maintenance, Personal Maintenance, Vocational, Recreation/Leisure, Interpersonal Communication and Social Behavioral/Affective Skills are developed, encompassed in the educational curriculum.

### Multidisabilities Support

This program concentrates on the physical challenges, communication and self-help skills of students with two or more disabilities, which severely impair their progress in a general education curriculum. These students require extraordinary special education services, low student-teacher ratio, speech therapy, occupational therapy, physical therapy, vision therapy, and hearing therapy as needed. Community-based instruction, daily living skills and assistive technology are required to help students become successful.

### Partial Hospitalization

The Partial Hospitalization Program is a school-based treatment program designed for children/adolescents in need of emotional support but whose needs cannot be met in a traditional classroom. The treatment program offers both educational and therapeutic services to clients in the classroom setting. Each program is staffed by a team of four individuals: a special education teacher, an associate teacher, a mental health treatment specialist, and a mental health worker. This team works collaboratively with the client, the family, the school district, and outside agencies involved with the client. The primary objectives are to assist individuals with identified psychiatric concerns to function more appropriately in their environment utilizing all available resources.

### Physical Support

This program provides students with orthopedic impairments the opportunity to participate in an educational program based on strategies offered by physical and occupational therapists to assist in their mobility and adjustment to their individual handicapping condition. Additional interventions may include special diets, modified teaching materials, and adaptive equipment for seating. The Life Skills domains and opportunities are also available in this program. Assistive Technology plays a major role in the education of these students.

### Colonial Academy

The Colonial Academy program is an intensive educational/treatment oriented placement for identified at-risk children. This collaborative across systems approach is sensitive to the needs of the student and his or her family, and focuses on helping adolescents develop skills and behavior needed to function successfully within our schools and community. Students experience academic and vocational study, character development activities, individual and group counseling, family support group counseling, crisis intervention service, and training and positive community experiences.

This project is comprised of a three-phase program designed to successfully return and/or transition students to their home schools, enter the employment world, and become positive contributing members of our community.

Phase I	Character Development
Phase II	Intensive Academic/Vocational Assessment and Training
Phase III	Aftercare

### Transition Planning/Vocational Assessment

The transition/vocational assessment process has been developed to assure that students ages 14 years through graduation and their families in accordance with IDEA

'97, Chapter 14/342 and Chapter 11 will promote growth and development for self-determination in fostering independence in all domains of a student's capabilities and interest. This transition planning process is most important in assisting the special needs student in making the transition from school to work and to assist in preparation for career development.

### Surrogate Parent Mandate

A surrogate parent must be appointed for any child with a disability, birth to 21, who has no parent or family member available. For children under 3, the county must appoint the surrogate parent. For preschoolers, the surrogate parent must be appointed by the responsible early intervention agency, which is usually the intermediate unit. School districts are responsible for securing surrogate parents for school-aged youngsters with disabilities.

### Related Services

- Audiology
- Adapted Physical Education
- Occupational Therapy
- Physical Therapy

### Itinerant Services

- Blind or Visually Impaired Support
- Deaf or Hearing Support
- Orientation and Mobility
- Speech and Language Support
- Other Specialized Services
- Psychiatric Referrals
- School Psychologist Services
- Training and Technical Assistance

### NONPUBLIC SCHOOLS – ACT 89 AUXILIARY SERVICES

Colonial Intermediate Unit 20 provides auxiliary services for 54 nonpublic schools. These services include remedial reading, remedial mathematics, psychological evaluations, guidance counseling and standardized testing. Services are provided under Pennsylvania Act 89 with state funds.

Colonial Intermediate Unit 20 declares itself to be an equal rights and opportunity agency. As an equal rights and opportunity Agency, it does not discriminate against individuals or groups because of race, color, national origin, religion, age, sex, marital status or non-relevant handicaps and disabilities as defined by law.

For information regarding this statement or special accommodations, please contact

Mr. Anthony Pigeon, Director of Human Resources & Research Services,  
Colonial Intermediate Unit 20, 6 Danforth Drive, Easton, PA, 18045  
(610-515-6405), TDD/TTY Hearing Impaired (610) 252-3786.