

Dudley Charlton Regional School District

Special Education Process

and Procedures Manual

2025-2026



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INTRODUCTION & PURPOSE

The Dudley Charlton Regional School District's Special Education Procedures Manual has been developed to ensure consistency and accuracy of special education practices across the district. The practices and procedures included in this manual align with 603 CMR 28.00 Special Education Regulations.

All special education personnel responsible for the implementation or coordination of special education evaluation and services should become familiar with the practices and procedures as well as use only the forms referenced within this manual.

This manual will be reviewed at least annually, which may result in revisions to content and/or forms. Staff will be notified of any changes and should review this manual in full at least once every school year.

Communication with Non-English Speaking Parents

When working with families whose primary language is not English, the district is required to provide translation services. These services may include interpreters at team meetings, as well as having documents translated. *All special education documentation that is sent to the home should be translated for families that indicate on the home language survey that they would like communication provided in their first language.* This would include, for example, N1s, Evaluation Consent Forms, Meeting Invitations, assessments, IEPs, and progress reports.

The district uses Lexikeet for translation services.

Prior to IEP meetings, the special education coordinator will log into Lexikeet to schedule an interpreter.

For N1s, consent forms, meetings invitations, assessments, and IEPs, the special education coordinator will upload the documents into eSped/Frontline for translation. For evaluation reports and any other document that cannot be translated via eSped/Frontline, the special education coordinator will upload the documents into Lexikeet for translation.

For progress reports and evaluation reports, the special education liaison will complete the [Translation Request Form](#) and immediately email it to the special education coordinator. It typically takes approximately one week for documents to be translated so please complete this form asap to notify the special education coordinator.

Once documents have been translated, the special education coordinator will archive the documents and will notify the liaison that the translated documents have been archived in eSped. The liaison will then share the translated documents with parents.

2.0 REFERRAL PROCESS

Referral for Initial Evaluation

A student may be referred for an evaluation by a parent or any person in a caregiving or professional position concerned with the student's development. Under the regulations, school districts must ensure the timely identification of all students with disabilities—including students who are highly mobile, homeless, homeschooled, or placed in a private setting. Furthermore, students are guaranteed a responsive school environment that meets the needs of all students. A parent's right to refer their child for a special education evaluation is not limited and should never be delayed because the school district has not explored and/or attempted some or all of the available instructional support programs or any other type of interventions (e.g., DCAP, MTSS, IST). These systems cannot be used to delay or deny Child Find per OSEP guidance. In any case where the parent or person making a referral has concerns about the student's development or a suspicion that the student may have an educational disability, the school district must promptly send notice and seek permission to conduct an initial evaluation to determine if the student is eligible for special education. ***The school district has 5 school days to respond in writing to a parent's request for evaluation by completing a Proposed Action Notice (N1) and Evaluation Consent Form (N1A). A copy of the [Parent's Notice of Procedural Safeguards](#) should be included as well.***

School Referral

When the School Principal, Instructional Support Team (IST), or Student Support Team (SST) suspect that a student has a disability, a student should be referred by school personnel for an evaluation to determine eligibility for special education. *The team will propose evaluations in all areas related to the suspected disability (areas of concern).* The Special Education Coordinator shall ensure that documentation of the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility (*i.e.* DCAP). The IST coordinator will notify the parents of the intent to refer the student for a special education evaluation. After receiving the referral from the IST team, the Special Education Coordinator will contact the parent regarding the referral and will discuss the proposed evaluation, process, and timelines. The Special Education Coordinators shall send notice and consent within a "consent packet" (including Parental Notice of Procedural Safeguards, N1, and Evaluation Consent) and shall coordinate the evaluation process. See Section 2.5, Sending out Consent to Evaluate, below.

Parent Referral

If a parent or caregiver verbally requests an evaluation, the ***Special Education Coordinator should be notified immediately.*** The Special Education Coordinator should contact the parent to gather information regarding the concern(s) and suspected area of disability. The Special Education Coordinator should inform parents about the instructional support process (*i.e.*, IST or SST) available in their child's school and provide parents with an opportunity for this support process to take place as a first step. Parents should be encouraged, ***but are not obligated*** to access the instructional support process for their child. If a parent agrees to access the instructional support process as a first step, instead of pursuing an evaluation, the building Principal or Assistant Principal, shall confirm and document this via written agreement. This agreement should be maintained in the student cumulative file and a copy sent to the parents. Parents should be told of their right to request a special education evaluation at any point.

Unless given parent permission, **in writing**, the instructional support process cannot delay a parent's request for a special education evaluation. Parents are strongly encouraged to submit a written request for an evaluation before the referral process begins; however verbal confirmation of the parent decision to pursue a special education evaluation also necessitates that the referral process begin.

The school district has 5 school days to respond in writing to a parent's verbal or written request for an evaluation.

Private School Referral

When private school personnel submit a referral for a special education evaluation, the Special Education Coordinator must notify the parents immediately. The school district is obligated to conduct special education evaluations for students who attend private school at no cost to the private school or parents. An evaluation cannot be conducted without receipt of signed parent consent. The district must respond as described above in Section 2.3.

When a parent of a private school student contacts the school district to request a special education evaluation, the same process as described above in Section 2.3, Parent Referral, should be followed. The Special Education Coordinator of the school the student would attend if in district is responsible for responding to this type of parent referral.

Sending out Consent to Evaluate

When a request for an evaluation has been received, the school district has 5 school days to respond in writing. Once the Special Education Coordinator has contacted the parent to gather information about the request for an evaluation, he or she shall mail a consent pack to the parents which includes:

- A proposal to conduct an initial team evaluation (N1)
- An evaluation consent form (N1a)
- A notice of procedural safeguards

The district will propose evaluations in all areas related to the suspected disability. An evaluation process cannot begin until the school district receives signed consent to evaluate from parents.

What To Do If a Parent Does Not Submit Signed Parental Consent:

- ***If receipt of the consent has not been received within thirty days, the Special Education Coordinator, and/or Special Education Clerk will follow up with the parents to inquire if there are any questions or if an additional copy is needed.***
- If a parent does not return the initial evaluation consent form within 30 calendar days of being mailed out, a consent packet will be mailed a second time, with the date documented/30 day consent.
- If parental consent is not received within 30 calendar days for a re-evaluation, a second attempt, and if necessary, a third attempt will be made within a week apart
- In situations of divorce, *when there is shared custody*, if the district is in receipt of signed consent to evaluate from either one of the parents, the district begins the evaluation process.

Receipt of Consent at End of School Year

If consent is received within thirty (30) to forty-five (45) school days before the end of the school year, the Special Education Coordinator must ensure that a Team meeting is scheduled. For consents received fewer than 30 school days prior to the end of the school year, the typical 30/45 day timeline applies and the meeting needs to be held at the beginning of the next school year (See 603CMR28.05(1)).

Best practice of Dudley-Charlton is that any consents that are received within a reasonable amount of time, even if less than 30 and 45 days before the end of the school, they shall do their best to complete the evaluation with team members who know the child best in the school he/she is currently attending.

3.0 EVALUATION PROCESS

Initial Evaluation

Upon receipt of signed consent by the parent, the school district shall provide or arrange for the evaluation of the student by a multidisciplinary team within 30 school days. The Special Education Coordinator will send an assessment assignment form to all evaluators no later than 2 days following receipt of a signed consent form. *Within 45 school days from receipt of consent, a Team meeting needs to be held and the IEP or finding of no eligibility needs to be mailed. This is why the Team meetings are typically scheduled to be held by the 40th day.*

The Special Education Coordinator will schedule the Initial Team meeting and send to the parent(s) the following:

- A notice of team meeting
- An attendance sheet (N3a)

Assessment(s) 603 CMR 28.04

The assessment(s) used shall be adapted to the age of the student. The school district shall ensure that appropriately credentialed and trained specialists administer all assessments.

Required assessments:

- An assessment in *all areas* related to the suspected disability.
- An educational assessment by a representative of the school district, including a history of the student's educational progress in the general curriculum. Such assessment shall include information provided 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 curriculum; and
- An assessment of the student's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults.
- The school district shall also thoroughly evaluate and provide a narrative description of the student's educational and developmental potential.
- When a child is being assessed to determine eligibility for services at age three, an observation of the child's interactions in the child's natural environment or early intervention program is strongly encouraged.
- For children who are receiving early intervention services, school districts are encouraged to use current and appropriate assessments from early intervention teams, whenever possible, to avoid duplicate testing.

Optional Assessments:

- A psychological assessment by a licensed school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination.
- 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 health information from the student's school health records.
- A home assessment that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher and includes information on pertinent family history and home situation and may include a home visit, with the agreement of a parent.

Assessments Required for Specific Learning Disabilities (SLD) Determination

When a specific learning disability is found to be the primary disability impacting a student's ability to access the general curriculum, a specific set of forms (see eSped documents) must be used to aid in this determination. These forms consist of a historical review and educational assessment, identification of the specific area(s) of concern and evaluation methods, an analysis of certain exclusionary factors, a mandatory observation form, and, finally, a Team determination of eligibility that all Team members must sign.

When the special education teacher completing an evaluation conducts an observation of a student suspected of an SLD, they should complete the SLD observation form in eSped.

Assessment Reports

603 CMR 28.04

“Reports of assessment results. Each person conducting an assessment shall summarize in writing the procedures employed, the results, and the diagnostic impression, and shall define in detail and in educationally relevant and common terms, the student's needs, offering explicit means of meeting them. The assessor may recommend appropriate types of placements, but shall not recommend specific classrooms or schools.”

We are not allowed to write “recommendations will be discussed at the Team meeting”. We need to write specific recommendations (i.e., accommodations, modifications) that the student needs to be successful based on the evaluation results. Please refer to and use the [Assessment Report Template](#) when writing your reports.

Each person conducting an assessment must electronically sign their report and archive it in eSped/Frontline 5 school days prior to the meeting. The report must follow district formatting, using 12point, Times New Roman Font and one inch margins. Please see Appendix 3.4 for the Evaluation Template that all evaluators should use as the first page of their report. **Each evaluator is responsible for sending their own report to the parents/guardians at least 2 days prior to the meeting.**

Assessments shall be completed prior to discussion by the Team and shall be sent to the parents at least 2 school days in advance of the Team Meeting. This includes the [Educational Assessment Part A](#) and the [Educational Assessment Part B](#). All evaluators and teachers must complete the appropriate section of the educational assessment. This becomes the present levels of academic achievement and functional performance section on the new IEP. The educational assessment should be archived in eSped by the special education teacher/liaison and shared to parents.

Re-evaluation Process

A re-evaluation will be conducted for each student with a current IEP every three years or more frequently if requested or recommended. Reevaluations may not occur more frequently than once a year unless both parents and LEA agree that evaluation is needed.

When a student is referred for a re-evaluation, existing evaluation data should be reviewed first. If no additional information is needed to determine whether the student continues to be eligible, the district may request that a parent waive particular types of assessment(s). The parent may consent to waive the assessment(s) or may choose to have the assessments completed regardless of the recommendation for waiver. When there are school based recommendations for waived assessments, the Special Education Coordinator should contact a parent/guardian directly to discuss the waiver process. However, in the case of high school students where there are usually specific transitional needs, a psychological and an academic evaluation should be routinely conducted when due.

Evaluation is required PRIOR to ending an IEP service, including consultation. The assessment that is used can be a combination of standardized assessment and curriculum or classroom based assessment data.

Evaluations as part of the Reevaluation Process:

1. ***Approximately 3 months prior to the 3 year reevaluation date indicated on a student's IEP, the SPECIAL EDUCATION COORDINATOR will send out an Evaluation Consent Packet consisting of:***
 - A proposal to conduct a reevaluation (N1)
 - An evaluation consent form (N1a)

Please refer to the Referral Initial Evaluation Section (2.0) for information pertaining to the process and procedure for an evaluation once consent is received

Private Evaluation at Parent Expense

When a parent submits to the school/school district a private evaluation report (completed by agencies/service providers outside of the district) *for a student who is NOT currently receiving special education services*, the principal, assistant principal, or guidance counselor shall contact the parents to either discuss concerns or to schedule a meeting that includes the classroom teacher. The purpose of the discussion should be to gather information about the parent's concern, discuss available supports in place or available through general education, and determine if a referral for special education evaluation or 504 Accommodation Plan is being requested or would be appropriate. The Special Education Coordinator should be notified of the receipt of the evaluation and be kept apprised of the results of the discussion or referral process.

For students already receiving special education services whose parent(s) submit private evaluations, the school district has **10 school days** in which to schedule a Team meeting to review and consider information and recommendations included in the report. The Special Education Coordinator should be notified immediately of the receipt of the private evaluation so that he/she can schedule the Team meeting.

If a parent is providing a private evaluation during the three year evaluation process, the district is still obligated to conduct its own assessments. The Special Education Coordinator should consult immediately with the parents as

to the details so that the district does not duplicate the testing, thereby invalidating results of the later evaluation. This private evaluation also needs to be considered as part of the three-year re-evaluation Team meeting.

Independent Educational Evaluation 603 CMR 28.04(5)

If a parent disagrees with an initial evaluation or reevaluation completed by the school district, the parent may request an independent education evaluation (IEE). Parents may obtain a private education evaluation at private expense at any time. ***If the parent requests an IEE at public expense, the district must respond to the parent within 5 calendar days.*** In response, the district may either pay for the IEE (at public rates only) or request a determination from the BSEA that the district's evaluation was comprehensive and appropriate. The Special Education Coordinator should immediately notify the Pupil Personnel Director of any request for an IEE so that the appropriate response can be made and timelines followed.

Parents may choose, on a voluntary basis, to share the costs of an independent evaluation with the school district based on the sliding fee scale that has been established (603 CMR 28.04 (5) (c)4). In this circumstance only, the parent's right to request an IEE is extended up to 16 months after an initial evaluation or reevaluation process has been completed.

603 CMR 28.04 (5)(d) If the parent is requesting an independent education evaluation in an area not assessed by the school district, the student does not meet income eligibility standards, or the family chooses not to provide financial documentation to the district establishing family income level, the school district shall respond in accordance with the requirements of federal law (34 C.F.R. § 300.502). In these circumstances, the district cannot impose conditions or timelines. Within five school days, the district shall either agree to pay for the independent education evaluation or proceed to the Bureau of Special Education Appeals to show that its evaluation was comprehensive and appropriate. If the Bureau of Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, then the school district shall not be obligated to pay for the independent education evaluation requested by the parent.

603 CMR 28.04 (5)(f) Within ten school days from the time the school district receives the report of the independent education evaluation, the Team shall reconvene and consider the independent education evaluation and whether a new or amended IEP is appropriate.

Extended Evaluation

In order to consider an extended evaluation, the Team must have determined the student eligible for special education services.

1. The Team found the student eligible for special education and developed a partial or full IEP but recommended further assessment (Once the parent accepts the partial or full IEP, services must be implemented immediately).
2. The Team found the student eligible for special education but recommended further assessment before developing an IEP.

The extended evaluation period shall not be used to allow additional time to complete the required assessments and should not exceed 8 weeks.

If the parent consents to or accepts extended evaluation, the Team shall document its findings and determine what evaluation time period is necessary and the types of information needed to develop an IEP, if appropriate. The Team may decide to meet at intervals during the extended evaluation, but in all cases shall reconvene promptly to develop or complete an IEP when the evaluation is complete. ***The extended evaluation shall not be considered a placement.***

4.0 THE TEAM PROCESS

The Team

The Team consists of the following members:

- The student's parent(s);
- At least one general education teacher familiar with the student;
- At least one special education teacher familiar with the student;
- A representative of the district who has the authority to commit resources; (Special Education Coordinator or Director of Pupil Personnel Services)
- An individual who can interpret evaluation results;
- Other individual(s) who have knowledge or expertise regarding the student;
- If appropriate, the student may be included; however after the student has turned 13, the student **must** be invited to his/her IEP Team meeting.

Scheduling the Team Meeting

The Special Education Coordinator will schedule the Team Meetings, providing written notice of annual and reevaluation meetings at least ten school days prior to the team meeting. There may be exceptions (i.e., when a parent provides an independent evaluation as the district must convene a meeting within 10 days or when a parent requests an emergency meeting). Forms required for scheduling Team meetings include:

- A Meeting Invitation
- Meeting Attendance Sheet

Team Member Attendance Excusal

If a required Team member is unable to attend the Team meeting, the Team meeting can still be *held as long as parents have provided signed permission to excuse the Team member and the absent Team member has provided written information input (i.e.: current performance, accommodations, goals/objectives)*. Parents should be contacted as soon as the district is aware that a Team member is unable to attend. Parents must be given the option to reschedule the meeting or to excuse the missing Team member and go forward with the meeting. A Team Member Attendance Excusal Form is automatically printed at the bottom of each attendance sheet. It must be signed by the *parent prior to or at the start of the Team meeting* in order for the meeting to be held. *If a team member must be excused at any time during the meeting, parents must initial their consent to the excusal on the attendance sheet along with the time the team member was excused.*

It is best practice, and the recommendation of the Dudley-Charlton Regional School District, that once a team member enters into a team meeting, that they remain until the end of the meeting, except in extenuating circumstances, previously cleared with the Special Education Coordinator.

Private School

In the case of a student attending a private school, the Special Education Coordinator should encourage the parent to include a representative from the student's school to attend the Team Meeting with agreement by the parent. *A Consent for Release of Information should be included with the Meeting Invitation so the Team can obtain student's current performance information.*

Meeting Date/Time Change at Parent Request

In the event that the parent contacts the school district in need of rescheduling the Team meeting time and or date, the Special Education Coordinator **must** send out a **NEW** Notice of Team Meeting Date and should make note of the parent requested change: "Meeting date changed per parent request." Copies of both meeting invitations should be archived in eSped/Frontline.

Team Responsibilities

The Team is responsible for managing three important activities:

- Eligibility Determination/Initial and Reevaluations
- Development of the IEP
- Placement decision

Eligibility Determination

If the student has one or more of the disabilities defined at 603 CMR 28.02(7) (see list below) and if, as a result of the disability(ies) the student is unable to progress effectively in the general education program without the provision of specially designed instruction, or is unable to access the general curriculum without the provision of one or more related services, the Team shall determine that the student is eligible. *The Team must ensure that the student's inability to progress is a result of the disability(ies) and **NOT** a result of an inability to meet the school discipline code, limited English proficiency, social maladjustment, or lack of instruction in reading and math.*

Disabilities Categories:

- Autism
- Communication
- Developmental Delay (ages 3-9 only)
- Emotional
- Health
- Intellectual
- Neurological
- Physical
- Sensory
 - Hearing
 - Vision
 - DeafBlind
- Specific Learning Disability

The Special Education Eligibility Flowchart

The Eligibility Flowchart has been designed to assist Teams in making eligibility determinations. The flowchart is a worksheet and not a notice/form. The worksheet becomes part of the student record but does not need to be mailed to parents with the Proposed IEP. This form should be completed and archived in eSped/Frontline by the special education coordinator.

If a student is found to have a disability, and does not require specially designed instruction in order to make progress, the student is not eligible for special education. Specially designed instruction includes modifications that affect content, delivery of instruction, methodology and/or performance criteria and are necessary to assist the student in participating

and learning. *If the student only requires accommodations, then that student is not eligible for special education.*

General educators within the general education environment typically provide accommodations. Preferential seating, reading material out loud to a student, pencil grip use, or cooperative learning strategies are some examples of these kinds of typical accommodations. Accommodations do not involve modifying the material content, but do allow students to receive information in a more effective manner based on their individual needs. The District Curriculum Accommodation Plan (DCAP) is an important document and reference for additional information about general education supports and interventions, including best practice accommodations.

Finding the Student Eligible

If a student is found eligible for special education, an IEP must be developed. In most cases, development of the IEP will occur within a single meeting after the determination of eligibility has been made (see section titled “Development of the IEP”.)

Finding the Student Not Eligible

If the Team determines that the student is not eligible, the Special Education Coordinator shall record the reason for such finding on the notice that is sent to parents. When students are found not eligible at initial eligibility meetings, this is documented on the Notice of Refusal To Act (N2). When students are found not eligible at reevaluation meetings, this is documented on the Notice of Proposed District Action (N1). The proposed action in this case is to terminate special education services. Services are terminated 30 days from the meeting date and this should be documented in the N1. ***The N1 or N2 should be sent to parents within 5 days following the meeting.***

What if a Parent Disagrees with the Eligibility Finding?

Parents have the right to appeal any eligibility determination to the Bureau of Special Education Appeals (BSEA), including a finding of no eligibility. Parents may contact the BSEA directly. Information regarding how to contact BSEA is included in the Notice of Procedural Safeguards sent to parents with the consent packet. Parents should be asked if they are satisfied with the evaluations completed by the school district. If parents disagree with the district’s evaluation, they may have a right to an Independent Educational Evaluation (IEE). If the parent requests an IEE at public expense, the district must either pay for the IEE (public rate setting only) or, within five school days, request a determination from the BSEA that the district’s evaluation was comprehensive and appropriate. (See Section 3.9, Independent Educational Evaluation, for more information about the Independent Educational Evaluation process).

If a parent disagrees with a finding of no eligibility at a reevaluation meeting, the student’s IEP is in stay put until this is resolved.

A 504 Accommodation Plan may be Appropriate

Section 504 of the Rehabilitation Act of 1973 is a civil rights law that prohibits discrimination on the basis of disability in programs and activities that receive federal financial assistance. This law protects a person who has a physical or mental impairment that substantially limits one or more major life activities. Major life activities include learning.

Determination of eligibility for a 504 Accommodation Plan is a separate process from the special education eligibility process and is coordinated through the 504 coordinator. If a parent or school member wishes to pursue a 504 eligibility process, they should be directed to contact the building’s 504 coordinator.

5.0 DEVELOPMENT OF THE IEP

Upon determining that the student is eligible for special education, the Team shall develop an IEP. All services in the IEP are delivered at no cost to the parent. The first question to ask parents is, “What concerns do you have for your child that you want to see addressed in this IEP?” The student vision should then be added to the IEP. The IEP should be developed using the *evaluation data **and** current school performance data* to guide the development of goals and objectives for the student.

If an extended evaluation is needed due to insufficient information to develop an IEP, the Team may choose to write a partial IEP. If the Team writes a partial IEP, a parent may consent to the proposed partial program prior to completion of the full IEP. In such a case, the partial program shall be implemented immediately upon receipt of the signed partial IEP.

The Team should work together to develop the IEP. The Special Education Coordinator will facilitate the process. The IEP shall be completed using the standard IEP format provided by the DESE.

A Summary of Team Meeting Form should be used to document the decisions made at the Team meeting. ***School districts cannot come to a Team meeting with a completed IEP.*** The Team, including parents, must work together to develop the IEP for the student.

If it is an initial evaluation, a draft should not be created, but only utilize the Special Education Eligibility Flowchart and the Team meeting summary form. Parents must leave the meeting with the Summary of Team Meeting. For re-evaluations or annual meetings, a draft IEP may be created that does NOT include placement and is watermarked as a DRAFT copy.

When developing an IEP, the Team must develop appropriate services that meet the needs of the student based upon the area(s) of identified disability. All service determinations are to stem from the current performance levels of the student as originated in the disability area(s). ***The addition of a service that a student is not currently receiving should not be made in the absence of an evaluation that presents disability linked data to support the implementation.***

Please note, for initial and reevaluation meetings, each evaluator will be responsible for providing a summary of their evaluation and entering it into the key evaluation results section of the IEP.

Duration of Team Meetings

Team meetings should be run efficiently so that the Team is able to address the agenda and accomplish the goal of the meeting. To ensure Teams work together effectively and efficiently, the following recommendations are provided:

- Each evaluator will send their report to parents ahead of time for review (at least two days prior to the Team meeting);
- Each Service provider will archive his/her reports in eSped/Frontline at least 5 days before the meeting in order to provide access to all reports to Team members ahead of time for review;
- Special Education Coordinator sets the tone of the meeting with welcome, introductions, and announcing the time constraints for the meeting. (Guidelines ½ hour -1 hour for annuals; 1 hour- 1 ½ for initials and re-evals)
- Each evaluator provides a verbal **summary** of their evaluation rather than a detailed review (**keep it to 5 min.**)
- Draft goals & objectives should be entered ahead of time (at least 1 week) **into the draft IEP (for annuals only)** for consideration at the Team meeting;
- Be sure that parents and teachers understand that the IEP is not meant to be a lesson plan;
- Refrain from using the Team meeting as a consult meeting – table discussions that can be held in follow-up conferences or consult meetings in order to remain on task. (i.e. specific questions regarding related services.)
- Special education coordinators provide parents with a [Team summary](#) form at the end of each meeting.

Special Transportation

If the Team determines that the student's disability requires transportation or specialized transportation arrangements in order to access special education services, the Team shall note on the student's IEP that the student requires such services. In such circumstances, transportation is a related service and *the determination for need should be made as a data driven decision linked to the student's identified area of disability with respect and consideration of the least restrictive environment for the student*. This must occur at each type of Team Meeting, which includes a Team Determination of special transportation or renewal of special transportation. Once the team has determined the need for transportation, the Special Education Coordinators should complete the Special Transportation Request form and submit it to the Special Education Clerk.

If a program is not offered as part of a student's home school, the student will be provided transportation to the appropriate school but it is not considered special transportation. On IEP Schedule Page, IEP 6, check off, "no", and explain that the student is accessing services in a non neighborhood school.

Extended School Year (ESY) 603 CMR 28.05 (4) (d)

- An extended year program may be identified if the student has demonstrated or is likely to demonstrate substantial regression in his or her learning skills and/or substantial difficulty in relearning such skills if an extended program is not provided.

Excerpts from DESE's Question and Answer Guide on Special Education Extended School Year Programs

Couldn't all children benefit from "extended year programs", not just children with special needs?

All children "regress"--lose progress, forget, revert to previous behavior--to some extent between school years. It must be determined whether a child's regression would likely be substantial, and whether the child would require a greater than usual time to "recoup"--to get back to the level the child had achieved before a break in service.

At what point does a school district decide whether or not a child with special needs is eligible for ESY programming?

At least once annually the child's Team must consider the need for an extended school year program and record its determination on page 6 of the IEP. A Team's determination regarding the need for an ESY program must be made on an individual basis.

May the TEAM "wait and see" if a child experiences substantial regression during a break in service before it determines whether ESY services should be proposed?

No. The child's Team must not put off a determination to offer ESY programming until the end of a break in service (i.e., summer vacation). The Team must consider the need for such services prior to the beginning of the break in service by anticipating whether substantial regression and problems with recoupment will occur in the absence of ESY services. ESY programs should be a continuation of the education benefits that accrue to a child during the regular school year and should be consistent with the child's IEP goals and objectives addressed throughout the regular school year; however, they don't necessarily have to be the same services delivered at the same frequency as provided during the regular school year.

How is the concept of "recoupment" used by a Team in determining the need for extended school year programming?

The Department of Elementary and Secondary Education interprets a child's difficulties with "recoupment" to be an aspect of "significant regression". Specifically, significant regression and recoupment consist of the following inter-related elements:

- (1) the loss of performance levels that were attained before a break in service,

(2) the child's limited learning rate, which lengthens the amount of time the child requires to review and/or relearn previously attained objectives, and

(3) the fact that the time for that child to accomplish such recoupment is greater than the period of time the school district allows all other children for review and/or relearning.

How should a school district document a child's regression?

Since proposed ESY programming must take into account the probability of substantial regression, school districts should ensure that special education service providers maintain quantitative and qualitative data regarding the child, including anecdotal records on the rates of both learning and relearning, as well as a child's attainment of IEP goals and objectives.

Are ESY programs also to be provided in the Least Restrictive Environment (LRE)?

Yes. As in regular school year placements, the principles of LRE apply to the provision of ESY services. (OSEP policy letter, December 18, 1989)

What other criteria should a Team apply in making a determination for needed ESY programming?

Any decision regarding needed ESY programming must take into account the child's history of significant regression and limited recoupment capability. In other words, a child's Team must look backward and forward when considering the need for ESY programming.

In addition to significant regression and/or limited recoupment, courts have set forth other ESY criteria to be applied by a Team, as follows:

- the degree of the child's impairment
- the parents' ability to provide structure at home
- the child's rate of progress
- the child's specific behavior and/or physical problems
- the availability of alternative resources
- the child's ability to interact with non-disabled children
- the specific curricular areas in which the child needs continuing attention
- the vocational and transition needs of the child
- whether the service requested is "extraordinary" rather than usual in consideration of the child's condition.

Only when all factors are considered together by the child's Team can a determination be made as to how much service will be offered.

ESY Data Collection Process

Teachers and related service providers should complete the [ESY Data Collection Form/ESY Determination Form](#). Teachers will document the student's performance from June (should be able to obtain from June progress report) and then document the student's performance the first week of school to see if there was substantial regression. Data should also be taken again at the end of September to determine if there were issues with recoupment as well. This data should be brought to IEP meetings for the Team to review when they discuss whether or not the student requires a longer school year.

For initial eligibility meetings for students who were enrolled in school the previous year, district-wide progress monitoring data can be used. For initial eligibility meetings for students that have not yet attended school (i.e., preschool students transitioning from early intervention), the Team needs to consider documentation provided by early intervention, parent reporting, district evaluation data, and medical documentation (if applicable) to determine if the child is at risk of significant regression without an extended school year.

State & District-Wide Assessment Accommodations

Teams continue to be responsible for deciding how all students will participate in state and district wide assessments. However, if no assessments are planned during a particular IEP period, the Team should note that no testing would occur and leave the remainder of the page blank. All students participate in state and district wide assessments with accommodations outlined in the IEP. ***Testing accommodations outlined on IEP 7 must be consistent with accommodations students generally receive in their curriculum as listed in Plep A.*** A Team must use the [Decision-Making Tool for MCAS Participation.docx](#) to determine whether a student needs to take the standard MCAS or the MCAS Alt. If the Team determines that the MCAS is required, the [MCAS Alt Participation Tool](#) form must be completed by the Team and the special education coordinator uploads the form into the DESE security portal..

Students with Disabilities and Bullying

According to the bullying legislation, Chapter 92, school districts have several responsibilities regarding students with social skills disabilities. We have an obligation to teach all of our students the skills that are needed to avoid and respond to bullying, harassment and teasing. Additionally, those students who have disabilities that result in poorly developed social skills require special attention. (See Bullying Checklist- Appendix 5.5)

For students with Autism and other disabilities affecting social skills development, this obligation requires a thoughtful, considered approach at Team Meetings because these students are more vulnerable to teasing and are not skilled in responding. This is a consideration included on the ASD checklist that is referenced by the Special Education Coordinator during all Team meetings for a student who is identified as ASD.

The state law requires specific steps in order to ensure that students with autism and social skills disabilities are taught the skills they need, at their level, to learn to respond to bullying effectively. How the IEP Team addresses this requirement is based on understanding the social and communication skill levels of the student and insuring that the student will:

- benefit from the general education bullying prevention curriculum as is,
- benefit from accommodations or a modified curriculum to insure he/she can access the curriculum, or
- benefit from separate goals and objectives within the IEP to address the skills

What the legislation says:

Chapter 92, 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.)

Required Documentation:

When a student is identified with a disability that affects social skills development or Autism, the development of an initial or revised IEP should include focus on accommodations and skill instruction to develop social and/or language skills.

Bullying is addressed through the curriculum differently at every grade level. If the student requires a separately delivered curriculum in social skills associated with recognizing, avoiding and responding to bullying, that should be addressed in the social pragmatics, communication or self advocacy goal areas.

The discussion about social skills, recognizing, avoiding and responding to teasing and bullying should be an integrated part of a Team meeting, if the student has social skills deficits. It should not be an add-on. Most meetings will not require the explicit use of the term "bullying," but rather will naturally focus on social skills, peer relationships, social pragmatics, communication or self advocacy.

The Team should document the discussion within the IEP of how it will address a student's social skills development in order to avoid or respond to bullying if a student lacks effective strategies.

Chapter 57: An Act To Address The Special Education Needs Of Children With Autism Spectrum Disorders

Whenever an evaluation indicates that a child has a disability on the autism spectrum, 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 daily routines; the needs resulting from engagement in repetitive activities 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.

6.0 LRE AND CONTINUUM OF SERVICES

At the Team meeting, after the IEP has been fully developed, the Team shall consider the identified needs of the student, the types of services required, and whether such services may be provided in a general education classroom with supplementary aids and/or services or in a separate classroom or school. The Team shall consider all aspects of the student's proposed special education program as specified in the student's IEP and determine the appropriate placement to provide the services. The Team shall determine the specific placement according to the following requirements:

The decision regarding placement shall be based on the IEP, including the types of related services that are to be provided to the student, the type of settings in which those services are to be provided, the types of service providers, and the location at which the services are to be provided.

The placement selected by the Team shall be the least restrictive environment consistent with the needs of the student. In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the student or on the quality of services that the student needs.

When the Team recommends a student be placed in an out of district placement, the special education coordinator should not agree to a specific placement at a meeting. The special education coordinator should let the Team know that they will refer the case to the out of district coordinator, who will work with the parents to determine potential placements. The out of district coordinator will send out referral packets to potential placements after obtaining signed releases from parents.

The decision to enact a change in placement that constitutes placing the student in a more restrictive setting must come following an evaluation so that updated data may be used as a basis for the Team determination.

Least Restrictive Environment (LRE)

The school district shall ensure that, to the maximum extent appropriate, students with disabilities are educated with students who do not have disabilities, and that special classes, separate schooling, or other removal of students with special needs from the general education program occurs only if the nature or severity of the disability is such that education in general education classes with the use of supplementary materials and services cannot be achieved satisfactorily.

The removal of a student from the general education setting is supported in the Participation in the General Education Setting section of the IEP, which quotes the regulation describing the district's responsibility outlined above. When recommending students to participate outside of the general education classroom, there needs to be ample data and documentation of accommodations and modifications that have been tried within the general education classroom.

The district has a continuum of services to meet the individual needs of our students. This continuum ranges from full inclusion, partial inclusion, to substantially separate programming. When IEP Teams are making determinations regarding IEP services, we should start in the least restrictive setting (inclusion) and then, based on data, evaluations, and documented need, move to more restrictive settings. Students should not be placed in partial inclusion or substantially separate settings before inclusion has been attempted as we cannot determine that a student is unable to learn in the least restrictive environment (inclusion) unless the student has been in that environment with the use of accommodations, modifications, and supplemental supports.

DCRSD Paraprofessional Support Resource Guide

This resource provides information on how to systematically conduct an additional paraprofessional assessment for a student with a disability. A recommendation for a paraprofessional is a significant programmatic decision and one that should only be made after a comprehensive discussion of other options considered and clear documentation supporting why those options are not appropriate.

An emphasis is placed on school team collaboration and the use of data collection, checklist, and forms to determine appropriateness for paraprofessional assistance.

"If schools respond exclusively to the request for a paraprofessional, without fully understanding the meaning behind the request, it increases the likelihood of masking the underlying issues and delaying attention to them. Instead, 'the task is to identify the underlying issues so that they can be addressed'." (Giangreco, M.F., Doyle, M.B., Suter, J.C., Constructively Responding to Requests for Paraprofessionals: We Keep Asking the Wrong Questions, Remedial and Special Education 33(6), October 2012, 362, 363.)

From DESE Technical Assistance Advisory (2014-3)

The Department is particularly concerned by reports that, in some cases, paraprofessionals have been assigned simply on the basis of a student's educational profile or to provide a teacher with temporary relief from a demanding student. This may leave unaddressed key issues such as (a) improving teacher ability to educate a full range of students with disabilities; (b) building capacity in general education to design curriculum and instruction for mixed ability groups that include students with disabilities; and (c) changing or improving student behavior.

The Department is also concerned that paraprofessionals have been assigned responsibilities that require the skills of a licensed teacher - for example, making curriculum decisions, planning lessons or designing adaptations, as compared with implementing decisions made by the teacher. There have also been reports of inadequate training and supervision, making it impossible for a paraprofessional to be effective. And, paraprofessionals may continue to be assigned even though other services or supports could more appropriately address the student's learning needs. **Inappropriate use of paraprofessionals may have detrimental consequences such as over-dependence, interference with peer interactions, insular relationships, stigmatization, provocation of behavior problems, or diminished student-teacher interactions.**

Rationale

Additional paraprofessional assistance is provided for students with disabilities when additional support is necessary for the student to meet his or her goals and objectives. Whenever necessary, additional assistance may be assigned to a school environment or class. Occasionally, a student may require individual support for a designated period of time to address a unique need. By law, services to students with special needs must be delivered in “the least restrictive environment.” When the IEP team is considering additional paraprofessional assistance, all aspects of the student’s program must be considered. This request is made only after other documented interventions and pre-referral activities, accommodations, and modifications have proven unsuccessful. A student’s educational program must be carefully evaluated to determine when and where the additional support is required. Natural supports and existing staff should be used whenever possible to promote educational benefit in the least restrictive environment. A primary goal for all students with special needs is to encourage, support, and maximize independence. The request for additional paraprofessional support should always be considered a time-limited recommendation that must be periodically reviewed, and specific conditions/goals must be established to fade the use of this additional support to promote student independence.

Procedures

When considering the request for an additional Paraprofessional support, the IEP team should determine if all available natural supports, accommodations, and modifications have been in place with fidelity for a minimum of four to six weeks. A request should only be made after other interventions have proven to be ineffective. Whenever possible, additional assistance is assigned to a school environment, class, or liaison. Occasionally, a student may require individual support for a designated period of time to address a unique need. Below are the steps required to complete the request for additional para support.

Step 1: Pre-Referral

Teachers with concerns that a student requires additional paraprofessional support in order to make educational progress should meet with the student’s liaison and/or service providers to discuss their concerns. If the concern is not related to the student’s currently identified disability/IEP supports the student should be referred to the building IST team. If the concern is related to the student’s current IEP program, the teacher should complete the [Form 1 Pre Referral Checklist-Para Support](#) and submit this to the Special Education Coordinator.

Step 2: IEP Review

The student's IEP will be reviewed by the Special Education Coordinator to determine if the student's plan includes goals/BIP in the area of concern. If not, the team will seek consent to evaluate in this area of concern and meet to consider development of goals and services to support the area of disability related need. The team will collect data over time to determine the effectiveness of these supports consistent with special education regulations.

If the student has goals/BIP, etc.. related to the presenting concern, progress data will be reviewed by the school based team. The team will determine if additional support and data collection is needed, or if the referral process for the addition of a 1:1, 2:1, or 3:1 paraprofessional should move forward.

Step 3: Referral

The student's team will complete the referral packet, including [Referral form](#) and [Para Support Request Rubric](#). Documentation should support that these accommodations, modifications, and supports have been implemented with fidelity over a sufficient time period (standard is 4-6 weeks) and have been unsuccessful in supporting the student's ability to make effective educational progress. Parents will be informed by the student's liaison that the team is reviewing concerns that could indicate a higher level of support may be required in specific settings to support their child.

Step 4: Environmental Observation/Student Observation/Communication

Special Education Coordinators as well as additional team members will observe the student and complete the [Form 3 Observation-Para support request](#) form. This form will help inform the team regarding next steps as detailed below.

The special education coordinator will also complete the [Paraprofessional Support Summary Page](#).

Step 5: Convene IEP Meeting to Discuss Next Steps

The team will review data collected and determine the student's level of independence in the areas of concern considering all relevant factors related to student functioning, including a comparison of the performance of age/grade appropriate peers in the environments of concern.

Step 6: APA Independence/Fade Plan

If the IEP team determines a need for additional paraprofessional support, it is written on the IEP service delivery grid and connected to specific goals. The team will document monitoring strategies, fading strategies, and future review dates. Regardless of the circumstance that may indicate the need for support, it is imperative for every IEP developed for a student to address the skills that will be taught in order to have the additional para support effectively faded. The level of support required for the student to advance appropriately toward annual goals need to be defined, including criteria and possible timeline for phasing out para support.

DCRSD Para Support Request Forms

Form 1 Pre Referral Checklist: Use this form to identify areas of concern and determine if activities, modifications, and accommodations have been consistently implemented or if there are any missing supports related to Least Restrictive Environment, Health, Instruction, and Behavior.

Form 2 Referral form: Complete this form and attach the pre-referral checklist, para support request rubric, and accompanying documentation.

Form 3 Observation: This form assists with determining specific times and/or activities when support may be needed.

Form 4 Para Support Request Rubric: This rubric should be filled out by the classroom teacher and any other staff that works with the child as determined by the special education coordinator and include additional documentation identifying the current level of support needed by the student.

Form 5 Para Independence Fade Plan: An independent/fade plan (as appropriate) must be included in the IEP to determine how the paraprofessional will be faded. The plan should include goals, timelines, progress monitoring methods, generalization strategies, and specific criteria for fading APA support.

Form 6 Review of Independence/Fade Plan to Determine Continued Need for Special Circumstance Instructional Assistance: Once a student has been approved for paraprofessional support, the evaluation team should continue to observe the student to determine appropriateness and monitor student progress. This form should be completed and reviewed annually or sooner as determined by the special education coordinator and/or liaison to determine the effectiveness of the APA support and/or continued need.

Service Delivery

Service Delivery Grids should reflect only what a specific student requires to make educational progress. They should not be based on school schedules, current offerings, or convenience. The question we should ask as a team is “what does the student really need/require to make effective educational progress?” Services are provided to remediate skill deficits. When making a recommendation for a service, it should relate back to a goal area and the following question should also be answered: “What amount of specialized, targeted instruction does the student require to meet their goal and what type of service provider should be delivering the service?”

-Things not to say when discussing service delivery: “We don’t have that here,” “I don’t have time in my schedule for that,” “Well, he/she would benefit from this,” “I’ll have to check with my director on that”

Continuum of Service Delivery

Classroom-->Supported Classroom-->Pullout

-Teachers/special education service providers recommending pullout instruction should be able to provide evidence that the specific service cannot be provided effectively in the mainstream classroom. We are not able to determine that a student cannot make effective progress in the general education setting if we have never attempted to provide services in the general education setting.

-Movement from one service delivery model to a more restrictive environment should be made with evidence to support this decision. Evidence should include evaluations, ongoing progress monitoring data, and documentation of interventions.

Related Service Providers/Specialized Personnel

Legal Foundation: Related services means transportation and such developmental, corrective, and other supportive services **as are required to assist a child with a disability to benefit from special education**, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training (IDEA Sec. 300.34)

OT/PT/Speech/Counseling:

Schools are required to provide these related services in order for the student to access FAPE (Free Appropriate Public Education), which is a different standard than the medical fields. These services are only provided to the extent the child requires to participate in their education. Students may have concerns in these areas that are not impacting their ability to learn, and therefore would not be entitled to related services through the school district.

Specialized Reading:

A special education teacher trained in specialized reading programs is someone who has a deeper understanding of the process children go through when learning to read, as well as the issues that could affect a student’s progress in this area and how to remediate in these situations. IEP Teams will determine if a student requires instruction using a specialized reading

program. This Team decision will be based on reviewing the evaluation data, progress monitoring data, and current performance to determine whether a student requires a specialized reading program.

Guidance on Pullout Services

As stated earlier, IDEA requires that students are educated in the Least Restrictive Environment (LRE). In order to remove a student from their non-disabled peers, IEP Teams need to use data-based decision making. A student should only be removed from the general education environment if the Team has determined that the student's educational needs cannot be met in the general education setting, with or without the use of supplementary aids and services.

ILC Program Guidance

Intensive Learning Centers are programs that represent the most restrictive learning environment in the Dudley Charlton Regional School District, offering the highest level of support for children with significant disabilities.

Entry Criteria

-Accommodations and modifications, and support have been put in place for the majority of the school day and the nature of the student's learning needs creates significant barriers for them to make educational progress in the general education setting.

AND

-Small group instruction to target identified goal areas has been implemented using a modified curriculum and the student has not made progress.

AND

-The nature of the curriculum being presented to the student is so significantly different from the grade level curriculum that meaningful participation in the general education setting is not possible, even with modifications and support.

AND

-The instructional methodology the student requires is not possible to deliver in a general education setting.

AND

-The student has a significant cognitive impairment (i.e., full scale IQ of 70 or below on standardized cognitive testing). Students whose primary disability is identified as emotional should not be serviced by ILC programs.

AND

-The student's adaptive behavior skills are 70 or below in at least 2 areas of adaptive functioning.

Expectations

-Students in ILC programs should be included in as many opportunities to integrate with their non-disabled peers as possible throughout the school day. These determinations should be made individually, considering the strengths, interests, and needs of the student.

-The team should consider every part of a student's day when developing a service delivery grid to ensure opportunities for inclusion are discussed. ILC programs should engage with reverse inclusion opportunities for students who cannot access inclusion opportunities effectively during the school day.

-The team should periodically review the extent to which the student participates in regular education classes and work toward increased inclusion time whenever possible.

-ILC programs use curriculum materials and methodology that is significantly different from regular education classrooms. These materials and methodology should be reviewed periodically to ensure students are receiving high quality instruction.

-ILC programs should provide instruction in the “Expanded Core Curriculum” when designing instruction for students with significant disabilities. These domains include Compensatory Skills, Orientation and Mobility, Social Interaction, Independent Living, Recreation and Leisure, Sensory Efficiency, Assistive Technology, Career Education, and Self-Determination.

-Communication with parents and guardians should be consistent and structured effectively. These methods could include monthly clinics, regular email updates, communication logs, data sharing, etc... Student progress should be evaluated with parent and guardian participation more frequently than other students who receive special education services due to the nature and severity of these students' disabilities.

-Related service providers (OT, PT, Speech) should have consultation “built in” to the ILC program. This team approach ensures that the student’s needs are being met throughout their time in the program and not only in isolated therapy sessions.

-ILC program staff should have regular meetings with their building based Special Education Coordinators to review program development, identify curriculum or professional development needs and opportunities, and discuss cases.

-ILC programs have a student:staff ratio of 3:1. Any ratio in excess of that (2:1, 1:1) requires the teacher to complete the paraprofessional referral process.

-When students are identified with a 1:1 or 2:1, the following needs to be completed for the initial implementation of a 1:1 or 2:1 and for every annual review and reevaluation: paraprofessional needs rubric, fading support plan, and independence goal.

TLC Program Guidance

Entrance Criteria

Therapeutic Classrooms are specialized programs intended to support students with mental health needs and behavioral concerns (that impede their ability to make effective progress and access the curriculum in a general education classroom), and represent a more restrictive environment than any other program in the district besides the ILC. The purpose of these programs is to build a student's coping skills and strategies, and work toward increased inclusion with non-disabled peers as much as possible. The time students spend in these classrooms is largely dependent on their presentation at any given time, and can range from a full school day (most restrictive) to a "home base" model of check-in support as students make progress. Please consider the following when considering a referral to TLC programs:

-The student's team has documented interventions including data tracking, implementation of a positive behavior support plan, CHICO, and counseling.

AND

-The student has been identified as having an emotional disability (or developmental delay for younger children).

AND

-The student's presentation in the general education setting, even with the above supports, accommodations, and modifications, is causing a lack of educational progress for themselves and/or other students.

AND

-This evidence has been presented and discussed at an internal meeting including, but not limited to, members of the regular education teaching team, building administration, and a special education administrator. The purpose of this meeting is NOT to determine placement, but to ensure everything possible has been attempted to support a student before bringing the option of a more restrictive setting to the full IEP team.

Exit Criteria

1. A meeting with the student's parent or guardian will be held when TLC staff identify that a student has made significant progress in the area of emotional regulation. Written permission from the parent is required to implement a trial to reduce TLC supports.
2. The team will identify areas of the student's day where support can be thoughtfully reduced, with continued tracking of data to ensure the student's continued success.
3. Over a period of time identified by the team, support will continue to be reduced until the student exhibits evidence of success with minimal TLC support. If the student begins to show increased difficulty maintaining emotional regulation without this support TLC staff will re-implement support, communicate with the student's parent, and meet to determine next steps.

OOD Placements

Legal Background: “If an out-of-district placement is designated by the Team, the Team shall state 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 (603 CMR 28.06 f).

-All students have a legal and moral right to attend their local school, and are entitled to the support they require to make educational progress here (in their home school) with their peers. OOD placements should be considered for a student as a last resort, when despite the team exhausting all possible options over a reasonable amount of time, the evidence shows that the student is not making effective educational progress. The weight of a decision to remove a student’s access from his or her local public school should be considered by all team members involved.

Guidelines for Providing Support for Students with Behavior and/or Social/Emotional Concerns

1. **If student is on an IEP:** Review IEP accommodations; consult with other service providers on the student's IEP to discuss additional accommodations/strategies that can be implemented. Call or meet with parents to discuss concerns. Implement these strategies **with fidelity** for a period of **6 weeks** and document the strategies and outcomes.

If student is not on an IEP: Review DCAP accommodations; consult with other team members to discuss additional accommodations/strategies that can be implemented. Call or meet with parents to discuss concerns. Implement these strategies **with fidelity** for a period of **6 weeks** (of the student consistently being in school) and document the strategies and outcomes.

2. If the above strategies were successful, great job! Keep doing what you're doing because it's working!

If the above strategies were not successful:

Student on an IEP: A significant change in the behavioral presentation of a student on an IEP warrants a team meeting to discuss next steps. These could include a BCBA referral (the team would then complete the [BCBA Referral Form](#) and follow that process), tier 2 interventions with data collection, connection to or implementation of outside providers, etc...

General Ed Student: A referral to the IST Team is in order (Tier 2). The IST Team will consult with a school adjustment counselor and/or school psychologist. The [BCBA Referral Form](#) **should be completed at this stage**. Baseline data will be collected and interventions will be put in place. Consistent communication with parents/guardians and data collection to document progress is key here.

3. If the Tier 2 intervention is not effective, the completed BCBA referral form should be submitted to the special education coordinator with any additional data collected through the IST process. Parents are notified by the IST team that the determination to recommend an evaluation through the special education department has been made.
4. Upon receipt of the IST referral, The special education coordinator will send out consent for evaluation and the team will reconvene upon its completion (within 45 school days of receipt of the signed consent). In the meantime, continue to implement strategies recommended by the IST Team.
5. Upon completion of additional assessments, the team will reconvene and review results, recommendations, and determine next steps.

Placement Meeting

In the development of the IEP, if the needs of the student and the services identified by the Team are complex, and the Team is considering an initial placement out of district or in a different setting for a student who has been served in an out of district program, the school district may schedule a separate Team meeting to determine placement. ***This separate placement meeting must occur within 10 school days following the meeting at which the Team developed the IEP.*** A change in placement must be written in a new IEP, it may not be processed as an amendment.

Transition Planning

For every student who will be turning 14 years old within the new IEP period, the student should be invited to his/her IEP meeting and the special education liaison should ensure that the student completes a [Transition Questionnaire](#). [Transition form with pictures](#) Then the Post-Secondary Transition Planning section of the IEP should be completed in eSped by the liaison with the support of the student's guidance counselor, or school adjustment counselor prior to the IEP meeting. The portion of the IEP should be used as a tool to develop the IEP in conjunction with the student and Team's vision for the student and to identify necessary skills the student may need in transitioning from high school to postsecondary outcomes. Best practice in transition planning is that the team will consider instruction, employment, and community experiences/post school adult living as outlined in the Transition Planning Form (TPF).

Students ages 18 through 21 years

The school district shall ensure that options are available for students ages 18 through 21 years. Such options shall include continuing education, developing skills to access community services, developing independent living skills, developing skills for self management of medical needs, and developing skills necessary for seeking, obtaining, and maintaining jobs. Such programs may have an educational and/or vocational focus and shall be considered in district programs if the program is operated by the public school and offers the student ongoing opportunities to interact with students or young adults without disabilities.

Age of Majority:

No later than when a student is 17 years in age, Age of Majority MUST be discussed at the annual IEP meeting. The Special Education Coordinator must provide the student with a copy of the Parent's Notice of Procedural Safeguards (PNPS). A discussion must take place regarding the Age of Majority and the student's rights. It may be helpful to refer to the Age of Majority letter for purposes of this discussion.

The Special Education Coordinator will also make each student and parent aware that at this meeting the Age of Majority Rights will occur **ON** the student's 18th birthday, and that the student will be asked to sign the Age of Majority letter indicating their decision (if they choose to make all educational decisions themselves, share in the decision making process with their parents, or continue to have parents make educational decisions).

The case manager or Special Education Coordinator will check the box under additional information that this matter was discussed at the IEP meeting. The N1 must clearly state that the PNPS has been provided to the student and that the Age of Majority and student's rights have been discussed at least one year prior to the student's eighteenth birthday.

The Special Education Coordinator will ensure that on the student's 18th birthday the student will be provided with and sign the Age of Majority letter. In instances of a non school day this will occur upon return to school.

If the student wishes to take the document home to review with the parent, it is the responsibility of the Special Education Coordinator to follow up with the student and schedule a meeting to discuss any concerns upon the student's request. The original signed Age of Majority letter will be promptly sent by the Special Education Coordinator to the Department

of Special Education's office for placement in the student's special education file.

All meeting notices and special education documentation must be sent to the student if the Age of Majority rights are solely with the student. If the rights are being shared with the parent/guardian, then the parent and student will both receive the required documents and must co sign all documents.

7.0 PROCESSING THE PROPOSED IEP FOR DISTRIBUTION TO PARENTS

Whether or not parent(s) receive a Team Meeting Summary at the conclusion of the Team meeting, the school district must provide the parents with a proposed IEP and Placement as soon as possible and not more than 3 to 5 school days after the Team meeting has been held. If an evaluation was completed, the parents must be provided with a proposed IEP and Placement no later than 45 school days from when the signed consent was received by the District and no later than 5 days following the meeting, whichever comes first.

An IEP checklist titled DCRSD IEP Tracking List has been created to guide Special Education Coordinators on the compilation of the IEP documents that need to be archived in eSped (see Appendix 7.0). The special education coordinator will then complete the paperwork tracking form to notify the special education clerk that the IEP is ready to be sent to parents. The special education clerk will print the documents listed on the IEP tracking sheet and will notify the special education coordinator if any required documents are missing.

PARENT RESPONSE TO IEP

No later than **30 calendar days after receipt** of the proposed IEP and proposed placement, the parents shall:

- 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 a revised proposal; and,
- Accept or reject the proposed placement

If parents have not responded to the IEP within twenty days, a letter is sent home with a copy of the IEP as well as the signature pages (see 2nd Request Notice, Appendix 8.0). The Special Education clerk should include a copy of this 2nd Request Notice in the completed packet and place it in the student's file. If the parents have not responded to the second request letter after thirty days, the IEP is filed as rejected with the BSEA by Student Services.

TIMELINE SUMMARY/WORKFLOW

Please refer to the [Timeline Procedures](#) document for reference regarding timelines and workflow processes.

IEP Sign Off Sheets

When an IEP is signed by the parent, the special education coordinator will notify the liaison, general education teacher (s), service providers, specialist teachers, etc., that the IEP was signed. The liaison will send the IEP Acknowledgement Form <https://forms.gle/ybpExeq52d8fdmES6> (by sending the google form) to all staff to complete so we have documentation that acknowledges that they read the IEP and are aware of their responsibilities in its implementation. The responses to this form should be set to automatically populate into a spreadsheet. If you have any questions about how to do this, please see your special education coordinator.

8.0 IMPLEMENTATION OF THE IEP

Receipt of Signed IEPs

Parents must be given the option of receiving the IEP electronically through the secure Frontline Special Education portal, a paper copy, or both. If they wish to receive a hard copy, they are provided a self addressed envelope along with 2 copies of the proposed IEP and a second response page to sign and return to the Special Education Clerk at the District Special Education Office. Once an e-mail notification is received that the IEP was signed, the Special Education Clerk will enter the return date and mark as accepted, rejected or partially rejected in eSped. The Special Education Clerk will immediately date stamp and archive the signature and placement pages, notify the special education coordinator that the IEP is signed, and file the paperwork in the student's special education file in the district office. *If an IEP is rejected, in whole, or in part, the signature and placement pages will be immediately date stamped and e-mailed to the Pupil Personnel Director as well. This must be submitted to the BSEA within 5 calendar days of receipt by the district, so it is imperative that Special Education Coordinators and/or Special Education Clerk forward any rejected documents to the Director of Pupil Personnel Services on the same day they are received.*

Receipt of Partially Rejected and Rejected IEPs

When an IEP has been rejected in full, it will appear in eSped as Rejected. When it is rejected in part, it will read as Active. The Special Education Coordinator will immediately provide the Team with a copy of the parent's response, along with a marked up copy of the IEP labeled "partially rejected" on the front and indicating the items that were rejected. This enables Team members to know which parts of the IEP have been accepted and can be implemented. Should Team members have questions regarding implementation, they should IMMEDIATELY contact the Special Education Coordinator. If questions still remain, the Special Education Coordinator will contact the Director of Pupil Personnel for clarification. *The Special Education Coordinator will distribute a marked up copy of the IEP indicating which services/goals are considered "stay put" for the teachers and service providers working with said student.*

The IEP must be implemented immediately upon signed response from parents. *The Special Education Coordinator will let the teachers and service providers working with said student know when an IEP is signed.*

Upon parental response to the proposed IEP and proposed placement, the school district shall implement all accepted elements of the IEP without delay. The school district cannot delay implementation of the IEP due to lack of classroom space or personnel. Teams must provide as many of the services on the accepted IEP as possible and shall immediately inform the parent in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and offer alternative methods to meet the goals on the accepted IEP. Upon agreement from a parent, the school district shall implement alternative methods immediately until the lack of space or personnel issues are resolved.

Amendments

At times, it is necessary to amend an IEP. An amendment can be conducted via phone contact or email with the parent(s). An amendment cannot extend the length of the IEP, nor can an amendment change placement. An unsigned, rejected, and partially rejected IEP cannot be amended – any changes made to an unsigned IEP are considered "Revisions" to a proposed IEP and should be marked accordingly. An N1 is always included with an amendment.

IEP Revisions

Once a Team meeting has been held and a proposed IEP has been sent to parents for response, a Team may revise or further develop the proposed IEP with parent agreement and input. The type of meeting and dates on the administrative page would not change. The N1 should **clearly state** that the IEP has been revised with the date of the Team meeting or parent contact as well as who precipitated the revision. Details of why and how the IEP was revised should be noted in the N1.

Progress Monitoring/Progress Reports

Developing well written and meaningful progress reports starts with well written goals that include a statement of current performance, a goal statement, and objectives or benchmarks. Teams should use the current performance section as the starting point, ***based on what the student is currently able to do***. The goals are the end points and the objectives or benchmarks are the steps between the starting and end points. Data should be included in the current performance so progress can be clearly measured between the current performance and the benchmarks.

Progress reports should reflect, in measurable terms, the student's progress toward the annual goal and whether the progress is sufficient for the student to achieve the annual goal by the end of the IEP period.

Progress reports must be sent to the parents at least as often as parents of nondisabled children are informed of their children's progress (in conjunction with report cards).

By federal regulation, progress reports must answer the following two questions for each goal:

- What is the student's progress toward the annual goal?
- Is the progress sufficient to enable the student to achieve the annual goal by the end of the IEP period?

Team members should respond to the mandated questions by following these steps when writing their progress reports:

- Specify what the student has been working on
- List what the student has achieved
- Use measurable language where appropriate (i.e., John is greeting his peers upon arrival to school in 90% of measured opportunities)
- Indicate any stumbling blocks to progress and how the Team is responding (i.e., what refinements are or will be used to support the student's progress)
- Project whether the student will reach the annual goal if progress continues at its current pace

Progress reports may prompt the Team to reconvene. ***If a lack of expected progress continues past the first progress report, the Team should reconvene to discuss the student's lack of progress, review data, and determine whether additional evaluations and/or supports/services are necessary for the student to make effective progress. It is the teacher and service provider's responsibility to reach out to the Special Education Coordinator should they notice this when they are monitoring progress.***

Declining Special Education Services

If, after accepting IEP services, a parent chooses to decline those services, the parents should put this in writing and this should be sent to the special education office.

Updating Student Status

When a student's status has changed (e.g. graduated, moved, no longer eligible, new student moved in) and they will no longer be receiving special education services, a [Student Status Update](#) form should be completed by the Special Education Coordinator and sent to the special education office. For new students or students that have withdrawn, the [Student Status Update](#) form should be filled out by the building secretary and submitted to the special education coordinator, who will notify the special education office.

9.0 DISCIPLINING STUDENTS WITH SPECIAL NEEDS

In *Honig v. Doe*, 559 IDELR 231 (EHLR 559:231) (U.S. 1988), the U. S. Supreme Court prohibited certain disciplinary actions that result in a change of placement for a student with a disability (one receiving special education and related services under the IDEA). Generally, a student with a disability cannot be subjected to a disciplinary change of placement if his/her misconduct was caused by, or was directly and substantially related to, his/her disability. A disciplinary change in placement occurs when a student is suspended in excess of ten (10) consecutive school days or subjected to a pattern of short term suspensions in excess of ten school days which constitute a pattern of removal. If the misconduct includes bringing a weapon or drugs to school, if the student has inflicted serious bodily injury on another person, or if he/she otherwise poses a danger to him/herself or others, then different rules governing removal from school will apply. In all events, suspension of more than 10 school days is subject to special rules and limitations when the student is disabled under either the IDEA or Section 504. Further, districts must continue to provide a free appropriate public education to IDEA eligible students with disabilities who have been suspended for more than 10 school days or expelled.

Outlined below are the procedural protections and disciplinary proceedings that pertain to these situations. Beyond the basic due process rights afforded to all students:

- The Individuals with Disabilities Education Improvement Act (IDEA) and Section 504 of the Rehabilitation Act impose additional procedural requirements when excluding students with disabilities for disciplinary reasons.
- Students with IEPs **or** 504 Plans **or** *any student whom the District had reasons to know, prior to the incident giving rise to the disciplinary action, might be eligible for special education* are entitled to the additional procedural protections.
- A Manifestation Determination **must** be conducted prior to any removal constituting a disciplinary change of placement.
- **When appropriate**, an FBA (Functional Behavioral Assessment) **must** be developed or a review of an existing Behavior Support Plan **must** be conducted.
- A Functional Behavioral Assessment is required **only** after determining that the conduct was a manifestation of the student's disability or when found to be appropriate by the Team.
- A Manifestation Determination **must** be held within 10 school days of any decision to impose discipline that would result in a **change of placement** to determine whether the conduct giving rise to discipline was a manifestation of the student's disability.
- Provision of services/FAPE (Free Appropriate Public Education) **must** be provided to IDEA-eligible students as of the **11th cumulative day of removal**.

If the behavior is **not** a manifestation of the student's disability:

- The principal **may** impose sanctions applicable to all students.
- The principal **must** provide FAPE, as determined by IEP Team, for students on IEPs as of the 11th day of removal.
- There is **no** obligation to provide FAPE for 504 students although they have the right to an opportunity to make academic progress during the period of exclusion in accordance with M.G.L. c.76, §21.
- Stay Put Rights: A student remains in disciplinary placement pending expiration of the disciplinary sanction until a decision from a Hearing Officer

If the behavior **is** a manifestation of the student's disability:

- The student returns to school prior to the 11th day, **unless** the conduct meets the criteria for a unilateral removal, the school district obtains parental consent, **or** there is a Hearing Officer's order, **or** a temporary restraining order (TRO) has been issued.
- A student with a disability may be placed in an Interim Alternative Educational Setting (IAE) only upon the recommendation of the Team **and** the consent of the parent/guardian, or the student if he/she is 18+. Under certain specific circumstances, a student **may** be unilaterally placed in an IAE by his/her Team.

A student **can** be unilaterally removed, regardless of manifestation determination, to an IAES for **up to 45 school days** for:

- Possession of a dangerous weapon on school premises or at a school sponsored or school related event.
- Possession or use of illegal drugs on school premises or at a school sponsored or school related event.
- Solicitation of a controlled substance on school premises or at a school sponsored or school related event.
- Causing serious bodily injury.

The 45day IAES **must**:

- Enable the student to participate in the general curriculum, progress toward the goals in the IEP, and receive the special education and related services contained in the IEP.
- Provide services and modifications designed to address the behavior that gave rise to the removal and to prevent the behavior from recurring.
- **End** at the conclusion of the 45 school day period **and** the student shall be returned to his/her previous placement **unless** the parent/guardian/student consents to an extension of the IAES **or** an Order is obtained authorizing the student's continued removal.

The district will comply with all state and federal statutes regarding the discipline of students with special needs. For more detailed information regarding these laws and regulations see the Parents' Notice of Procedural Safeguards, the Individuals with Disabilities Education Improvement Act of 2004. (IDEIA) (PL: 108446), Section 615, and Section 504 of the Rehabilitation Act of 1973.

10.0 REQUESTS FOR SERVICES

Whenever a request for additional services is made, the liaison should contact the Special Education Coordinator who, in turn, will determine the appropriate course of action.

Request for Translation/Interpreter Services:

Whenever a family requires **translation** of documents, or when the Special Education Coordinator deems it appropriate, the Special Education Coordinator will use Lexikeet to provide these services.

Request for Duplicate Records:

If a request for special education records is received at the school level, parents should be directed to the Special Education Administrative Assistant where they will complete a Request for Duplicate Records form (See Appendix 11.1). Documents will be made available within ten days of receipt of the request. Copies are provided at no charge.

Release of Information

In order to protect confidentiality of students, when communicating with private service providers of a student, or releasing records, the district requires that parents sign a Consent for Release of Information form (See Appendix 11.2).

Parent Request for Observations

The Dudley Charlton Regional School District shall collaborate with parents to provide timely response to requests received for observation of their children's current or proposed special education programs. The parent or his/her designated private evaluator or educational consultant may conduct observations. The Dudley-Charlton Regional School District will provide an opportunity for observation of sufficient duration and extent to enable evaluation of the child's performance in his/her current program or to evaluate a proposed program's ability to enable the child to make effective progress. The following guidelines apply to arranging for such observations:

Prior to the observation occurring, parents must complete an Agreement for Observation of Student/Program, providing consent for an observation to be conducted, as well as a [Release of records](#). The observer must then sign the [Agreement of Observation of Student/Program](#) **prior** to the observation taking place.

The Special Education Coordinator will provide a copy of the request to the building principal and Director of Pupil Personnel Services. In order to assist in timely scheduling, **the Special Education Coordinator will contact the identified observer directly within a week of parental request for observation with potential dates and times for the observation.**

A designated school staff member (Special Education Coordinator, Principal, or Assistant Principal) will accompany the observer during the observation period. Given the ongoing responsibility of teachers or therapists to serve students, they will not be available for conversation during or immediately before/after the observation period. All efforts should be made to limit the impact on instruction and operation of the classroom.

The district does not generally schedule observations for certain portions of the year such as during state testing or during the first few weeks of school. In addition, because it may not be possible to accommodate all requests during the last few weeks of school, parents are urged to submit any observation request as early as practicable in the school year. In addition, school staff retains their right and obligation to restrict program observation where necessary to protect the safety of a child or the integrity of the program. The District also expects all observers to avoid disclosing any personally identifiable or confidential information they might obtain during the course of an observation (except about the student being observed, in which case it will be used consistent with the parent's authority and direction).

Home/Hospital Educational Services

A student with a documented medical condition who has been or is *expected to be confined to a home or hospital for a minimum of fourteen days during any school year is eligible to receive home or hospital educational services*. When a student is hospitalized, the hospital usually contacts the Special Education Department directly to arrange for tutoring. Building personnel should contact the Special Education Department if the hospital has not done so already. The Home Educational Services can begin as soon as the student's physician completes a [Home Hospital Form](#).

The educational services that are provided will be coordinated by the Special Education Coordinator in conjunction with the Department of Special Education and the building principal. The tutoring services will be provided with sufficient frequency to allow the student to continue his or her educational program, as long as the services do not interfere with the medical needs of the student.

For students who attend private special education schools or collaboratives at Dudley-Charlton Regional School District's expense, that specialized school is responsible for providing tutoring during homehospital periods, at their expense, as long as the student remains enrolled in that school.

If, in the opinion of the physician, a special education student is expected to remain at home, in the hospital or in a pediatric nursing home for medical reasons for more than 60 days, the physician must also complete the [Home Hospital Over 60 Days Form](#). A Team meeting should also be scheduled to discuss this student's needs and to determine if adjustments need to be made to the IEP.

A parent/guardian of a general education student who is currently not attending school due to a medical condition may request a special education evaluation to determine if the student's medical condition meets special education eligibility requirements.

The school district needs to provide sufficient frequency of tutoring to enable the student to keep up in her/his courses of study and minimize educational loss. This is determined on an individual basis. One hour per day is often adequate in the 1:1 tutoring situation, but the amount must be determined based on individual needs and the medical condition. Educational Services should not interfere with medical needs.

The Principal, Assistant Principal, or Special Education Coordinator coordinates these services with the Special Education Department if the student is eligible for special education.

Students enrolled in private school at parent expense are also eligible for home/hospital tutoring through the public school *only* if they also qualify for special education services. (At times, this may involve conducting an initial evaluation for a student.) The same paperwork must be completed.

11.0 Deescalation Techniques

The Dudley Charlton School District uses guidance from Safety Care- Crisis Prevention Training when responding to a dysregulated child. The expectation is that staff will follow Safety Care guidelines. If a staff member is unsure of what to do when a student escalates, they should call a safety care trained staff member or the crisis team.

Restraint Reporting Form

A restraint is when a school staff member physically uses force with a student to prevent or restrict a student's ability to move on his or her own regardless of the duration. When a restraint of a student occurs, a [restraint form](#) must be completed within the school day by the staff involved, submitted to an administrator which will then be shared with the parent.

Links to Forms and Documents

Evaluation Forms

 Assessment Report Template

 Translation Request Form

[Educational Assessment Part A](#)

[Educational Assessment Part B](#)

Meeting Forms

 ESY Data Collection Form/ESY Determination Form

IEP Sign Off Sheets: <https://docs.google.com/forms/d/1isTkmWakqwSw2fKqkL-H956TdKaHC646aTgufXWwYxE/copy>

Parent's Notice of Procedural Safeguards

 Team summary

 Transition Questionnaire

 Transition form with pics.pptx

[ISN Student Vision IEP Questionnaire- Additional Skills](#)

Paraprofessional Support Request Forms

 Copy of Copy of Form 1 Pre Referral Checklist-Para Support.docx

 Form 2 Referral form.docx

 Copy of Form 3 Observation-Para support request.docx

 Copy of Copy of Form 4 Para Support Request Rubric.docx

 Form 5 Para Independence_Fade Plan.docx

 Copy of Copy of Form 6 Annual Para Support Fade Plan Review.docx

Miscellaneous

 Agreement of Observation of Student/Program

 BCBA Referral Form 11.4.22.docx

District Restraint Form

 Home Hospital Form.docx

 Home Hospital Over 60 Days Form.docx

 Release of records 3-15-22.pdf

 Student Status Update

 Timeline Procedures

[Special Education Liaison Checklist](#)