

**A**  
**R**eference  
**M**anual - **X**

Supplementary Information and Supporting Documentation to  
State and District ESE Policies and Procedures

# **A Reference Manual - X (ARM-X)**

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To State and District ESE Policies and Procedures

Exceptional Student Education  
Pupil Support Services

The School Board of Sarasota County, Florida  
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## **Acknowledgements**

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## **Introduction**

The Individuals with Disabilities Education Act (**IDEA**) is a law ensuring services to children with disabilities throughout the nation. A document called the Federal Register is created from IDEA that further clarifies the requirement of the law. State Board of Education Rules - Excerpts for Special Programs: These laws can be more restrictive than the Federal Register but not less restrictive. For each district to receive state and federal funding for ESE students, they must develop the Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students (SP&P). Again, these policies can be more restrictive than state and federal but not less restrictive.

As Sarasota County focuses on the highest achievement for each student in the district, IDEA emphasizes accountability and provides additional strategies to blend the resources of regular education and exceptional student education to meet this goal. The intent of this manual is to provide supplementary information and supporting documentation to state and district ESE policies and procedures

## **Free Appropriate Public Education**

Every child with a disability is entitled to a Free Appropriate Public Education, or FAPE.

FAPE encompasses both special education and related services. These two FAPE entities must:

- Be provided at public expense, under public supervision and directions, and without charge
- Meet the standards of the State educational agency
- Include an appropriate preschool, elementary, or secondary school program in the school with the required services that is closest to the child's home
- Be in conformity with the Individualized Education Program (IEP)

## Special Education

The first of the two FAPE entities is special education. This is also referred to as specially designed instruction. Instruction is designed to meet the unique needs of a child with disabilities, including instruction conducted in the classroom, home, hospital and institution, and in other settings, and instruction in physical education.

## Related Services

Related services is described as "Transportation and such developmental, corrective, and other supportive services as may be required to assist a child with disabilities to benefit from special education". Examples include:

- Counseling services are provided when required in order for the child to benefit from special education. Services are provided by social workers, psychologists, guidance counselors, or other qualified personnel. Occupational Therapy services are designed to provide the child with a documented physical, motor, and/or sensory integrative disability with the skills needed to benefit from the educational program.
- Physical Therapy means services provided by a qualified physical therapist.
- Recreation includes the assessment of leisure function, therapeutic recreation, recreation programs in schools and leisure education.
- Early identification and assessment of children with disabilities who are not yet enrolled in school is provided by Child Find and the Pre-K Assessment Teams.
- Orientation and mobility refers to services provided to a blind or visually impaired child by qualified personnel to enable the child to attain orientation to and safe movements within the environment.
- Medical services are services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.
- School health services are services provided by a school nurse or other qualified health care professional.
- Psychological services include the administering and interpreting of psychological and educational tests, and other assessment procedures; obtaining and interpreting information about behavior and conditions related to learning; consulting with staff in planning programs to meet the special needs of children; planning and managing a program of services to include psychological counseling for children and parents; and assisting in developing positive behavioral intervention strategies.

- Social work services includes the preparation of a social history on a child; group and individual counseling with the child and family; work with those problems in the child's living situation that affect adjustment in school; mobilization of school and community resources; and assistance in developing positive behavioral intervention strategies.
- Audiological services include diagnostic hearing evaluations, recommendations for accommodations, monitoring of hearing equipment and/or consultation to teachers and staff regarding educational relevance of the student's hearing loss.
- Parent counseling and training refers to assisting parents in understanding the special needs of their child; providing information about child development; and helping parents acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP (Individual Family Support Plan).
- Traveling training refers to instruction to children with significant cognitive disabilities, and any other children who require this instruction to enable them to develop an awareness of the environment in which they live, and to learn skills necessary to move effectively and safely from place to place within that environment.

The School Board of Sarasota County, Florida will provide services to students with disabilities until the end of the year in which the student turns 22. Students must be 21 years old or younger, on the first day of the current school year, in order to enroll.

Students who are under 3 years old are served by Early Steps. They can be contacted at 941-917-7550.

Students 3 to 5 years old are served in the district pre-kindergarten programs. A student who has or has not been identified as a student with a disability is referred to Child Find (927-9000 ext 31271).



## **I. General Policies and Procedures**

### **A. Legal Requirements**

See SP&P document. This section specifically details the district's requirement for reporting of restraint and seclusion.

### **B. Assurances**

See SP&P document for details regarding Information to be Provided at Initial Meeting of a Student's IEP team and Parental Input and Meetings.

## **ENGLISH LANGUAGE LEARNERS (ELL)**

### **Assessment and Intervention Planning**

For information regarding assessment and intervention planning, please refer to the Response to Intervention conference folder.

### **Bilingual Evaluation**

If a student is suspected of being limited English proficient and is in need of an evaluation to determine eligibility for ESE services, a member of the CARE team, with an interpreter, will need to administer a measure of language proficiency in both English and the native language. An assessment such as the Bilingual Verbal Abilities Test (BVAT) can be administered. Consult the administration manual for standardized administration procedures. The computer-generated report should be reviewed by the CARE team and included with the Request for Bilingual Psychological Assessment. The request as well as the report is sent to the School Psychology Department Chair, Bilingual Team, Landings. The school will be notified of the team's recommendation.

### **C. Procedural Safeguards**

A Due Process Hearing is a formal meeting held to settle disagreements between parents and school districts about the evaluation, eligibility, placement, services or IEP of a child with a disability. The meeting is run by an administrative law judge. If a parent wishes to make a request for due process, that request must be submitted in writing to the Executive Director of Pupil Services.

### **Stay Put**

A parent requests either mediation or a due process hearing due to disagreeing with a proposed change of placement that would constitute a change of FAPE. The student stays in the current placement until the outcome of the mediation or hearing.

## **Mediation**

A written request is sent to the Executive Director of ESE. The appropriate department at DOE is contacted. DOE sends a letter to the parent with a suggested date and time. The parent responds and it is coordinated through the district ESE Executive Director.

### **What is Special Education Mediation?**

Mediation is a way of resolving disagreements in special education.

Mediation can assist parents, schools, and agencies in resolving disagreements regarding the special education program of a student with disabilities.

A trained mediator helps the parties reach a mutually satisfactory solution.

Mediation is a voluntary option for both parties and is completely confidential.

Special education mediation can

- resolve disagreements concerning identification, evaluation, educational placement, and/or a free appropriate public education for a student with disabilities
- clarify issues causing the disagreement
- provide those involved with uninterrupted opportunities to present their point of view
- stimulate mutual problem-solving efforts
- promote positive working relationships between parents and school personnel
- help parents and school personnel focus on what they have in common—the student—rather than issues that divide them

### **How Does Mediation Work?**

When parents and schools are unable to resolve their differences through the individual educational plan (IEP) process, they may request mediation. Both parties voluntarily agree to mediation and request that mediation be set up by the Bureau. Mediation can be requested before a formal complaint is filed. Mediation will help to resolve differences before they become major barriers to parent/school relationships. Mediation can occur before or at the same time that a request for a due process hearing is made.

Mediation does not interfere with the right to a due process hearing or the right to file a formal complaint, nor will it interfere with the established timeline unless agreed to by the parties involved. After a request for mediation is made to the Bureau of Instructional Support and Community Services, the mediation is scheduled, and a mediator is selected using a random rotation. Generally, the mediation occurs within 14 days after the mediator is assigned. Mediation sessions usually last three to six hours. The parent(s), the school district or agency

representative, and other parties who have knowledge necessary to resolve the dispute are guided by a trained mediator through a structured negotiation process. The parties will discover potential areas of agreement and creative options to settle any or all areas of disagreement in a manner satisfactory to all parties. The mediator does not make decisions for the parties; the mediator facilitates a negotiation process between parties who have reached an impasse.

### **Do Parents Have to Pay for Mediation?**

In Florida, special education mediation is free to parents and school districts. The Bureau covers the costs which include mediator expenses and interpreter services, if needed, even when both sides are committed to their position.

You need to be persistent and believe that there is a solution for both sides.

### **When both parties agree to mediation, they make a request to:**

Florida Department of Education  
Bureau of Instructional Support  
and Community Services  
Mediation Services  
325 West Gaines Street, Room 614  
Tallahassee, FL32399-0400  
Fax: 850 921-8246

Mediation is a confidential process of resolving conflicts. It nurtures rather than destroys, and it develops trust and cooperation between people who have an interest in the education of children with special needs. Mediation can assist parents, schools, and agencies in resolving disagreements regarding the special education program of a student with disabilities. A trained mediator helps the parties reach a mutually satisfactory solution in the best interest of the student. Mediation is voluntary, optional for both parties, and completely confidential.

### **1. Exceptional Student Education Procedural Safeguards**

Procedural Safeguards are the rules outlined in IDEA that give parents the rights to participate, have notice, and give consent. The procedural safeguards also determine how parents and schools can resolve disputes through mediation, due process, or complaint procedures.

Parents must be provided a copy of their procedural safeguards only one time a school year, except that a copy must also be given to parents

1. upon initial referral or parent request for evaluation,

2. in accordance with the discipline procedures when a change in placement occurs,
3. upon receipt of the first State complaint and upon receipt of the first request for a due process hearing in a school year, and
4. upon request by parent.

## **2. Parental Revocation of Consent**

If a parent requests that their child be dismissed from ESE, convene an IEP team meeting as soon as possible. Indicate on the Parent Notification "possible dismissal/discontinuation". The Prior Written Notice form on Enrich reflects these changes. Look for the "look-ups" that indicate parent request for dismissal and populate each field with the corresponding statement. Ten (10) school days of notice must be provided prior to dismissing a student. Providing this time allows parent the necessary information and time to fully consider the change and determine if they have any additional questions or concerns regarding the discontinuation of services. If assistance is needed with this process, contact the ESE Compliance liaison assigned to the school.

## **3. Transfer of Parental Rights at Age of Majority**

### **D. Surrogate Parents**

If a student in foster care has the protections afforded by the IDEA, then the dependency court *may* appoint a surrogate parent. Each school has a staff member appointed to act as a liaison between the school and the Safe Children's Coalition. Contact that person for more information.

### **E. Individual Educational Plans and Educational Plans for Transferring Exceptional Students**

NOTE: Enrollment cannot be delayed if the parent provides the required registration documentation to enroll in school. ESE procedures must be completed within the first ten (10) days of enrollment. The ESE Intake Form should be used to gather information from the previous school district.

Significantly disabled students who require separate class or separate day school placement must be placed in the appropriate ESE classroom upon enrollment even if there is no IEP or verification information from the previous school. When an IEP is provided or verification has been obtained, follow the appropriate in-state or out-of-state transfer procedures. Contact your ESE Specialist or ESE Compliance Liaison for assistance. Detailed steps are provided in the ESE Liaison/SLP Enrich Manual.

## **In-State Transfer**

When a student moves into Sarasota County from another public school district in Florida and has a current IEP or has been determined eligible for an ESE program and not formally dismissed, and the IEP can be implemented as written, the student can be enrolled in ESE and continue services according to the IEP. All Florida school districts utilize the same eligibility criteria, so reciprocity of services is provided.

## **Out-of-State Transfer**

When a student moves into Sarasota County from a school district outside of Florida and the parent has provided a copy of the current IEP/EP, then comparable services are provided to the student until Sarasota eligibility and IEP can be developed. The out-of-state IEP must be reviewed by the ESE Compliance Liaison assigned to the school as soon as possible. The school convenes a CARE team meeting to review the out-of-state IEP. If that IEP has current assessment information and indicates that the student has a disability, then an IEP team can convene and conduct eligibility and IEP development. Indicate on the eligibility form under "additional information" that the student is transferring from out-of-state and the current IEP documents the disability and need for services. Develop a Sarasota IEP based on the data from the transfer IEP. If the team feels some updated testing would be useful, initiate re-evaluation review **AFTER** the IEP meeting. If the student enters Sarasota County close to an FTE period, the student **CAN** be claimed for FTE funding. Contact the ESE Compliance Liaison assigned to the school or ESE Program Specialist for Compliance for further assistance.

If the team decides that they cannot proceed with eligibility, then consent for initial evaluation must be obtained and documentation gathered in order to determine that the student meets initial eligibility criteria. The 60-day timeline for initial evaluation **DOES NOT** apply.

When a student moves into Sarasota County from a school district outside of Florida and the IEP includes OT and/or PT services, the IEP team must initiate initial eligibility procedures and obtain consent for initial evaluation from the parent. OT/PT must conduct an assessment prior to providing therapy services. Once the assessment is completed, an IEP team meeting is convened to complete eligibility and IEP.

PT services can only be provided 21 calendar days before there must be a PT prescription or Plan of Treatment signed by a Florida physician or recognized person of record. Therefore, if the student will have PT on their Sarasota County IEP, a signed PT prescription or Plan of Treatment must be obtained.

When a student moves into Sarasota County from a school district outside of Florida and the current IEP indicates Speech and/or Language as a related service, the student continues to receive services under related services. The student remains eligible for those services as long as they are eligible for another ESE program.

When a student moves into Sarasota County from a school district outside of Florida and the IEP that the parent provides is EXPIRED, the school should initiate initial evaluation and provide commensurate services until eligibility is determined.

When a student moves into Sarasota County from a school district outside of Florida and the parent HAS NOT provided a copy of the current IEP/EP or any evaluation data, the ESE Liaison (or SLP if part-time speech/language only) notifies the registrar so that the student's records can be promptly obtained from the previous school. The student CANNOT receive any ESE services until an IEP is obtained and should be served in the regular education classroom. Services can be provided for *significantly* (i.e., blind, deaf, severe intellectual disability, severe autism) disabled students even if there is no IEP from the previous school. When IEP is received, follow procedures listed in the above paragraph.

### **Gifted**

In-state gifted transfer students are eligible to receive services at their districted school. In-state transfer students must meet the magnet point requirements on the gifted profile for entry into a magnet program in Sarasota County.

Gifted students from out-of-state must meet initial eligibility requirements prior to receiving permanent services.

### **Private School/Facility**

When a student moves into Sarasota County from a private facility and has a current IEP or has been determined eligible for an ESE program and not formally dismissed, the ESE liaison (or SLP if part-time speech/language only) has the student scheduled on the next available CARE team meeting to determine the appropriate course of action.

## **Readmission**

Students who have previously been discontinued/dismissed from an ESE program *in the state of Florida* may be referred for readmission within five (5) years of meeting dismissal criteria. They do not have to meet initial eligibility criteria again, but need to no longer meet dismissal criteria.

Generally the referral procedure for students who do not require pre-referral activities is used. The IEP team determines which evaluations are required to determine whether the student no longer meets dismissal criteria. Once evaluations are completed, the ESE liaison schedules an eligibility determination.

Students dismissed from gifted must meet the *IQ and points* requirement on the gifted profile to re-enter the gifted magnet program.

## **F. Access to Student's Public Benefits or Insurance**

Sarasota County currently participates in the Medicaid fee-for-service program.

## **G. General Education Intervention and Request for Evaluation**

According to IDEA 2004, screening for instructional strategies is not deemed an evaluation thus does not require consent.

**General Education Intervention Procedures** are designed to effectively provide timely support to students, parents, and teachers. Through the increased use of data and communication, we will improve:

- a) the accuracy of identified skill deficits,
- b) the use of effective intervention strategies, and
- c) the immediate application of appropriate school, district, and community resources.

It is our goal to enable students to perform to the best of their ability in the general education environment.

### **General Education Intervention Strategies:**

The following are typical strategies that may be implemented during the collaborative student intervention process:

Parent Conferences*	Student Conference
Data Collection/Assessment	Counseling
Review Student Information and Data*	Peer Collaboration
Vision Screening+	Hearing Screening+
Developing a Plan of Action	Observations*
Functional Behavior Assessment	Anecdotal Records*
Referral to Community Services	

Individual Interventions for:  
Academics, Attendance,  
Behavior, and/or Language\*

\*Required for Most Referrals  
+Refer to District Health Plan

### **Children At-Risk in Education (CARE) Team**

The purpose of the CARE Team is to create a multi-disciplinary team to review a student's progress in the general education curriculum. The team will assess the effectiveness of the interventions and services, identify the student's strengths, and make appropriate recommendations. These recommendations may include continued interventions and/or evaluation(s).

### **CARE Team Membership and Roles:**

#### **Parent/Guardian**

Parents/Guardians provide critical information and insight to their child's learning needs. Examples of this information includes: family history, developmental issues, past school experiences, community involvement, interests, strengths, etc.

#### **Teacher(s)**

Teacher(s) provide current information regarding academic/behavioral/social progress. Teacher(s) review strategies and interventions implemented and the student's response to these supports.

#### **Administration**

Administrators provide general educational expertise and facilitate looking at the needs of the whole child. Administrators provide knowledge of available resources and programs to promote educational achievement. Administrators are ultimately responsible for compliance with federal, state, and district standards and procedures.

#### **Certified School Counselor**

Certified School Counselors are specifically trained in facilitating students' academic and career planning, social, emotional, and behavioral achievement, as well as helping students to develop interpersonal communication skills. Counselors are an integral part of the collaborative student intervention process. They are involved in many parent/teacher/student conferences. Based on parent/teacher/student conferences and meetings, counselors frequently provide individual and/or small group interventions for social, emotional, behavioral, and academic concerns when appropriate.

#### **ESE Liaison**

The ESE Liaison is responsible for compliance, ensuring that federal, state and district procedures are followed. They also can give suggestions for appropriate interventions. The ESE Liaison ensures that appropriate general education activities are completed prior to referral for evaluation. At the completion of the evaluation, the liaison determines, based on State Board Rules and District Policies, if the student meets criteria for any ESE programs. The liaison then schedules an eligibility meeting.

#### **School Psychologist**

The school psychologist has specific training to address a student's learning and/or adjustment difficulties in the academic setting. As recommended by the CARE team and with parent consent, the School Psychologists may conduct an individual psychoeducational evaluation. The psychoeducational evaluation report may include the following elements and will be reviewed and considered by the CARE team in collaboration with the parent(s) to generate appropriate classroom accommodations and instructional modifications:



- **Intellectual Assessment:** Utilized to assess a student’s intellectual abilities and to provide information on their ability to acquire information.
- **Academic Assessment:** Utilized to assess a student’s specific academic skill development.
- **Cognitive Process Assessment:** Utilized to assess a student’s ability to acquire, store, process, and retrieve information.
- **Behavioral / Emotional Assessment:** Utilized to assess a student’s behavioral, emotional, and personality characteristics.
- **Adaptive Assessment:** Utilized to assess a student’s self-help and independent functioning skills.

### **School Social Workers**

School Social Workers facilitate communication and connection between home and school; working to remove barriers to educational success. Within the community, they help families obtain needed services. Within the school setting, they may provide individual or group intervention to children who are experiencing social/emotional and/or behavioral issues which interfere with academic progress. They work with truancy workers, teachers, parents and school staff to address attendance problems. School Social Workers participate in problem solving throughout the prevention and intervention process. When the CARE team recommends evaluation and the parent consents, the School Social Worker may complete assessments to assist in identifying needed services in the school, home, and community:

- **Social & Developmental History:** Presents information on the student’s birth, developmental and medical history and their behavioral and emotional characteristics over time and across settings.
- **Behavioral Profile in the Home and Community:** Utilized to assess a student’s behavioral, emotional and personality characteristics as they appear in the home and community setting.
- **Adaptive Measure:** Utilized to assess a student’s self-help and independent functioning skills.

### **Speech-Language Pathologist**

Prior to evaluation, the Speech Language Pathologist’s role involves collaborating with teachers/teams to interpret existing data. SLPs may assist in the development of specific interventions to target deficit areas impacting the student’s academic, behavioral or social development. SLPs are specifically trained to conduct diagnostic evaluations of communication impairments which affect student learning. These include the areas of articulation, stuttering, voice and language. Following completion of the communication evaluation, the SLP and multi-disciplinary team members determine if the student has met criteria for the speech and language program according to State/District policies.

**Other staff, such as: Occupational Therapist, Physical Therapist, Behavior Teacher, Mental Health Counselor/Therapist, School Nurse, and/or Program Specialist may be present if needed.**

See SP&P document for information regarding general education intervention procedures.

### **REFERRAL**

Referral is the process whereby a written request is made for a formal evaluation of students who are suspected of needing special education.

Referral of students for formal evaluation shall occur after documentation of general education activities which are shown to have been ineffective in meeting all of the student's educational needs in the general education or current classroom assignment.

### **Low Incidence**

For those students referred for the Visually Impaired (VI) or Deaf/Hard-of-Hearing (DHH) Programs exclusively, notification will be made by the CARE team to the ESE Program Specialist assigned to the school.

### **Gifted**

Referrals for the Gifted Program shall be made to designated school based personnel who may include the ESE liaison, certified school counselors, gifted teacher, CARE team.

### **OT/PT**

Referrals for Occupational Therapy or Physical Therapy evaluation shall be made directly to the Occupational or Physical Therapist. In order to be eligible for OT and/or PT services, the student must be eligible for at least one other ESE program.

### **Alternative Programs**

Students enrolled in Alternative Programs shall be referred to the assigned ESE Compliance Liaison who will facilitate the collection/documentation of all general education activities information prior to CARE review and recommendation

## **H. Student Evaluations and Reevaluations**

Parental consent must be obtained prior to conducting an evaluation to determine eligibility for ESE. The CARE team recommends evaluations based on student data in the identified area(s) of need. No one individual can determine which evaluations should or should not be completed. Parental consent must also be obtained prior to the review of existing data (Summary of School-Wide Support Team Data) to determine eligibility for an ESE program. If the parents are unwilling to provide consent for all recommended evaluations, AND have checked no and signed the **Consent for Evaluation** form, no further action is required by the school. This student is no longer afforded rights under the IDEA.

Once consent is obtained, a full and individual evaluation is conducted in all areas of suspected disability to determine:

- Whether the child has a disability
- Present levels of performance and educational needs of the child
- Whether the child needs special education and related services
- The content of the IEP, including information related to enabling the child to be involved in and progress in the general curriculum or, for preschool children, to participate in appropriate activities.

The comprehensive evaluation must:

- Review existing evaluation data on the student, including evaluations and information provided by the parents of the child, current classroom-based assessments and observations, and teacher observation; and determine what additional assessment, if any, is needed.
- Use a variety of assessment tools and strategies to gather relevant functional and developmental information, including information provided by the parent; and that will provide relevant information that directly assists persons in determining the educational needs of the child.
- Not use any single procedure as the sole criterion for determining whether the child has a disability or determining an appropriate educational program.
- Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- Use tests and other evaluation materials, which are selected and administered so as not to be discriminatory on a racial or cultural basis; and are provided and administered in the student's native language or other mode of communication, unless it is clearly not feasible to do so.
- If standardized tests are given, they must have been validated for the specific purpose for which they are used; be administered by trained and knowledgeable personnel; and be administered in accordance with any instructions provided by the producer of such test.
- Assess all areas of suspected disability.
- In order to determine eligibility for any ESE program
  - For students under the age of 7 on the date of the evaluation, the intellectual assessments must be current within one year.
  - For students 7 years of age and above on the date of the evaluation, the intellectual assessment must be current within three years.
  - For all ages, academic assessments must be current within one year.

## **Written Evaluation Reports**

A written report of any evaluation completed is required as indicated by the program checklist. Written reports are not required for measures that are administered to all students, such as the FSA or FAA. Parents must be provided with copies of all evaluation and reevaluation reports at no cost.

Psychological data and reports originating outside of Sarasota County schools must be reviewed by the School Psychologist using the **Psychological Review Form**. This form can be found on Share Point. It is suggested that a copy of the review form be stapled to the report prior to giving to the psychologist for review.

If a parent requests an independent educational evaluation (IEE) at district expense, obtain the parent's request in writing, forward it to the ESE Specialist assigned the school. They will in turn present the request to the district Executive Director of Pupil Support Services for further consideration. The Executive Director reviews the case and makes a recommendation. The responsible party is notified and they in turn will contact the parent. The district is only obligated to pay for one IEE each time a parent disagrees with the district's evaluation.

The 60-day (school calendar) timeframe for evaluation begins when the district receives written consent from the parent following recommendation from the school CARE team. If the 60-day requirement is not met, the CARE team must reconvene to address this issue. The reason(s) that the delay has occurred should be documented on the Outcome and Recommendations form and a copy provided to the parent. The team can agree to an extension, but only if it is an initial evaluation for Specific Learning Disabilities.

## **Issues to Consider Related to Reevaluation**

- A good faith effort to obtain consent for reevaluation is required. Schools must document attempts to obtain parental consent but may proceed with reevaluation if unsuccessful.
- For programs that require mandatory evaluations - failure to obtain updated evaluations from the parent does not warrant dismissal from the program. CARE teams may consider involving their School Social Worker to assist the parents/family in securing the required evaluation.

If this is a 3-year reevaluation, the meeting should be scheduled several months prior to the reevaluation due date to allow for any needed evaluation instruments

to be administered and for the IEP team to reconvene to review the results of any reevaluation reports prior to the due date.

The parent is invited to an IEP meeting via **Notice of Meeting**. The "opportunity to review reevaluation information" is indicated on the meeting notice and sent to the parent 10 days prior to the scheduled meeting. A copy of the **Summary of Procedural Safeguards** is included with the notice. Three professionals are required to attend the IEP Re-Evaluation Review meeting.

The IEP team is responsible for the reevaluation process. The **Reevaluation Review** form must be completed during the meeting.

The following programs have required assessments:

Deaf/Hard of Hearing

- Audiological evaluation every 3 years

Visually Impaired

- Medical eye exam
- Functional vision assessment
- Learning media assessment

Other than the instances noted above, the IEP team must determine the need for administration of formal evaluation instruments to answer the reevaluation questions. The team reviews existing data in evaluation, information provided by the parent, current classroom based assessments and observations to determine the need for additional data. The team considers requests for additional testing made by the school or the parent, requests for possible change in eligibility or placement, and requests for dismissal made by the school or parent.

If the team decides that no formal evaluations are recommended, the reevaluation process is complete. The new reevaluation date is three years from the date of this IEP/Reevaluation Review meeting.

If the team decides that formal evaluations are recommended, obtain consent from parents (**Consent for Evaluation** form) or attempts to obtain consent must be documented and the new reevaluation date will be three years from the date of the last test administered. Evaluation must be completed within 90 school days. When the testing is completed, a narrative report of the results must be created either using the Reevaluation Report, computer generated summary printout, or a written document created by the evaluator. A copy of this report must be provided to the parent and results reviewed.

If the reevaluation data necessitates a change in services (amount of direct service, change in related services, addition goals/objective, etc.), a meeting to revise the IEP must be convened within 20 school days of the receipt of the evaluation reports(s). If reevaluation data DOES NOT necessitate any change in services, the reevaluation data may be incorporated into the next regularly scheduled IEP review.

Reevaluation procedures do not apply to students who are Gifted only.

**The IEP/Re-Evaluation Review participants must be in attendance at the meeting to sign the Re-Evaluation Review form. A minimum of three professional signatures is required.**

### **I. Independent Educational Evaluations**

See SP&P for details regarding this procedure

## **II. Policies and Procedures for Students with Disabilities**

### **A. Instructional Program**

### **B. Eligibility and Programs**

Eligibility for Exceptional Student Education is not solely based on meeting state and district criteria. Educational Relevance must also be considered. Educational relevance is not just grades, but encompasses all areas of functioning including social/emotional and communication skills.

The purpose of the eligibility meeting is to determine if the student meets criteria for one (1) or more ESE programs by reviewing evaluation data and matching it to the criteria for eligibility in the approved Exceptional Student Education Policies and Procedures (SP&P) and in accordance with State Board Rules. **Any student who has been referred and received a formal evaluation must be considered by a multidisciplinary team for eligibility for special programs. It is best practice to have all evaluation reports completed at the time of the eligibility meeting.**

### **File Review**

It is the responsibility of the ESE Liaison to review all information pertinent to the referral and evaluation of the student. This data will be carefully compared to ESE program criteria and the proposed needs of the student for special services. An ESE program checklist is to be completed in documenting this process.

## Eligibility Committee

Members of the eligibility committee may include:

- **ESE Administrator or Designee** - ESE Liaison or Speech/Language Pathologist (SLP)
- **Parents**
- **Evaluation Specialist** - an individual who can interpret the instructional implications of evaluation results, who may already be a member of the team
- **Regular Education Teacher**
- **ESE Teacher(s)**
- **Speech/Language Pathologist** - is a required member when determining eligibility for the Speech Impaired and/or Language Impaired program
- **Psychologist, Social Worker, Certified School Counselor/Home School Liaison**
- **Student**

In accordance with State Board Rules a minimum of three professional personnel, one of whom shall be the district administrator of exceptional students or designee, shall meet as an eligibility committee. In most cases the ESE Liaison or SLP serves as the ESE district administrator designee.

## Notification of Eligibility Meeting

Prior to scheduling an eligibility meeting, notification shall be provided to all participants of the meeting. It is the responsibility of the ESE Liaison to coordinate a time and place that is convenient for those individuals invited. However, in some instances, notification may be arranged by another ESE professional (i.e. SLP, ESE Case Manager, ESE Specialist). This meeting should be scheduled within three weeks of the completion of evaluations. Participants must be informed of the scheduled meeting within a reasonable time to assure the attendance of all members. **Unless agreed upon by school and parent, these meetings are to be scheduled not less than ten (10) calendar days in advance.**

## Parent Notification

Parents are to be provided at least two (2) documented notices prior to the eligibility conference. One attempt may be made by phone and the other must be written notification. These attempts must be documented on the **Notice of Meeting** form.

One or more IEP team members may be excused with parental consent or approval. Any excused member must provide planning notes prior to the meeting. A member that is unable to attend the entire IEP meeting must be excused with parental

consent. Any of these excusals must be documented on the Notice of Meeting form. Excusals are approved by the LEA representative.

### **Eligibility Determination Meeting**

The ESE Liaison (or designated chairperson) is responsible for conducting the eligibility meeting. The sequence of events for this meeting is as follows:

1. Introduction of participants
2. Purpose of the meeting
3. Time line
4. Presentation of the evaluation data by the members of the evaluation team or a person knowledgeable of the evaluation data.
5. Review of data to determine ESE eligibility/ineligibility as defined in the Exceptional Student Education Policies and Procedures (SP&P). Recommendations for eligibility/ineligibility are derived by consensus of the eligibility team.
  - a) If the student is ineligible for ESE, the parent is provided with a copy of the **Determination of Eligibility and Summary of Procedural Safeguards**.
  - b) If the student is eligible for ESE, an **IEP** is developed prior to a placement decision.
6. The ESE Liaison/SLP shall review the recommendations of the team for eligibility as documented by signature on the **Determination of Eligibility**.
7. For initial placements into ESE, parental consent must be obtained via the **Consent for Initial Placement** document.

If the parent is not in attendance at the initial ESE eligibility meeting, the IEP team should determine eligibility and complete the Eligibility Determination and IEP. A representative from the school or School Social Worker must contact the parent to review the outcome of the eligibility meeting and obtain consent for placement. A signed **Prior Written Notice** document must be obtained prior to initiating services indicated on the IEP.

If the parents are unwilling to provide consent, AND have checked no and signed the **Consent for Initial Placement** form, no further action is required by the school. This student is no longer afforded rights under the IDEA.

### **Dissenting Opinion**



*In cases of dissenting opinion, any member is entitled to a review of the eligibility committee recommendations by indicating such objections to the chairperson **and** by providing a written statement to the ESE Executive Director. This statement must be provided within forty-eight (48) hours of the meeting and should be specific and include documentation for the basis of the disagreement (i.e. evidence that the student does/does not meet criteria). In the case of eligibility, the eligibility committee should proceed with **IEP** development.*

## **1. Autism Spectrum Disorder**

### **Autism Spectrum Disorders (ASD)**

Students with ASD tend to have communication deficits, such as responding inappropriately in conversations, misreading nonverbal interactions, or having difficulty building friendships appropriate to their age. In addition, students with ASD may be overly dependent on routines, highly sensitive to changes in their environment, or intensely focused on inappropriate items.

### **Location of Programs**

Students are served at their districted school, cluster sites, or separate day school (Oak Park) based on IEP needs and services. Cluster sites are located at Fruitville Elementary, Lamarque Elementary, Brookside, Heron Creek, and Laurel Nokomis School. At the high school level, students are served at their district high school based on the needs indicated on their IEP. Some high school students require a more intensive program available at the separate day school.

### **Aide Assistance**

The need for aide assistance is based on the individual need of the student. Aide assistance may be provided for task related behaviors, transitions, social skills training, data collection, independent functioning, etc.. All determinations are made based on the needs of the student, not just program eligibility.

### **Resources Available to Schools**

At the district level, there are ESE Specialists, countywide teachers, and Board Certified Behavior Analysts (BCBA) to assist schools and staff relative to training and program/parent concerns. Additionally, the [Center for Autism and Related Disorders](#) (CARD), a statewide network, provides training and technical assistance to districts.

### **Trans-Disciplinary Teams**

Trans-Disciplinary Teams are available at selected school sites for teachers, aides and therapists to meet twice monthly after school to cross-train, discuss programming, strategies and write grants. Participation is voluntary and participants are paid a stipend (if funds are available).

### **Program Elements**

Programs for ASD students may and usually do include social skill instruction, functional daily living skills, basic academics, language development and maintenance, and a sensory diet. A sensory diet is a set of activities specifically designed for each student to address over and under stimulated sensory system. An Occupational Therapist/COTA can give suggestions for activities to include in a sensory diet.

## 2. Deaf or Hard-of-Hearing

### TAP - Meeting the Educational Needs of Students with Cochlear Implants

#### Assistive Listening Technology

Students with hearing impairment are especially disadvantaged in that their ability to understand speech in the classroom is significantly poorer than their normal hearing peers. The negative listening effects of noise, distance, and reverberation can be addressed by improving the signal to noise ratio for the Hearing Impaired student. There are essentially two categories of amplification assistance: classroom and personal.

**Classroom** amplification may use Frequency Modulation (FM) or infrared transmission. The teacher wears a microphone / transmitter and one or more speakers are used to amplify the signal for the entire class.

**Personal** amplification currently uses only FM transmission. The teacher wears a microphone / transmitter and one of several receiver options deliver the signal to the student.

- Toteable - a small, portable speaker placed on or near the student's desk
- Waistband - a small receiver coupled with walk-man style headphones or earbuds
- EduLink - a wireless behind the ear receiver
- MicroLink - a dime-sized receiver that connects to a student's personal behind-the-ear hearing aids

With the advent of infrared signal transmission for classroom systems, it is no longer technically correct to refer to all assistive listening technology by the abbreviated term "FM", however, for ease of discussion "FM" still remains the term most frequently used for assistive listening technology on the IEP.

Recommendation for FM assistance is to be determined by the IEP committee with input from the School Board audiologist. Because student needs and classroom environments change, the specific model / type of FM will be decided by the audiologist according to the requirements of the individual student.

#### Communication Plan

The Communication Plan is a required component of the IEP process for students who have been identified as having the Deaf/Hard of Hearing exceptionality. The Plan helps to gather all data to guide the IEP team discussion on supports and services needed in the areas of language, communication, reading, assistive technology, listening and more.

If a student is in (or being staffed into) the Deaf or Hard of Hearing Program, then the Plan must be completed along with each IEP. The document is not "owned" by one individual team member, but should be a collaborative work, just as is done with the IEP.

Contributors may include:

- Teachers of the Deaf and other ESE Teachers
- Related Service Professionals: SLP, Audiologist, School Psychologist
- Professional Service Providers: Interpreters, Captionists
- General Education Teachers
- Parents

A school may select one of the IEP team members to be the Plan lead. This person will be responsible for:

- Ensuring all components of the Plan are completed
- Identifying which team members need to complete specific sections
- Ensuring all testing is completed and reports are collected
- Facilitate discussion of the Communication Plan data and information during the IEP meeting

Most of the information needed to complete the Plan should be collected and written before the IEP meeting, however, there are some sections that may be done during the meeting, such as additional parent input, or when team members bring new data to the IEP meeting. It is strongly recommended that the Plan be discussed at the beginning of the meeting so that the team can consider the appropriate communication and language needs of the student.

This documented information drives the development of the IEP each year, it is critical to discuss the student's communication needs early in the IEP process. Information from the Plan should be incorporated throughout the IEP in sections such as:

- Present Levels of Performance
- Strengths
- Needs
- Specially Designed Instruction
- Support Personnel
- Related Services
- Annual Goals and Benchmarks

- Accommodations and Modifications

Components of the Communication Plan Include:

- I. Language and Communication Needs
- II. Accommodations and Assistive Technology
- III. Academic Level and Readiness to Engage in the Curriculum
- IV. Opportunities for Direct Communication with Peers and Professional Personnel. Opportunities for Instruction in the Student's Language, and Communication Needs
- V. Full Range of Needs

It is required that the Plan be addressed at each IEP meeting for a student who is deaf or hard of hearing.

If a student does not currently have a Plan, one must be developed.

If a student already has a Plan, it must be reviewed, then updated with any new or changed information.

### **3. Developmental Delay**

#### **Transfers**

If a DD student transfers from out-of-state and is age six (6) through nine (9), the IEP is reviewed for the most appropriate eligibility. Procedures for out-of-state transfers are followed as the student must meet initial eligibility for any program.

#### **Dismissal**

Continued eligibility for special programs is determined before the child's sixth birthday. A child is no longer eligible for DD on the day they turn six.

All Pre-K students must be discussed at a CARE team meeting to determine if the student needs to continue in ESE or if the student is no longer in need of services. If a Pre-K DD student is in need of continued eligibility for a special program, that student must be discussed at a school CARE team meeting during January of their final year in Pre-K. This is scheduled as a reevaluation review meeting and appropriate IEP team members as well as evaluators (school psychologist, school social worker, speech/language pathologist) must be invited. Prior to the reevaluation meeting, the Pre-K teacher must compile a portfolio (2 parent conferences, 2 observations, 2 interventions) addressing the areas of concern. In most cases, eligibility should be determined and an IEP developed prior to the student exiting Pre-K. In the rare exceptions when a student needs to enter Kindergarten as DD, these cases must be approved by the district CARE team.

### **4. Dual-Sensory Impairments**

#### **Issues to Consider Regarding Dual Sensory Impaired**

- may be served in a cluster-site based on sensory needs

- not just a student who is visually impaired and hearing impaired, must meet the specific criteria for DSI
- refer to VI and DHH section noted previously for additional information
- contact the Program Specialist for assistance

## **5. Students with Emotional or Behavioral Disabilities**

### **Issues to Consider Regarding EBD**

- During general education activities, academic and behavioral interventions should be completed when an academic concern is also present.
- Use the EBD multidisciplinary team report when determining eligibility.
- An FBA must be completed prior to intervention process. The parent should be included. The results of the FBA drive the interventions.
- A program specialist must review the documentation prior to eligibility determination.
- At the district level, there are ESE Specialists, countywide teachers, and Board Certified Behavior Analysts (BCBA) to assist schools and staff relative to training and program/parent concerns.

## **6. Established Conditions**

## **7. Homebound or Hospitalized**

See Appendix B of the SP&P document for specific information regarding HH procedures.

## **8. Intellectual Disabilities**

### **Issues to Consider Regarding Intellectual Disabilities**

- The school district does not provide evaluations required by outside agencies.

## **9. Orthopedic Impairment**

- For assistance regarding OI, contact the program specialist

## **10. Other Health Impairment**

- For assistance regarding OHI, contact the program specialist

## **11. Traumatic Brain Injury**

- For assistance regarding TBI, contact the program specialist

## **12. Specific Learning Disabilities**

### Issues to Consider Regarding Specific Learning Disabled

- When determining eligibility, the multidisciplinary team must complete the **Summary of School-Wide Support Team Data** form. The regular education teacher must be a member of the team.

### Eligibility of Private and Charter School Students - Specific Learning Disabilities

Recent clarification from the Florida Department of Education, related to implementation of the revised *Rule 6A-6.03018, F.A.C., Exceptional Education Eligibility for Students with Specific Learning Disabilities*, addresses the eligibility of students enrolled in private or charter schools. It specifically addresses the requirements related to general education interventions prior to referral for evaluation.

"Eligibility for ESE is based on the criteria set out in the Florida State Board of Education rule for each disability area and must be applied equally to all students, regardless of school enrollment."

Further explanation specifies: "In order to determine the SLD eligibility of any student, whether enrolled in a public or private school or in a home education program, the team must have available the required data to make a determination consistent with the procedures required by the SLD rule. Districts are expected to collaborate with private schools and families to facilitate the evaluation process. As in the past, the district is expected to work with the private school and the parent to obtain the necessary information; if this information cannot be obtained, then the need for exceptional education services cannot be established by the local education agency (LEA)."

### **13. Speech Impairments**

Students that are speech impaired have difficulties with articulation (speech production), stuttering, and/or voice abnormalities.

Prior to evaluation, the **Voice Disorder Physician's Report**, must be faxed to a physician for completion and signature. Parental Consent must not be obtained until the completed report is received by the school.

### **14. Language Impairments**

Students who are language impaired may have difficulties understanding language, using language, or using language socially (pragmatics).

The speech/language pathologist is responsible for evaluation and interpretation of evaluation results in order for the IEP team to determine eligibility. Refer to your school speech/language pathologist for further information.

### **Readmission**

- For students who were LI only and never had been evaluated for other program, at the reevaluation review meeting the CARE team should consider requesting updated testing for a psychological assessment, academic achievement, and process testing, as well as an updated communication evaluation.
  
- For students who are SLD/LI, at the reevaluation review meeting the IEP team should consider requesting updated language testing to determine present levels of performance in the area of communication in order to adequately determine the impact the student's language skills have on academic/vocational functioning.

### **Speech/Language as a Related Service**

If a student doesn't meet initial eligibility criteria but there are concerns regarding communication deficits, they can be considered for Related Services. If adequate progress is not made academically with the support of the programs that they are eligible for, include a communication goal that addresses the communication concerns (social goal, vocabulary, reading comprehension, written language) on the IEP/EP. The goal is implemented and data collected by the ESE teacher.

#### *Procedure:*

- Monitor effectiveness of strategies or interventions
- The team determines S/L needed to benefit from special education. Convene IEP/EP meeting.
  - There is no eligibility worksheet.
  - Complete **Speech/Language Related Services Communication Impact** form and
  - **Speech Language as a Related Service IEP Team Checklist**
  - **Prior Written Notice**, in the text box for "Actions proposed and explanations of why proposed" the IEP/EP team can reiterate that the student does not meet initial eligibility criteria for the Language Impaired program, but that the student is being considered for S/L as a related service for



the following reasons: (the student is unable to access ESE curriculum to develop communication skills; difficulty establishing an effective communication system, despite classroom communication goals student's expressive language is not keeping pace with other areas of development.)

Out of state transfer students who do not meet initial eligibility in our district can be considered for related services, provided that they are receiving services in another program. Follow the above procedure.

### **Procedures for non-profit Private School, and/or Pre-K Walk-in**

*Note: Students receive services at their districted school site, not the school that is closest to their private school. Manatee County students that attend private schools in Sarasota County will go through County CARE*

- Special education services that are available (as walk-in) for speech impaired students are: Articulation, Stuttering and Voice therapies.

### Individual Education Plan

- PK students who stay at home (with a parent or guardian) will get an IEP.
- PK students enrolled in a preschool that does not have a Kindergarten program receive an IEP.

### Service Plan

- PK students who are enrolled in a non-profit private school that does include a Kindergarten program receive a Service Plan.
- K-12 students who are enrolled in a non-profit private school receive a Service Plan.

## **15. Visually Impaired**

### **The Functional Vision Evaluation**

The functional vision evaluation is conducted by the teacher of the visually impaired. It is different than the medical eye report from the optometrist or ophthalmologist because it assesses how the student uses their vision in real-life situations in their educational environment. It contains information gathered through teacher interviews, observations and interactions with the student regarding their use of vision. The VI teacher can assess how students use their vision to perform routine tasks. Information that may be included in a functional vision evaluation is information about the student's:

- Visual Tracking/Fixation
- Eye preference
- Differentiation of Visual Forms
- Detail Recognition
- Depth Perception
- Eccentric Viewing/Visual Fields

Eligibility for VI services is a decision of the eligibility/IEP team. The assessment information provided by the teacher of the visually impaired will help to determine how well the student visually accesses their educational environment. This evaluation will also help to determine appropriate IEP goals and objectives as well as the student's need for any specialized techniques, textbooks, materials, or equipment.

### **Orientation and Mobility Instruction**

Orientation and Mobility (O&M) training enables individuals who are blind and visually impaired to navigate their environments safely and independently. There are experiences and concepts incidentally learned by sighted students that must be systematically taught to the visually impaired students.

**Orientation** is the cognitive process of utilizing the senses in establishing one's position and relationship to all other significant objects in one's environment (i.e. knowing where one is in space).

**Mobility** is the ability to navigate safely from one position to another desired position in another part of the environment (i.e. getting safely from point A to point B).

O&M instruction is age-appropriate ongoing training which teaches students with visual impairments to move safely and efficiently in home, school, work, and/or community settings as independently as possible. Students will need to learn about

themselves and the environment in which they move - from basic body image to independent travel in rural areas and busy streets.

Eligibility for O&M services is a decision of the eligibility/IEP team. This decision is based on information provided by the O&M Specialist using O&M assessment instruments. These assessments will give the eligibility/IEP planning committee information about the student's functional mobility in the environments of home/living, campus, residential, commercial and public transportation. There should be a direct correlation between the needs identified by the assessments and the goals written on the IEP.

## **16. Provision of Occupational Therapy to Exceptional Students as a Related Service**

### **Definition**

Refer to SP&P for FL DOE definition.

Students **MUST** be in an ESE program to be eligible to receive occupational therapy (OT).

Physician prescription is **NOT** necessary to receive OT services in Florida.

### **Community based OT vs. School based OT**

Physician prescription does not constitute need for school based OT services.

Community based OT services are about remediation and rehabilitation. School based OT services are about participation.

### **Eligibility criteria**

There is significant dysfunction or disability to a degree not otherwise provided for in the ESE instructional environment. IDEA allows for related services to any ESE student should it be needed. Therefore, there are no specific criteria other than the student needs OT in order to achieve the IEP goals. However, school based OT does need to be educationally relevant and necessary.

### **What makes OT educationally relevant/necessary?**

If the IEP team answers, "Yes" to the following question, it is an indication that the service under consideration probably **IS** educationally necessary: "Will the absence of the service interfere with the student's access to or participation in, his or her educational program this year?"

However, if the team answers "Yes" to any the following questions, the service under consideration probably **IS NOT** educationally necessary:

1. Could the proposed service be addressed appropriately by the special educator or classroom teacher or through core school faculty or staff?
2. Has the student been benefiting from his or her educational program without the service?
3. Could the student continue to benefit from his or her educational program without it?
4. Does the proposed service present any overlaps or contradictions with other proposed services?

### **What can be done to assist those students who are not in ESE but need classroom strategies?**

Intervention and strategies are available in the "Before you ask the OT" folder in the MTSS folder in SharePoint and on the district website under Employee Resources. Strategies are referenced for specific classroom concerns. It is recommended that teachers and staff check this resource for suggestions and ideas. Occupational therapy staff can always be consulted as part of the school team.

### **Referral process**

#### **Student is not in ESE**

Procedures for intervention and referral are outlined in the MTSS SharePoint site.

### **Referral process**

#### **Student is in ESE**

Re-evaluation review process must occur with justification for need for OT evaluation.

Results are reviewed. Student may/may not be placed in OT depending on answers to questions identified above.

What makes OT educationally relevant/necessary?

### **Student evaluation**

A student evaluation must be done by a licensed occupational therapist. Student must be in ESE or pending ESE placement.

### **OT evaluation**

The OT evaluation in the school setting attempts to answer the question, "What does the child need to be a successful student, and how can that be supported with the least amount of disruption to his/her educational program?" The OT evaluation includes record review, teacher input, parent input and student assessment.

The OT evaluation emphasizes classroom performance. Observations occur in context within the school campus. There may be minimal standardized testing done as part of the OT evaluation.

Results of the school based OT evaluation must be interpreted within the context of the student's educational setting. Recommendation for OT services to be provided in the schools must include a clear purpose and be educationally relevant and necessary. This means that the OT school based service needs to be explicitly linked with a component of the student's educational program. It also means that the absence of OT will interfere with the student's access to, or participation in, his or her educational program.

A school based OT evaluation and subsequent recommendations are reviewed by a team of professionals and the student's caregivers at an IEP meeting. The decision to provide OT school based services rests upon the IEP team which is responsible to identify the student's present level of performance, educational priorities and goals and objectives. The school based OT evaluation is one component of information the IEP team considers in its decision making process.

### **Eligibility after OT evaluation**

A student may start receiving OT services after the IEP team meeting. **NO SPECIFIC ELIGIBILITY DETERMINATION** is necessary (see Enrich manual for procedures). A **Prior Written Notice** must be completed. The new IEP must reflect OT as a secondary Exceptionality, OT staff is listed as a support for goal/objective, and OT services are identified on the specialized services page under related services.

If a student has been evaluated and the IEP team determines OT services are **NOT** required based on present levels of performance, then **NO SPECIFIC ELIGIBILITY DETERMINATION** is necessary. The OT evaluation report is discussed and interpreted. If the OT evaluation occurred as part of the re-evaluation review process, a re-evaluation report is completed. If the parent is requesting OT, a **Prior Written Notice** is completed noting the refusal to provide services. This form is given to the parent along with Procedural Safeguards.

If the OT evaluation occurred as part of the initial ESE evaluation, then eligibility documentation is completed with consideration that OT is not needed or recommended.

### **Providing an individual education plan**

On the IEP, it is possible to list therapy services (OT) in more than one spot.

**As "Related"**

Student is on class roster for OT.

OT is listed on IEP as a Secondary Exceptionality

There is a goal or objective on the IEP for which the OT staff shares responsibility. This goal or objective is identified in the "Independent Functioning" Domain. There may be more than one domain for this present level and goal/objectives.

There are no OT goals on the IEP.

Frequency of services means how often services will be delivered to the student. It is best to use minutes per interval (example: 30 minutes per week). However, the services can be represented differently as long as it is clear to all IEP team members.

**As "Support"**

OT written here can mean one of two things:

Student is on class roster for OT.

OT is listed on IEP as a Secondary Exceptionality

There is a goal or objective on the IEP for which the OT staff shares responsibility. This goal or objective is identified in the "Independent Functioning" Domain. There may be more than one domain for the present level and goal/objectives.

OT services will be either "collaboration" or "consultation" with staff.

Frequency of services means how often the contact with teachers/staff is made. This needs to be specific and understood by IEP team members. It is best to use minutes per interval (example: 30 minutes per month).

- OR -

Student is NOT on class roster for OT.

OT is NOT listed on IEP as a Secondary Exceptionality

There is NO goal or objective on the IEP for which the OT staff shares responsibility.

OT services will be "consultation" with staff.

Frequency of services means how often the contact with teachers/staff is made. This needs to be specific and understood by IEP team members. It is best to use minutes per interval (example: 30 minutes per quarter).

**Change of OT service delivery**

**Prior Written Notice** (Change of FAPE form) must be completed by the case manager when OT service frequency changes significantly. For example, if student

had been receiving 60 minutes per week and IEP team decides student will now receive 30 minutes per week, the service is being changed by 50%, a significant amount. **Prior Written Notice** must be written.

### **IEP meeting attendance**

Sarasota School Board supports the best practice of having OT attendance at IEP meetings where OT is listed as an exceptionality.

They are never a required IEP team member. Submission of planning notes is required but excusal does not apply.

### **IEP: where to put sensory diet information**

"Unique Circumstances" section.

If various strategies/tools will be tried, add verbiage to indicate what will be done. For example, "The team, under the direction of an occupational therapist, will explore the use of a variety of sensory tools with \_\_\_\_\_ throughout the day to help determine response to them. These may include: \_\_\_\_\_"

### **IEP: where to put assistive technology information**

"Special Factors": check box for "need for assistive technology devices and services"

"...please explain" section:

Use of the following Assistive Technology device(s) or service(s) (specify):

Here is where to add specific information regarding what devices or services are to be used. For example: pencil gripper, incline board, visually enhanced lines for writing, etc.

### **Discontinuation from OT**

Discontinuation from OT occurs at an IEP meeting and is based on documentation regarding student's progress and need for the related service. At the conclusion of the IEP, parent must be provided with prior written notice of a proposed change in services before services cease, and the IEP is revised with the removal of OT.

**Prior Written Notice** must be done.

Common criteria for discontinuation: student is successful in educational program without OT support.

## **17. Provision of Physical Therapy to Exceptional Students as a Related Service**

### **Definition**

Refer to SP&P for FL DOE definition.

Students **MUST** be in an ESE program or pending placement in ESE in order to be eligible to receive physical therapy (PT).

Physician prescription **IS** necessary to receive PT services in Florida.

### **Community based PT vs. School based PT**

Physician prescription alone does not constitute need for school based PT services. Community based PT services are about remediation and rehabilitation. School based PT services are about participation.

### **Eligibility criteria**

There is significant dysfunction or disability to a degree not otherwise provided for in the ESE instructional environment. IDEA allows for related services to any ESE student should it be needed. Therefore, there are no specific criteria other than the student needs PT in order to achieve the IEP goals. However, school based PT does need to be educationally relevant and necessary.

### **What makes PT educationally relevant/necessary?**

If the IEP team answers, "Yes" to the following question, it is an indication that the service under consideration probably **IS** educationally necessary: "Will the absence of the service interfere with the student's access to or participation in, his or her educational program this year?"

However, if the team answers "Yes" to any the following questions, the service under consideration probably **IS NOT** educationally necessary:

1. Could the proposed service be addressed appropriately by the special educator or classroom teacher or through core school faculty or staff?
2. Has the student been benefiting from his or her educational program without the service?
3. Could the student continue to benefit from his or her educational program without it?
4. Does the proposed service present any overlaps or contradictions with other proposed services?



## **What can be done to assist those students who are not in ESE but need classroom strategies?**

Intervention and strategies are available in the "(Before you)Ask the OT" folder in the MTSS folder in Share Point and in Employee Resources on the district webpage. Strategies are referenced for specific classroom concerns. It is recommended that teachers and staff check this folder for suggestions and ideas. Physical therapy staff can always be consulted as part of the school team.

### **Referral process**

#### **Student is not in ESE**

Procedures for intervention and referral are outlined in the MTSS Share Point site.

### **Referral process**

#### **Student is in ESE**

Re-evaluation review process must occur with justification for need for PT evaluation.

Results are reviewed. Student may/may not be placed in PT depending on answers to questions identified in the section above

What makes PT educationally relevant/necessary?

### **Student evaluation**

A student evaluation must be done by a licensed physical therapist. Student must be in ESE or pending ESE placement.

\*\*Prior to determining eligibility for PT at IEP meeting, written medical prescription by licensed health care practitioner (MD, etc.) must be at school.

### **PT evaluation**

The PT evaluation in the school setting attempts to answer the question, "What does the child need to be a successful student, and how can that be supported with the least amount of disruption to his/her educational program?" The PT evaluation includes record review, teacher input, parent input, as well as student assessment. The PT evaluation emphasizes classroom and campus performance. Observations occur in context within the school campus. There is minimal standardized testing done as part of the PT evaluation.

Results of the school based PT evaluation must be interpreted within the context of the student's educational setting. Recommendation for PT services to be provided in the schools must include a clear purpose and be educationally relevant and necessary. This means that the PT school based service needs to be explicitly

linked with a component of the student's educational program. It also means that the absence of PT will interfere with the student's access to, or participation in, his or her educational program.

A school based PT evaluation and subsequent recommendations are reviewed by a team of professionals and the student's caregivers at an IEP meeting. The decision to provide PT school based services rests upon the IEP team which is responsible to identify the student's present level of performance, educational priorities and goals and objectives. The school based PT evaluation is one component of information the IEP team considers in its decision making process.

### **Eligibility after PT evaluation**

Prior to considering PT as a related service at an IEP meeting, written medical prescription by FL health care practitioner (MD, etc.). must be at school.

A student may start receiving PT services after the IEP team meeting. **NO SPECIFIC ELIGIBILITY DETERMINATION** is necessary. **A Prior Written Notice** must be completed. The new IEP must reflect PT as a Secondary Exceptionality, PT staff is listed as a support for goal/objective, and PT services are identified on the Specialized Services page.

If a student has been evaluated and the IEP team determines PT services are **NOT** needed, then **NO SPECIFIC ELIGIBILITY DETERMINATION** is necessary. The PT evaluation report is discussed and interpreted. If the PT evaluation occurred as part of the re-evaluation review process, a re-evaluation report is completed.

If the PT evaluation occurred as part of the initial ESE evaluation, then eligibility documentation is completed with consideration that PT is not recommended. Prior to considering PT as a related service at an IEP meeting, written medical prescription by FL health care practitioner (MD, etc.). must be at school.

### **Providing an individual education plan**

Prior to the provision of services, a physician prescription for physical therapy must be submitted to the school. On the IEP, it is possible to list physical therapy (PT) in more than one spot.

### **As "Related"**

Student is on class roster for PT.

PT is listed on IEP as a Secondary Exceptionality

There is a goal or objective on the IEP for which the PT staff shares responsibility. This goal or objective is identified in the "Independent Functioning"

Domain. There may be more than one domain for this present level and goal / objectives. There are no PT goals on the IEP.

Frequency of services means how often services will be delivered to the student. It is best to use minutes per interval (example: 30 minutes per week). However, the services can be represented differently as long as it is clear to all IEP team members.

### **As "Support"**

PT written here can mean one of two things:

Student is on class roster for PT.

PT is listed on IEP as a Secondary Exceptionality

There is a goal or objective on the IEP for which the PT staff shares responsibility. This goal or objective is identified in the "Independent Functioning" Domain. There may be more than one domain for this present level and goal/objectives.

PT services will be either "collaboration" or "consultation" with staff.

Frequency of services means how often services will be delivered to the student. It is best to use minutes per interval (example: 30 minutes per week). However, the services can be represented differently as long as it is clear to all IEP team members.

- OR -

Student is NOT on class roster for PT.

PT is NOT listed on IEP as a Secondary Exceptionality

There is NO goal or objective on the IEP for which the PT shares responsibility.

PT services will be "consultation" with staff.

Frequency of services means how often services will be delivered to the student. It is best to use minutes per interval (example: 30 minutes per week). However, the services can be represented differently as long as it is clear to all IEP team members.

### **Change of PT service delivery**

**Prior Written Notice** must be completed when PT service frequency changes significantly. For example, if student had been receiving 60 minutes per week and IEP team decides student will now receive 30 minutes per week, the service is being changed by 50%, a significant amount.

### **IEP meeting attendance**

Sarasota School Board supports the best practice of having PT attendance at IEP meetings where PT is listed as an exceptionality.

They are never a required IEP team member. Submission of planning notes is required but excusal does not apply.

### **Discontinuation from PT**

Discontinuation from PT occurs at an IEP meeting and is based on current, documented information regarding student's progress and need for the related service. Report card or re-eval report can be used as documentation. Acceptable language is as follows:

"Recommend that discontinuation from PT be discussed at the next IEP meeting".

At the conclusion of the IEP, parent must be provided with prior written notice of a proposed change in services before services cease.

The IEP is revised with the removal of PT.

Common criteria for discontinuation: student is successful in educational program without PT support.

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### **C. Individual Educational Plan**

#### **Issues to Consider Regarding the IEP**

- Specific methodology is not listed on an IEP
- When determining frequency of services, therapies must be stated in minutes, all other services are defined by daily, weekly, monthly, etc.
- Listing a range of minutes for therapies is only acceptable when it is based on the ability of the student, not staff/administrative convenience.
- Information from outside evaluations must be taken into consideration when developing an IEP.
- Consult the Project 10 website([www.project10.info](http://www.project10.info)) in order to appropriately develop a TIEP

#### **Placement options for students with disabilities**

- Regular class is more than 79% of the day with non-disabled peers
- Resource room is more than 40% but less than 79% of the day with non-disabled peers
- Separate Class is less than or equal to 40% of day with non-disabled students
- Hospital/Homebound is services in a hospital or in the home
- Separate Day School (Oak Park School)

Placement is based on the amount of time spent with non-disabled peers during the school day, NOT a location.

## IEP Team Members

The IEP team includes:

- The parent(s)/guardian(s) of the student
- At least one regular education teacher, if the student is, or may be participating in regular education (**Attendance or Planning Notes Required-with signed Excusal**)
- At least one special education teacher or service provider (**Required**)
- SLP for S/L impaired students (**Attendance or Planning Notes Required with Goals**)
- Related services providers (**Attendance or Planning Notes Required with Goals**)
- LEA representative (**Required**)
- An individual who can interpret the instructional implications of evaluation results (**Required**)
- Other individuals who have knowledge or special expertise regarding the student as appropriate
- The student must be invited to all IEPs that will be in effect during the year the student turns age 14, or younger if appropriate
- For transition services, representatives of other agencies who are likely to provide these services. There must be a Transition Release Form signed prior to any information being exchanged.

\*\*\*\*Note: IEP team members may serve in more than one capacity. For example, the LEA representative can also serve as Evaluation Specialist, the ESE teacher/ESE Service Provider can also serve as Evaluation Specialist, the OT/PT or SLP can serve as ESE teacher/ESE Service Provider, etc... The only limitation is the LEA representative and ESE teacher/ESE Service Provider have to be two different people.

A parent is defined as:

- A natural or adoptive parent
- A guardian (but not the state if the student is a ward of the state)
- A person acting in the place of a parent (such as a grandparent or step-parent with whom the student lives, or a person who is legally responsible for the student's welfare)
- A surrogate parent who has been appointed by the district superintendent

A foster parent may act as the parent when no more than five (5) children are in the home. Group home operators, administrators of medical facilities or Department of Children and Families workers may not act as the parent.

For students in foster placement, the school should email the Safe Children Coalition at [edunotice@thesarasotay.org](mailto:edunotice@thesarasotay.org) . They will determine who legally acts as the parent and notify the school who to invite.

If no individual can be identified who meets the qualifications needed to act as "parent", the ESE Liaison should notify the superintendent so that a surrogate parent can be assigned.

### **Regular Education Teacher**

While the regular education teacher must be a member of the IEP team if the student is, or may be participating in the regular education environment, the teacher is not (depending on the student's needs and the purpose of the specific IEP team meeting) required to participate in all decisions made as part of the meeting or attend every meeting. Appendix A of the federal regulations provides an example: The regular education teacher who is a member of the IEP team must participate in discussions and decisions about accommodations to the curriculum in the regular classroom.

The regular education teacher who serves as a member of the IEP team should be a teacher who is, or may be, responsible for implementing a portion of the IEP, so that the teacher can participate in discussions about how best to teach the student. If the student has more than one regular education teacher responsible for carrying out a portion of the IEP, the LEA may designate which teacher or teachers will serve as IEP team member(s) taking into account the needs of the student. The regular education teacher will have access to the IEP, which indicates their responsibilities in implementation.

### **Special Education Teacher**

The special education teacher is a required member of the IEP team and should be the person who is, or will be, responsible for implementing the IEP. If the student's only exceptionality is speech/language impairment, the special education teacher on the IEP team would be the speech/language pathologist.

### **Local Education Agency (LEA)**

The LEA representative is a representative of the district who:

- Is qualified to provide, or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities
- Is knowledgeable about the general curriculum and

- Is knowledgeable about the available resources of the district.

The LEA representative is a **required member** of the team. It is important that the LEA representative has the authority to commit district resources and be able to ensure that whatever services are set out in the IEP will actually be provided. Principals designate staff members to serve as LEA representatives in their school. A list of members is maintained at the school and a copy sent to the Executive Director of Pupil Support Services on a yearly basis. The ESE Liaison is not required to attend every IEP meeting nor should they be the sole LEA representative appointed.

### **Evaluation Specialist**

The IEP team member who serves as the Evaluation Specialist may also serve as one of the above listed members if qualified.

### **Others with Knowledge or Expertise about the Student**

The parent or the school district may invite other individuals who have knowledge or special expertise regarding the student. This may include related service personnel as needed. The Parent Notification Form informs the parent of individuals who have been invited to the meeting. The determination of whether an individual has knowledge or special expertise about the student shall be made by the parent or the district that has invited the individual to be a member of the team.

There are times when an ESE Program Specialist must be in attendance at the IEP meeting. These include but are not limited to:

- School staff or parent request
- Consideration of placement change to and from separate day school
- Possible litigious situations

If a parent brings an attorney to the meeting, the IEP meeting may be reconvened. Notify the ESE Specialist assigned to your school. They in turn will notify the Executive Director of Pupil Support Services who will contact the district's attorney.

### **Student**

If a student is under the age of 14, they may attend the IEP meeting if the parent decides that it is appropriate for them to do so. If possible, the district and the parents should discuss the appropriateness of the student's participation before a decision is made, in order to help the parents determine whether the student's

presence would be helpful in developing the IEP and/or directly beneficial to the student.

**The student will be invited to attend the meeting, beginning at age 14, as the purpose of the meeting includes the consideration of the student's transition services.** It is strongly recommended that the student's preferences and interests be surveyed prior to the meeting. If the student does not attend the meeting and no attempt has been made to gather information from the student before the meeting, the IEP meeting will be reconvened.

### **Agencies Involved in Transition**

Prior to inviting an agency to participate in a student's IEP meeting, permission must be obtained by the parent. Do not include the agency on the Parent Notification Form unless permission from the parent has been obtained. If the parent does not give permission, then the agency cannot be invited. The IEP team then must determine how the student's needs will be met in another manner.

### **Notice of Meeting Form**

The IEP should be scheduled at a convenient time for all required participants. Notify the parent using the **Notice of Meeting** Form a minimum of 10 calendar days prior to the meeting. The parent and district can agree to hold the meeting at an earlier date if mutually agreed upon. Send a copy of Procedural Safeguards to the parent along with the notice. Include a Parent Input form. A draft of the IEP can also be provided to the parent prior to the meeting. Provide date, time, and location of the meeting in writing to other IEP team members. As appropriate, distribute IEP Planning Notes. The **Notice of Meeting** Form and Procedural Safeguards must be provided in the parent's primary language. A translator must be present at the meeting.

### **IEP Meeting**

The ESE Case Manager (or designated chairperson) is responsible for conducting the IEP meeting. The sequence of events for this meeting is as follows:

1. Introduction of participants
2. Purpose of the meeting
3. Time line
4. Brief review of previous IEP including progress toward goals.
5. Review the drafted IEP. Tell the team that it is a draft and things can be changed as it is reviewed. Make sure the parent and the team members



understand the content of the IEP. The goals must correspond with the priority educational needs

6. The IEP should be signed by all present team members at the beginning of the meeting. The IEP is not a consent document. The signatures document the participants that developed the IEP.

If the parent is not in attendance at the initial ESE eligibility, the IEP team should determine eligibility and complete the **Determination of Eligibility and IEP**. A representative from the school or School Social Worker must contact the parent to review the outcome of the eligibility meeting and obtain consent for placement. A signed **Prior Written Notice** document must be obtained prior to initiating services indicated on the IEP. The date that the parent signs consent for placement becomes the initiation date on the initial IEP.

**The IEP participants must be in attendance at the meeting to sign the IEP.**

### **Unrelated Accommodations**

Accommodations are determined based on how a student's disability impacts their performance on academic and non-academic tasks. If documentation of another suspected disability is presented to the school that would warrant additional accommodations unrelated to the current disability, the CARE team should convene.

The parent is given a notice for a CARE team meeting and IEP meeting. Minimum participants for this meeting are members of the IEP team and the 504 coordinator. The team reviews the documentation to determine if the student may be eligible for 504 accommodations (504 documents are not completed). A summary of the discussion is included on the Outcomes section of the CARE form. If 504 eligible and accommodations are needed, the recommendation is made to convene an IEP meeting (which is documented in the Recommendations section). The IEP meeting would then commence. Any necessary changes to the IEP are made including the addition of the "504" accommodations. The team would note in the Meeting Minutes part of the IEP that "Accommodations related to (indicate disability) are included in this IEP. If these accommodations are still required at the time of dismissal from ESE, a 504 eligibility meeting should be convened."

### **Student in Need of Additional Services**

The process for identifying the needs of students has not changed. When students struggle in an academic or behavioral skill, the team would engage in the problem-solving process. All students, regardless of ESE eligibility, work through this process: (with the exception of Speech Impaired)

1. Provide instructional supports through interventions (available to all students),
2. Refer the student to the SWST to review interventions that have been implemented (this referral includes the specific parent conferences regarding the skill deficit),
3. Initiate the re-evaluation review process if necessary,
4. Evaluate the student's response to the interventions (gap analysis and current data determines effectiveness),
5. If the IEP team determines the need for additional specially designed instruction, then,
6. Conduct an IEP meeting to address the student's current needs.
7. Per the DOE\* language, an IEP Team may determine that another Program Eligibility may better describe a student's disability.

\*In accordance with 34 CFR §300.320(a) and Rule 6A-6.03028(3)(h), F.A.C., the IEP must include a description of how the student's disability affects the student's involvement and progress in the general curriculum and a statement of annual goals (and short-term objectives or benchmarks, if required) designed to meet the student's needs resulting from the disability. Therefore, for some students, the team may feel that the current disability category (e.g., speech impaired, other health impaired) does not reflect the primary exceptionality impacting the student's performance and ability to progress in the general curriculum. In that situation, the team may propose a reevaluation for the purpose of determining eligibility under a different category that more accurately reflects the nature of the disability (e.g., intellectual disability, specific learning disability).

### **Issues to Consider Related to IEP Development**

- Neither a school schedule nor administrative/teacher convenience can drive services for the student.
- Evaluations or recommendations from sources outside the district should be considered when developing IEPs. Procedures for use of outside evaluations must be followed prior to consideration.
- It is strongly suggested that at the end of a school year, all IEPs are current through September 30<sup>th</sup> of the following school year to account for school and/or teacher changes that may or may not occur.
- A statement of remediation needed for the student to pass the FCAT is not required on the IEP.
- Short-term objectives or benchmarks only required for students on alternate standards

## Matrix of Services

Effective July 1, 2000, section 236.081(1)(c), Florida Statutes (F.S.)—now s. 1011.62(1)(e), F.S.—was revised, deleting the program cost factors for the three lowest levels (251-253) of the matrix. Students formerly reported at those support levels are now reported by grade group without regard to the level of service provided. This reporting is as follows: 111 (prekindergarten (PK)–3 Basic, with exceptional student education (ESE) Services), 112 (4–8 Basic, with ESE Services) and 113 (9–12 Basic, with ESE Services). These programs have the same cost factors as basic programs 101–103. No Matrix of Services is required for these students. In order to provide exceptional education and related services, an Exceptional Student Education Guaranteed Allocation was established by the Legislature in addition to the basic funding. For students at Support Levels 4 and 5, matrixes are still required at the time of initial placement and at least once every three years. These students continue to generate weighted funding.

During the 2001 Legislative session, s. 229.05371, F.S.—now s. 1002.39, F.S.—was amended to require that matrixes be completed for any student participating in the John M. McKay Scholarships for Students with Disabilities Program. For scholarship students who do not have a matrix in accordance with s. 1011.62, F.S., the school district is required to “complete a matrix that assigns the student to one of the levels of service as they existed prior to the 2000-2001 school year” (s. 1002.39(5)(b)1., F.S.). The matrix level determined by the district is then used in determining the scholarship amount for each participating student.

In addition to the above, Sarasota County School District requires that a new matrix be completed at the conclusion of every IEP meeting for the following students:  
ESE student with three or more domains selected in the IEP

### Key Points

- Districts will be monitored on services checked on matrix forms. All services checked on the matrix must be clearly documented in the student's IEP. A checkmark on the matrix reflects the district's commitment to provide that service. **When being monitored, schools will be asked to provide evidence that services checked on the matrix are, in fact, being provided.** Evidence may include logs, student and staff schedules, lesson plans, instructional materials, behavior intervention plans, case notes, interviews and other documentation.
- In order to check services in any domain, there must be evidence of an individual need resulting from the student's exceptionality documented in the present level of academic and functional performance and annual goals on the IEP (or health care services for Domain D). Further, the IEP must address or identify the special education and related services that will be provided in order to meet the annual goals. The IEP and matrix should be consistent. For example, if an IEP describes a student as having no behavior problems or meeting grade-level expectations, higher levels of support

checked in Domains A and B may be considered suspect during a compliance review.

- For a student with a disability who does not have a matrix of services under s. 1011.62(1)(e) and for whom the parent requests a matrix of services for a Personal Learning Scholarship Account, the school district must complete a matrix that assigns the student to one of the levels of service as they existed before the 2000-2001 school year.
  - Within 10 school days after a school district receives notification of a parent's request for completion of a matrix of services, the school district must notify the student's parent if the matrix of services has not been completed and inform the parent that the district is required to complete the matrix within 30 days after receiving notice of the parent's request for the matrix of services. This notice must include the required completion date for the matrix.
  - The school district shall complete the matrix of services for a student whose parent has made a request. The school district must provide the student's parent with the student's matrix level within 10 school days after its completion.
  - A school district may change a matrix of services only if the change is to correct a technical, typographical, or calculation error.

## **OVERVIEW**

### **1. For which students must a matrix be completed?**

A matrix must be completed for all ESE students (including infants and toddlers with disabilities if the school district elects to serve) at Support Levels 4 and 5 (254-255) and for all McKay Scholarship students regardless of the support level.

### **2. Who should complete the matrix?**

The matrix must be completed by personnel who have received training. Districts decide who receives training on the matrix and who is responsible for completing the matrix.

### **3. Do parents need to be included in completion of the matrix?**

No. Schools need to make every effort to ensure that parents attend IEP, EP and individualized family support plan meetings and participate in decision-making regarding their child's educational program. The decisions made by the IEP, EP or individualized family support plan team regarding special services and programs should then be transferred to the Matrix of Services form. Districts and schools may or may not choose to complete the matrix form with the parents present.

**4. Can the matrix be completed by one person?**

Yes, as long as that person is knowledgeable about the special services that were decided upon by the IEP team.

**5. When must the matrix be completed?**

For students at Support Levels 4 and 5 (254-255), a matrix must be completed at the time of the student's initial placement into an exceptional student education program and at least once every three years. Additionally, districts must ensure that matrixes reflect current services. If services change as a result of an IEP team decision, a new matrix must be completed.

For students participating in the John M. McKay Scholarships for Students with Disabilities Program, matrixes are submitted one time. Within 30 days of receipt of parental intent to participate in the scholarship program, districts must complete a

Matrix of Services form based upon the student's current IEP and submit the matrix rating to the Department of Education. This rating is not subject to change and will be used to calculate the scholarship amount for the duration of the student's participation in the scholarship program. A school district may change the Matrix of Services if the change is to correct a technical, typographical or calculation error.

**6. Who must provide the services specified on the matrix?**

The school district is responsible for assuring the use of qualified individuals and adherence to applicable certification and licensure statutes and rules.

**7. Is transportation addressed in the matrix?**

Florida uses a separate funding system for transportation. For this reason, it is not addressed on the matrix, even though any special transportation needs must be addressed on the IEP.

**8. Does a new matrix have to be completed after every IEP meeting?**

Yes. A matrix must be completed at least every year for ESE students at Support Levels 4 and 5. Each time the IEP, EP or individualized family support plan is reviewed, the matrix must also be reviewed. This review is documented by initialing and dating the front page of the matrix form. Any time an IEP meeting results in a change of services, a new matrix must be completed. For McKay Scholarship students, matrixes are only submitted once.

**9. Can a service that is not on the IEP be checked on the matrix?**

No. The services checked on the matrix must be based on the information contained in the IEP. The IEP, and not the Matrix of Services, determines the special education services a student will receive.

**10. Can an exceptional education student generate funding under more than one cost factor program?**

Yes. While almost all exceptional education students will generate funding under a single cost factor, there are instances where a student will generate funding using more than one cost factor program. These instances include the following:

- prekindergarten exceptional education students receiving some of their instruction one-on-one at home or hospital and some in a school setting
- hospital or homebound students receiving some of their instruction one-on-one at home or hospital and some in a school setting
- hospital or homebound students receiving some of their instruction one-on-one at home or hospital and some through teleclass instruction
- students who are officially dually enrolled in an area vocational-technical center, community college or university course

There must be evidence and/or documentation of each service checked on the matrix.

Schools remain accountable for the special education and related services indicated on the IEP. There must be evidence that the special education and related services that are listed on the IEP are, in fact, being provided to the student. This evidence should be naturally occurring.

Approved matrix training will be provided for ESE teachers new to Sarasota County including Charter and Alternative School liaisons/teachers, and shall occur prior to the new teacher completing the matrix.

**IEP Amendment**

Schools can use the 'Agreement to Amend an Individual Educational Plan (IEP) Without an IEP Team Meeting' to make minor changes to the IEP as agreed upon by the school and parent and not have to convene an IEP team meeting. Use the Amendment IEP process to add or delete special transportation, to correct clerical errors, to add/delete classroom or testing accommodations, make minor changes to therapy provision, changes in school or class period schedules, make changes to location, or any other minor changes to the IEP. The Amendment process should not be used to make significant or placement changes to the IEP. Approval from a

PSS Specialist/Administrator is required prior to use of amendment for significant changes.

The completion of three documents is required in the IEP amendment process. First parent contact is made. This procedure is documented on the 'Agreement to Amend an Individual Educational Plan (IEP) Without an IEP Team Meeting' form. Then the current IEP on Enrich is accessed. Since the IEP should already be marked complete, choose revise IEP and change the pages of the IEP to reflect what needs to be updated. Those pages must be printed out and attached to the current IEP and Amendment form as well as the **Prior Written Notice (PWN)**. The PWN is the third document required. Any changes made during the amendment process are documented on this form and provided to the parent along with a copy of the amendment form and the updated pages of the IEP.

### **Dismissal**

If a dismissal is to be considered, the ESE Liaison should review the information and be included in the IEP/Reevaluation meeting. At the meeting, the IEP team recommends either dismissal or continued eligibility.

For a Dismissal/Discontinuation IEP meeting, the **Notice of Meeting** form is sent to the parent at least 10 days prior to the scheduled meeting date. "The review of educational and evaluation information and the opportunity to determine an appropriate educational program for your child" should be indicated on the form. Also indicate "possible dismissal/discontinuation".

If a student is identified in more than one exceptionality/program (i.e. SLD, S/L) and is being considered for discontinuation from a program but will continue to receive services in other ESE programs(s), then the **Eligibility Determination and Prior Written Notice** is utilized.

If it is determined that a student no longer requires participation in Exceptional Student Education because she/he has met the district's dismissal criteria for the program, the **Prior Written Notice** document is used.

Supportive documentation must also be used when discontinuing/dismissing a student from the Speech/Language program. In addition to the above-mentioned criteria, the **Speech/Language Worksheet/Report for Consideration by the IEP Team of the Student's Need to Continue Speech/Language Services** must be completed by the Speech/Language Pathologist before discontinuation/dismissal of Speech/Language services.

If a student is being discontinued from OT or PT, an IEP review is conducted. The IEP team decides if the student no longer needs the service. A **Prior Written Notice** document is completed.

Whenever an IEP review results in a change in placement and/or eligibility for an ESE student, the change must be documented on the **Prior Written Notice** document. This form must be completed in addition to the **Eligibility Determination**. Change of placement occur 10 school days after the IEP review or sooner if the parent requests. This form **MUST** be completed and Procedural Safeguards provided whether or not the parent attends the meeting.



## **D. Discipline**

### **Procedural Requirements For Suspension of Exceptional Student Education Students**

The reauthorization of the Individuals with Disabilities Act (IDEA) and its regulations continue to limit the ability of schools and school districts to suspend exceptional students beyond ten (10) days (cumulative) in one school year. Essentially, schools must be extremely careful in their use of out-of-school suspension of any exceptional student. Once an ESE student has been cumulatively suspended for ten (10) days, few alternatives remain. The change-in-placement strategy must be used with caution and the ESE Department has issued guidelines for its use. The best advice is:

- Use in-school restrictions or in-classroom time-out whenever possible.
- Use disciplinary measures that you have available other than suspension whenever practicable.
- If out-of-school suspension is required, suspend for as few days as possible.
- Check with the Executive Director of Pupil Support Services, for other suggestions or ideas on discipline with exceptional students.

### **Short Term Disciplinary Removals Up to 10 Days**

To the extent that non-disabled students are suspended from school, students with disabilities may be removed from school or their current placement for a maximum of ten school days in a school year. Schools are not required to provide services during the first ten days during which students with disabilities are removed if services are not provided to non-disabled students who are similarly removed.

In school suspensions are not counted toward the ten days if:

- The student has the opportunity to continue to appropriately progress in the general curriculum
- The student is able to make progress toward the goals and objectives of his/her IEP,
- The student continues to participate with non-disabled students

Suspension from the bus would not count toward ten days of suspension if alternative transportation can be arranged (i.e.: parent, SCAT, etc.). If a student misses school as a part of the bus suspension, it will be counted as part of the ten day suspension. (Reference Transportation Discipline Code)

### **Summary of Discipline Procedures for IDEA Eligible Students**

If an ESE (Exceptional Student Education) student commits an offense that is a violation of the school rules and regulations or the Sarasota County Code of Student Conduct:

- The principal or designee assigns a disciplinary consequence which may include a suspension for up to ten days.
- Drug and weapon charges may require immediate removal and involvement of law enforcement
- A Zero Tolerance violation may result in a recommendation for expulsion with continuation of ESE services.

If an ESE student commits another offense that violates the rules and regulations or requires a recommendation for expulsion, the principal or designee may:

- Suspend for additional days if the cumulative suspensions have not reached ten days, **OR**
- Suspend a student for a time period that would exceed the 10 day limit as long as there is a plan to continue ESE services. If suspensions have reached or exceeded cumulative 10 days or if expulsion is being considered, an IEP team must be convened immediately to:
  - complete the Behavior Pattern Review Team form
  - conduct a Manifestation Determination Review, **and**
  - conduct a Functional Behavior Assessment (if part of the handicapping condition) and develop a Behavior Intervention Plan or modify the Behavior Intervention Plan if the student currently has one, **and**
  - determine if the IEP appropriately addresses the student's needs (revise as appropriate)
  - make provisions for continuation of services beginning the 11<sup>th</sup> day

School personnel, in consultation with the ESE Liaison/Special Education teacher must determine the services to be provided during this removal. Services provided must:

- enable the student to participate in the general curriculum, **and**
- enable the student to make progress toward the goals and objectives of his/her IEP

### **Manifestation Determination**

A Manifestation Determination (MD) must be conducted within 10 days of the decision to suspend beyond the tenth day of suspension (recommend a change of

placement). The ESE Liaison must schedule the MD meeting and invite appropriate staff members including School Psychologist, LEA Representative, and school personnel with knowledge of the student and/or incident. Procedures for Parent Notification must be followed, however ten (10) day notice is not required. Students eligible for MDs include any ESE or 504 student and students with suspected disabilities.

The School Psychologist will facilitate the Manifestation Determination Review (MDR) meeting. The ESE Liaison will enter data into the MD review. Another team member should take minutes of the meeting to document a summary of the meeting and indicate any action that will be completed following the meeting. The format of discussion is outlined in the Enrich program.

If the team concludes that the behavior IS a manifestation of the student's disability then the student is returned to their current placement (consider rescinding any remaining days of suspension). The FBA and BIP must be reviewed and adjusted as appropriate. If a reevaluation review is considered, this is conducted at a separate meeting following appropriate procedures for parent notification.

If the team concludes that the behavior IS NOT a manifestation of the student's disability then the student may be disciplined in the same manner as non-disabled peers with the following provisions:

1. The student has the opportunity to continue to appropriately progress in the general curriculum
2. The student is able to make progress toward the goals and objectives of his/her IEP,
3. If there is an FBA/BIP in place, those provisions must continue with Positive Behavior Intervention Strategies (PBIS) considered.
4. Procedural Safeguards must be provided to the parent upon decision of the change of placement.

If consensus is unable to be reached, regarding whether the behavior in question is related to a student's disabling condition, the ranking school official present at the meeting must make the determination. A statement must be included to support his/her decision.

If a school board employee, serving as a member of the Manifestation Determination Review Team, wishes to express a dissenting opinion, they may do so

in writing (within 48 hours) and it should be attached to the manifestation paperwork.

See SP&P document for additional information on discipline and Manifestation Determinations. For questions regarding discipline, including provision of services following the 10<sup>th</sup> day of suspension, consult the district discipline supervisor.

## **E. Participation in State and District Assessments**

### **Issues to Consider Regarding Assessment**

- To assist the school test coordinator in providing accommodations for state and district testing, it is recommended that the liaison prepare a list of students and the specific accommodations that they receive.
- Be aware that some classroom accommodations may not be allowed on state and district assessments.
- An application to the state must be completed early in the school year for students that require unique accommodations
- A description of each allowable accommodation is available from your school test coordinator
- ESE students that participate in state testing are expected to participate in district testing as well (accommodations must be given)

### **Assessment Waivers**

Students with an active IEP that have not yet passed the high school reading assessment for graduation may be granted a waiver. The waiver allows for graduation without the required score on the state reading assessment. The school team assembles and completes the process ensuring that data is reviewed and documented on the required forms. At the completion of the waiver meeting, the Waiver document is sent to the designated ESE contact person at the District office. The ESE department and PSS Executive Director review the document prior to submitting for Superintendent's signature. Once signed, the document is returned to the school.

Students with an active IEP that did not pass an End of Course Examination may be granted a waiver. The student may have the end of course assessment results waived for the purpose of determining the student's course grade and credit. The school team assembles and completes the process ensuring that the data is reviewed and documented on the required forms. At the completion of the waiver meeting, the Waiver document is sent to the designated ESE contact person at the District office for review by the ESE department. If the calculation of the student's grade WITHOUT the EOC score factored in results in an improvement in

the student's grade, the information is sent to the District Research, Assessment, and Evaluation department for grade correction.

## **F. Eligibility Criteria for Prekindergarten Children with Disabilities**

### **Evaluation**

- 20 days from the review of evidence of a disability (failed screening or receipt of private evaluation) to obtain parental consent for evaluation

### **Transition to Kindergarten**

All Pre-K ESE children should be reviewed with the school-based CARE team during the spring prior to Kindergarten to plan for any reevaluations necessary prior to transitioning the child into a Kindergarten program. If a Pre-K ESE child is moving to a different school for Kindergarten, the ESE Liaison at the sending school should contact the ESE Liaison at the receiving school to facilitate a smooth transition for the child. The central office Pre-K staff will coordinate transition for any Pre-K children leaving agency programs and coming to a school site.

### **Reevaluation**

Once a Pre-K ESE child enrolls at a school site any reevaluations needed are the responsibility of school-based staff. The reevaluation procedures should be followed in the same manner used for K-12 students. The central office Pre-K staff will be responsible for reevaluations needed for Pre-K ESE children served under community agency contracts.

Students enrolled in Pre-K can remain in the program an additional year if needed. An IEP team makes the determination. Contact the PK Program Specialist for assistance.

## **G. Individualized Family Support Plan**

An Individual Family Support Plan (IFSP) is required for children with disabilities from birth through two years. An IEP is then utilized for children with disabilities ages 3 through 5 years.

## **III. Policies and Procedures for Students who are Gifted**

### **A. Exceptional Student Education Eligibility for Students who are Gifted**

#### **Additional Information Required**

In an attempt to increase awareness, presentations that address the unique characteristics of the gifted student, including students from underrepresented groups, are offered to school staff members and parents on a yearly basis. School staff is provided in-service on the referral and evaluation process through their ESE liaisons and ESOL teachers. Teachers are encouraged to use the Checklist for Identifying Language-Minority Students with High Potential to assist in targeting LEP students who may be in need of gifted screenings. Parents receive information on the gifted identification process via flyers, brochures and open houses at their districted schools.

Students may be referred by any source including administrators, teachers, counselors, ESE liaisons, community members, or the parents/legal guardians of the student. A student may also refer himself or herself. Any Plan B LEP student (coded LY, LN, LP, or LF) who scores at stanines 8 or 9 on Total Test Score for any subtest area on a nationally normed achievement test must be referred for gifted screening unless a previous screening is on file. The referral process is facilitated via an oral or written request to the ESE liaison or counselor at the student's district school or charter school by any of the above sources. Individual requests are documented on a gifted referral form at each school. Parent may provide input via the Parent Observation Form-Gifted (Grades K-12).

All students referred are screened with either the *Kaufman Brief Intelligence Test-2 (KBIT-2)* or the *Woodcock-Johnson III Tests of Cognitive Abilities: Brief Intellectual Abilities (BIA)* using the most recent norms. The *KBIT-2* is the preferred instrument; the *BIA* should be used if there is a recommendation by a multidisciplinary team for a second screening instrument to be administered. A screening instrument should not be re-administered within a 12-month period.

A student may be considered as Plan B if he or she meets one of the following criteria: LEP (coded LY, LN, LP, and LF) or low SES (free/reduced lunch.) All students who score at least 120 on the screening are referred for complete gifted evaluations. The 90% confidence level, which extends from 1.64 SEMs below the individual's estimated true standard score to 1.64 SEMs above, must be used in determining referrals.

Given the potential language disadvantage experienced by LEP candidates, the non-verbal standard score (with consideration given to 90% confidence interval and SEM) of the *KBIT-2* may be used to support a recommendation for further evaluation. The screening requirement may be waived for a LEP student on recommendation of a multidisciplinary team if information is available (teacher recommendation, work samples, portfolio, state or national tests, rapid acquisition of information in language or content, previous advanced classes, gifted rating scales, etc.) that indicates the student may be in need of a gifted evaluation.

Additional screening instruments such as the *Naglieri Nonverbal Ability Test Second Edition (NNAT2)* may be used by any school. Training in use of the *NNAT2* is offered yearly and several test kits are available to schools for use in screening LEP or low SES students.

Any student who does not meet the minimum screening cut-off scores for further evaluation may be recommended for evaluation by a multidisciplinary team if the team feels the score is not a true measure of the child's potential. The Gifted

Characteristics Checklist for Underrepresented Populations should be completed to provide additional support for a recommendation for evaluation for any LEP or SES category student.

### **Eligibility Criteria**

The ESE Liaison fills out the **Gifted Eligibility Worksheet** when all evaluations are completed. A student who receives a "yes" in all three areas (130 IQ, characteristics, and need) is eligible for gifted identification. If a Plan B student does not qualify for gifted under this criteria, then the **Gifted Eligibility Worksheet (Plan B)** should be completed to determine if the student may qualify under Plan B criteria (120 IQ, characteristics, and need).

Academic achievement testing is also completed for each student who meets the minimum IQ requirement. Parent must sign **Permission for Individual Academic Assessment** form prior to the administration of this assessment. Do not use **Consent for Evaluation** form for achievement testing. The scores are used in determining if a student might be in need of an accelerated gifted program. Standard Scores on the *Woodcock Johnson Tests of Achievement - Fourth Edition*, clusters that should be reported are as follows: Broad Reading Composite (subtests #1 - Letter Word Identification, #4-Passage Comprehension and subtest #9 Sentence Reading Fluency) and Broad Mathematics Composite (subtests #2-Applied Problems, subtest #5-Calculation, and subtest #10 Math Facts Fluency. If the *Wechsler Individual Achievement Test-III* is used, then the Reading Comprehension and Fluency Composite (subtests: Reading Comprehension and Oral Reading Fluency) and the Mathematics Composite (subtests: Math Problem Solving and Numerical Operations). PLEASE NOTE: The WIAT-III can only be utilized for students in second grade and above to obtain the appropriate composite scores. These scores along with grades in reading and math are recorded on the **Accel Option for Students who are Gifted** form. Scores are assigned point values and gifted students who earn a minimum of 136 points may be considered for an accelerated gifted program.

### **Instructional Program Modifications and/or Adaptations**

Modifications and adaptations that facilitate student success will be incorporated into each student's education plan as appropriate. These curricular modifications will be selected on an individual basis depending on input from teachers, parents

and students as appropriate. Modification to content, process, product and learning environment will be considered for all LEP students (refer to English for Speakers of Other Languages Instructional and Assessment Strategies). Focus on multicultural content and issues, interdisciplinary curriculum use of concrete materials and the employment of a variety of teaching learning methodologies will ensure the successful and continued participation of LEP students.

Instructional support for students and teachers is provided by the school based counselor, the county based Curriculum and Pupil Support Services departments, the ESOL consulting teacher and program supervisor. Additional support will include staff development for teachers, mentors and partnerships between school and community, access to technology and cooperation with ESOL department.

Gifted students who do not display satisfactory performance will be provided with appropriate intervention services. Parents, school staff and the student must be included in the interventions. Counselors will provide counseling and guidance services as recommended by the intervention team.

Support groups facilitated by school counselors or administrators are currently in place at selected district schools. The purpose of these groups is to identify needs of Plan B students and provide opportunities for continued success. These groups will serve as models to other schools in developing similar programs to meet the unique needs of Plan B students at individual schools.

### **District Evaluation Plan**

Each school's ESE Liaison or counselor will maintain a record of all students who have been referred, screened, and evaluated for the gifted program during each school year. Schools will submit a yearly record of all ELL students who have been referred, screened, evaluated and determined eligible or ineligible and the outcome of each activity to the ESE/Gifted Specialist.

The percentage of free/reduced lunch students and LEP students participating in the gifted program will be compared to the previous year to determine the success of the plan. Additional evaluation activities will include evaluating the effectiveness of the implementation of each component (screening, referral, evaluation, eligibility criteria, measurement instrument for student evaluation and curriculum modification and adaptation) to achieve the goal of increased participation of both categories of students in gifted programs. The information will be reviewed yearly and appropriate interventions taken to insure maintaining and/or increasing Plan B student referral and participation in gifted education.



Interventions will include in-service to targeted groups or schools to facilitate the identification process as well as the continued participation of underrepresented groups in gifted education.

To insure successful and continued participation of existing LEP/SES students in gifted education programs, the following dismissal process will be utilized.

Appropriate intervention strategies must be documented and incorporated into the student's program for any student who is not demonstrating success in the program. Information regarding the student's performance may be gathered through updated evaluations or rating scales. This data will be used to develop a current profile to provide additional input on the child's current performance compared to his/her performance on entry to the gifted program and to assist in developing appropriate interventions

### **Student Evaluation**

The following information is required to determine gifted eligibility: psychological evaluation that reports individual IQ assessment, gifted characteristics scales, and statement of need for a special instructional program. Additional academic testing is completed to determine if the gifted student may qualify for an accelerated gifted program at Pine View or a gifted cluster site. Informed consent is not required for this assessment. Use the **Permission for Individual Academic Assessment** form.

### **Evaluation Timeline**

The school district shall ensure that students suspected of being gifted are evaluated within a reasonable period of time as specified in the district's ESE Policies and Procedures Document as defined in Rule 6A-6.03411(2), F.A.C., but no more than *ninety (90) school days* that the student is in attendance after the school district's receipt of parental consent for the evaluation.

### **Psychological Evaluation**

A **Service Referral** form is given to the school psychologist for each child who meets the minimum required score on the *KBIT-2*, *BIA* or *NNAT2* is recommended for evaluation by a multidisciplinary team. The psychologist administers:

1. IQ testing
  - *Wechsler Intelligence Scale for Children, Fourth Edition (WISC-IV)*,
  - *Stanford-Binet Intelligence Scales, Fifth Edition (SB5)*, or other acceptable instrument. Nonverbal intellectual assessments will be selected by the psychologist as appropriate.
2. Academic achievement testing (report age-based standard scores) for an accelerated gifted program consideration is administered to any student who meets the minimum IQ requirement. Separate **Permission** is required prior to the administration of this assessment.

- *Woodcock-Johnson Tests of Achievement-Fourth Edition: the examiner must report standard scores for the Broad Reading Composite (subtest #1 Letter Word Identification, #4-Passage Comprehension, and subtest #9 Sentence Reading Fluency) and the Broad Math Composite (subtest #2-Applied Problems, subtest #5-Calculation, and subtest #10-Math Facts Fluency).*
- *Wechsler Individual Achievement Test-Third Edition: the examiner must report standard scores for the Reading Comprehension and Fluency Composite (subtests: Reading Comprehension and Oral Reading Fluency) and the Mathematics Composite (subtests: Math Problem Solving and Numerical Operations). PLEASE NOTE: The WIAT-III can be utilized for students in second grade and above to obtain the appropriate composite scores.*

Any student in need of a bilingual evaluation is referred by the multidisciplinary team via the *Request for Bilingual Psychological Assessment* form.

Information regarding assessments when determining initial eligibility:

- For students under the age of 7 on the date of the evaluation, the intellectual assessments must be current within one year.
- For students 7 years of age and above on the date of the evaluation, the intellectual assessment must be current within three years.
- For all ages, academic assessments must be current within one year.

Any exceptions **MUST** be reviewed and approved by the School Psychology department chair.

### **Steps for Gifted Identification**

1. The student referral for screening is documented on the **Gifted Referral Form**.
2. Written consent is obtained from the parent as documented on the **Informed Notice of Consent for Individual Evaluation**. The following areas are checked: *gifted screening, intellectual evaluation, gifted rating scales (write in)*. Procedural Safeguards are provided with this notice to the parent.
3. Parents are given gifted procedural safeguards and the **Parent Observation Form-Gifted**. The completion of this form is not required to determine eligibility.

4. Gifted screenings are administered by the school staff. If the student scores 130 (120 for Plan B) on the screening (consider confidence interval), the case is referred to the school psychologist via the **Service Referral Form**.
5. If the student does not score a 130 IQ (120 for Plan B) on the screening, then a **Prior Written Notice** is completed indicating the refusal to proceed with an evaluation. That form is given to the parent along with gifted procedural safeguards.
6. If there is a question regarding the screening outcome, then the case should be reviewed by CARE team. CARE team can recommend a gifted evaluation if there is other supportive information that indicates a child may be gifted. ESOL cases referred to CARE should be accompanied by the **Checklist For Identifying Language-Minority Students With High Potential for Gifted Screening** to assist in decision making
7. The teacher is given the **Renzulli scales** and, if the student is Plan B, the **Gifted Characteristics Checklist for Underrepresented Populations** in addition to the **Renzulli scales**.
8. The Psychologist administers an IQ test. If the student does not score 130 (120 for Plan B), then the ESE Liaison can proceed with an ineligibility meeting. The **Gifted Eligibility Worksheet** (Plan B when appropriate) is completed along with **Determination of Eligibility**.
9. If the student meets the IQ, rating scales and need for program as defined on the **Gifted Eligibility Worksheet**, then the student is eligible for gifted services at the district or charter school.
10. Any student who meets the IQ requirement will also be administered an academic achievement test in a timely manner. The **Permission for Individual Academic Assessment** form must be signed by the parent prior to administration.
11. Grades and achievement scores are entered on the **Accel Option For Students Who Are Gifted** form. If the student scores a minimum of 136 points on the form, then he or she meets criteria for a magnet program.

12. Parents of students who qualify for gifted magnet are given the **Gifted Options** form.
13. The eligibility committee determines eligibility and completes the **Determination of Eligibility**.
14. The **EP** must be written within 30 calendar days of eligibility determination. Whichever school determines eligibility completes the EP. Parents are invited to the EP meeting using the **Meeting Notice** form.
15. The **EP** must contain at least one goal and two objectives.
16. If the **EP** committee decides that a student might be best served in the general education setting (i.e. High school honors/AP/IB) for a period of time, then the **EP** must have a goal and objectives to reflect the expectations for the student OR dismissal may be considered.
17. The parent must provide written consent for placement after the EP is completed. This is documented on the **Prior Written Notice** form.
18. If the student is not entering the public school, the 30 day timeline for EP does not begin until the student enrolls. Example: Phillippi Shores processes a gifted file for an Out of Door student who wants to attend Pine View. Phillippi Shores completes the eligibility worksheets and **Determination of Eligibility**, then informs the parent that the student meets criteria for the magnet program and provides parent the **Gifted Options** form. The parent selects Pine View on the options form. The student remains at ODA for the rest of school year. Phillippi Shores sends the file and magnet program options form to Pine View and Pine View completes the **EP** and **Consent for Initial Placement**.
19. If a student qualifies for gifted magnet and is remaining at the district or charter school for the rest of the school year, send copies of the items on the **Articulation Checklist for Gifted Magnet Site Entry** to Pine View or the appropriate school.

#### **Issues to Consider Regarding Gifted**

- Gifted transfer students from out of state are staffed on a temporary basis until evaluations are completed to determine gifted eligibility. Initial

gifted eligibility criteria must be must in order to continue to receive services.

- In state transfers will have EPs implemented at the districted school. Evaluations are updated for requests for accelerated gifted programs
- No sensory screenings nor general education activities required
- There is a 90 day timeline requirement for initial evaluation for gifted.
- Group EP meetings are no longer permitted
- Social/emotional needs of the gifted students must be addressed on the EP as appropriate
- If eligible for 504, student can be considered for related services
- Can receive CAARS as needed for social emotional concerns. This service is documented under 'Related Services' on the EP
- Clusters and Pine View have pocket pick up for transportation
- Gifted course codes can only be used for PURE gifted classes
- Prior to dismissing from gifted for academic difficulty, interventions must be implemented (see Gifted dismissal criteria in SP&P)
- Accelerated (magnet) gifted services available at Fruitville Elementary, Toledo Blade Elementary, Venice Elementary, Booker Middle, Laurel Nokomis (middle), Sarasota Middle, Woodland Middle and Pine View School
- Deadlines for various gifted activities are determined on an annual basis.
- In order to be considered for accelerated (magnet) programs, academic assessment of reading and mathematics must be completed concurrently (i.e. Completed during the same evaluation administration)

### **Procedures for accelerated gifted programs**

These procedures apply to students who have already been evaluated, either privately or by the school district.

### **Public school students**

1. The school completes the **Accel Option For Students Who Are Gifted** to determine that the student meets criteria for an accelerated program.
2. If the student meets criteria, the school has the parent complete the 'Gifted Program Options' form'
3. If the parent wants to access gifted services available at the current school, the school would complete the eligibility/IEP/placement following the process and adhering to the designated yearly timelines (Timelines change yearly).
4. If the parent does not want to access gifted services available at the current school, the school would hold the eligibility/IEP/placement in the spring and the initiation date for services would be the first day of school for the subsequent school year.

5. The student file is submitted to the gifted magnet program site by the designated deadline.

### **Private school students**

**Proof of residency must be verified first in order to process the following:**

1. The student's districted public school would complete the appropriate **Accel Option For Students Who Are Gifted** to determine that the student meets criteria for an accelerated program. Eligibility Determination is completed.
2. If the student meets criteria for a gifted program, services are offered at the current school site. If the student qualifies for accelerated instruction, the district school has the parent complete the 'Gifted Program Options' form. Parents return the Option letter to the districted School ESE Liaison.
3. The districted public school submits the student's file to the magnet program site adhering to the designated yearly timelines.
4. **UPON ENROLLMENT\***, the magnet program site completes the EP/placement process. The initiation date for services would be the first day of school for the subsequent school year.

\*Enrollment for the subsequent school year can occur as early as April of the current school year depending on when the 'Admission Panel' on the student information system is available.

## **B. Educational Plans for Students who are Gifted**

### Issues to Consider regarding EPs

- An individualized EP is written for every eligible student
- Procedures for the development of an EP are in the SP&P document.
- The gifted teacher can also serve as the regular education teacher, however, the initial EP requires 3 staff member's participation.
- All EP goals MUST have objectives

### Gifted Education Services

The EP team determines services based on student need.

### **Academic Requirements for accelerated gifted instruction**

**These requirements are effective for the 2015-2016 school and subsequent school years.**

**Continued Participation** - Student must continue to demonstrate a need\* for accelerated gifted instruction to remain enrolled in a magnet program.

**Re-Entry to a Magnet Site** - Student must demonstrate a need\* for accelerated instruction. Student may return on the first day of school in August of any given school year for which the student meets criteria and county deadline dates for re-admission.

**Entry after a delay (greater than a year after initially meeting the magnet program criteria)** - Student must demonstrate a need\* for accelerated instruction. Student may enter on the first day of school in August of any given school year for which the student meets criteria and county deadline dates for admission.

### **\*Demonstrating a Need**

The student demonstrates a need for accelerated instruction by showing consistent above grade level performance across the core curriculum.

Criteria to be considered:

- Unweighted GPA of 2.5 or higher as determined by the three most recent grading periods
- For Re-Entry to a Magnet Site OR Entry after a delay: Unweighted GPA of 3.0 or higher as determined by the three most recent grading periods
- GPA based on the following:
  - o Gr. 2 & 3 - ELA, math
  - o Gr. 4 & 5 - ELA, math, science, social studies
  - o Gr. 6-8 - ELA, math, science, social studies, foreign language (for HS

- credit only)
- o Gr. 9-12 - ELA, math, science, social studies, foreign language
- Most recent state testing level 4 or above in reading and math (or scores at the 90%ile on other reading and math norm-referenced group achievement tests)

#### **IV. Policies and Procedures for Parentally Placed Private School Students with Disabilities**

##### **A. Equitable Services to Parentally Placed Private School Students**

###### **Referral Procedures for Parentally Placed Private School Students**

Note: Cases involving private school referral solely for speech (Articulation, Voice, Fluency), evaluations should be forwarded to the school's Speech Language Pathologist. Referral for language evaluations must follow pre-referral activities and procedures described at the beginning of this chapter. For identification of children below age 5, refer the parent to Child Find (927-9000, ext. 31271). District schools are only responsible for Sarasota county residents. All out-of-county residents are referred to District CARE.

The following procedures should be followed for private school students in regard to the general education activities.

###### **Referral/Identification:**

1. The parent or private school should initiate a request to the district school CARE team Chairperson for referral for possible ESE services.
2. The district school will provide the parent with a registration form to initiate the dual enrollment process and make the student eligible for evaluation services. The student IS NOT entered into the SIS database at this time.
3. The district school CARE team Chairperson will provide the private school (or parent) with the appropriate forms to document the general education activities to be completed in the same manner described in the SP&P document. Vision and hearing screenings may be completed at the district school if unavailable from the private school. Parental consent for screenings is required. Procedures for screening failures are the same as for enrolled students.



- The general education intervention requirements...are not required of students...who are not enrolled in public school. However, eligibility requirements cannot be determined without Response to Intervention (RtI) data. The private school must provide documentation to satisfy this requirement.
4. Upon receipt of the completed documentation, the CARE team Chairperson schedules the student on the agenda for the next available CARE team meeting. The case is reviewed by the team and recommendations for evaluation may be made if warranted by the documentation provided. The **Consent for Individual Evaluation** form must be signed by the parent prior to the completion of any evaluations, sensory screenings, or behavior rating scales. These students should be scheduled for evaluations in the same manner as any public school student.
  5. Upon completion of the evaluations, the CARE team will review the results of the testing. The team will determine if the student meets criteria. The ESE liaison will complete the appropriate checklist(s).
    - a. If the parent has made clear their intent NOT TO ENROLL their child in the public school, an IEP need not be developed. The liaison would proceed with an eligibility and **Consent for Initial Placement** noting the parent's intention and the parent would sign 'No' on the placement decision. The **Notice of Meeting** form is used to invite the parent. A representative from the private school must be invited to attend the meeting.
    - b. If the parent has made clear their intent TO ENROLL their child in the public school, the receiving school would schedule an Eligibility/IEP/Placement upon enrollment in the public school.
    - c. If the student attends a non-profit private school and the student is eligible for services that the district has identified as being offered through a Service Plan (SP) an **(SP)** must be written. Note: The parent must give written consent for designated services on the **Prior Written Notice** document.

### **Services Available for Not-for-Profit Private School Students**

Services provided to not-for-profit private school students must be provided in accordance with a services plan. Private school students must be determined eligible to receive special education and related services. The services plan (SP) is developed based on the services described below. For the 2017-18 school year, the school district has determined that the following services are available for not-for-profit private school students with disabilities:

### **Special Education Services**

Special education services available to private school students are Articulation Therapy, Stuttering Therapy, Voice Therapy, and Language Therapy (for Pre-K only). Occupational Therapy (OT) and Physical Therapy (PT) is available as a related service for students that remain eligible for any ESE program (SLD, EBD, etc.). Orientation & Mobility is available for eligible students identified as Visually Impaired.

### **Location of Services**

1. Services for Pre-K students are offered at designated sites determined by the district.
2. Services for students enrolled in Kindergarten through 12<sup>th</sup> grade are offered at district schools.
3. The location of Orientation and Mobility services will be determined by the Service Plan team.

### **Provision of Services**

1. Students who are unilaterally placed in for-profit private schools by their parents are not entitled to services.
2. Students who are unilaterally placed in not-for-profit private schools by their parents are not entitled to the same level of service [Free Appropriate Public Education (FAPE)] at the private school as the student would be entitled to if he/she attended public school. It is the school district's decision about the amount of time, level of service, and location of special education and related services it offers.
3. Once a placement has been offered and refused by a parent who has unilaterally placed their child in a private school, the school district has no responsibility for reconvening an IEP/SP review on an annual basis, unless the private school student enrolls/re-enrolls in a public school.

4. If the parent asks for ESE placement at a later date, do not follow readmission procedures. Since this student is not an ESE student (parents did not give consent for initial placement), follow procedures for initial evaluation as if the student was not previously evaluated. If previous evaluation information is current, as determined by the team, then a full assessment may not have to be completed.

School district personnel shall make the final decision with respect to the services to be provided to eligible private school student with disabilities.

The IEP team will follow the **Transfer Procedures** (see Transferring Exceptional Students) and develop an IEP or SP as appropriate for the following students that reside in Sarasota County and are enrolled in a private school.

- Students from another district within the state
- Students from another district outside of the state

Services available to private school students are also available to eligible homeschooled students through a Service Plan (SP). Homeschooled students can receive "walk-in" services at their districted school. The districted school is responsible for the development and maintenance of the SP.

## **B. John McKay Scholarships for Students with Disabilities Program**

The John M. McKay Scholarships for Students with Disabilities Program, commonly known as the McKay Scholarship Program, allows parents of students with learning disabilities to choose the best academic environment for their children. This scholarship program provides a variety of options allowing parents to make informed choices. Eligible students include students with disabilities who have an active Individual Education Plan (IEP), and who were enrolled and reported for funding by a Florida school district. Students from military families from other states or countries may also be eligible. Parents have the option of choosing another public school or applying for a scholarship for their child to attend an eligible private school.

The school district is required to notify parents of McKay Scholarship students when it is time for their child's three-year reevaluation. Parental consent is not required before reviewing existing data as part of a reevaluation but must be obtained prior to conducting formal testing. If the parent declines to give consent for a reevaluation, the district should document the parent's intent that no formal reevaluation testing occurs.

Re-evaluation review procedures for enrolled students shall be followed. A NEW IEP is NOT completed. Once the evaluation is completed, convene the team to discuss the results. Notify the registrar in the ESE department at the school district office of the new re-evaluation date. That is all of the activity that is required.

Once enrolled in public school, an IEP and re-evaluation review meeting is scheduled with the parent. The IEP is developed based on the previous IEP unless the parent provides current present level information or updated testing done by the private school. Re-evaluation review is initiated and evaluations recommended. After the evaluations are completed, the IEP team meets to determine if the student meets dismissal criteria. If not, the IEP is updated.

Students enrolled in the McKay scholarship program are considered parentally placed private school students have access to services according to the criteria indicated in the section above, ***Services Available for Not-for-Profit Private School Students.***

## Miscellaneous Valuable Information

### Assistive Technology

#### Background

Effective decision making is dependent upon having a group of individuals, Local Assistive Technology Specialists, with diverse training and knowledge who come together to contribute ideas, information, and direction based upon their unique perspective. It is also dependent upon these individuals being able to effectively share their knowledge and opinions and reach appropriate decisions that can be successfully implemented.

If IEP Team members believe Assistive Technology might be required, a re-evaluation review meeting needs to be convened.

The Re-evaluation Review team must describe the skill the student is having difficulty performing.

**PLEASE NOTE THIS DIFFERENCE in 60 Day timeline - the date begins from the day the re-evaluation review meeting is held, NOT the date that the consent is signed.**

Complete the **Assistive Technology and Augmentative Communication Assessment Referral Form**, (dated 9/1/2011 in SLP SharePoint LATS folder and in employee resources>departments>pupil support>ESE>liaisons>shared documents>ESE forms and documents) during a re-evaluation review meeting. .

**IMMEDIATELY AFTER RE-EVALUATION REVIEW MEETING IS COMPLETED, E-MAIL OR FAX the Assistive Technology and Augmentative Communication Assessment Referral Form, to Robyn Sadlo SLP/LATS, Oak Park School.**

The Liaison (or SLP for speech/language only students) will obtain signed consent and send the hard copies of the completed **Assistive Technology and Augmentative Communication Assessment Referral Form**, the signed consent and the **Re-evaluation Review Form to Robyn Sadlo SLP/LATS, Oak Park School.** LATS Team reviews referral then contacts ESE Liaison to make appointment for assessment.

Once LATS evaluation is completed, the LATS Team will complete a report and send it to the Liaison, re-evaluation review team members and parent.

## **Auditory Processing Disorder (APD) Screening Referral Guidelines:**

Auditory processing disorder is a sensory processing deficit that commonly impacts listening, spoken language comprehension, and learning. In spite of normal hearing sensitivity, a fundamental deficit in the processing of auditory information may underlie problems in understanding speech in the presence of background noise, in understanding degraded speech, in following spoken instructions, or in discriminating and identifying speech sounds.

Students may require an APD evaluation to help determine if special services or assistance are needed to meet their educational needs. An audiological APD evaluation also may help in determining and implementing effective educational interventions. These interventions may include: 1) environmental modifications, 2) management strategies, 3) auditory training, or 4) FM Assistive listening devices.

When a student is being considered for an audiological APD evaluation, the following factors must be considered:

- *Peripheral hearing.* Hearing sensitivity must be normal or near normal as determined by in-school pure tone hearing screening or audiological evaluation.
- *Age of child.* A diagnostic APD evaluation is more sensitive for children age 7 and above.
- *Cognitive ability.* Performance on central auditory tasks is greatly affected by cognitive ability. Thus, any child assessed must have ability within the normal range.
- *Language competence.* Children with poor language skills will generally have more difficulty with APD tasks, particularly those that require more sophisticated language processing. This caution also applies to ESOL students.
- *Phonology.* Most APD tests require a verbal response; therefore, the student's speech must be intelligible.
- *Other presenting conditions.* Consideration should be given to neurological conditions, social/emotional maturity, attention span, motivational level, and other special needs or conditions such as ADHD.

Audiological APD assessments should not occur in isolation from other psycho-educational and psycho-linguistic screenings or evaluations. Consideration should be given to all factors that may affect the student's performance in order to view strengths and weaknesses in a holistic manner.

Prior to referral by the school's CARE team for APD screening, a full ESE evaluation must be administered. If, as a result of this evaluation, the student does not meet eligibility criteria for Exceptional Student Education, but further assessment is needed in order to determine and implement effective interventions, referral can then be made to the audiologist for an APD screening. (ESE eligibility should not be determined prior to completion of the APD referral process.)

Copies of the following should be sent to the audiologist:

- CARE team outcome form recommending APD screening.
- ESE evaluation results
- *Referral for Audiological Services* form.
- A signed *Informed Notice and Consent for Individual Evaluation* noting APD screening and audiological evaluation.

Upon receipt of this referral, the audiologist will send appropriate observational and case history forms to the student's teacher and parents for completion. These forms must be returned prior to scheduling the APD screening appointment.

The APD screening will include a complete audiological evaluation and administration of the *Screening Test for Auditory Processing Disorders in Children* (SCAN-C) or the *Screening Test for Auditory Processing Disorders in Adults* (SCAN-A).

*Results of the audiological APD screening will be shared with the school's ESE Liaison. The CARE team, including the school's ESE Specialist, will then review the results to determine further interventions and/or referrals.*

## **Charter Schools**

Charter Schools must follow the same rules and procedures regarding the evaluation, identification, and placement of ESE students. The level (resource, self-contained etc...) of ESE services offered is documented in the charter for each particular school. An ESE liaison is on the staff of each charter school along with a limited staff of ESE teachers. Service provision beyond the scope of the ESE teachers (VI, SLP, OT, PT, psychologist, social worker, audiologist, vision and hearing screening) is contracted at the expense of the charter school. Specific questions regarding ESE procedures and charter schools can be directed to the ESE Program Specialist assigned to the charter school.

## **Coordination of Exceptional Student Instruction**

1. Students participating in ESE programs such as gifted or learning disabilities, may be assigned to part-time programs outside their regular grade level classrooms during the school day to address identified educational needs. Such assignments shall be considered an integral part of each student's instruction rather than an addition to the regular classroom activities.
2. Each school shall be responsible for ensuring students in part-time programs master the skills and concepts introduced in all assigned classrooms without requiring additional homework or makeup work for material covered during their participation in part-time programs.
3. The curriculum between the regular and part-time classrooms for gifted students shall be coordinated using methods such as cooperative consultation, curriculum compacting and other instructional strategies necessary for students' success.
4. The resource teacher in daily content pull-out programs shall be responsible for awarding the content area grade, the assessment of such and assigning necessary homework, thus freeing the regular classroom teacher of this responsibility.
5. Each school shall develop and implement written procedures to insure that instruction is coordinated among all programs and classrooms and that ESE students:
  - a. Receive instruction in skills and/or concepts, not already mastered, which are introduced in the regular classroom during their assigned periods in part-time programs.



- b. Do not receive makeup work in the form of additional class work or extra homework assignments as a result of time spent in part-time programs.

### **Crisis Intervention Techniques**

Every school should have identified a number of staff members that have participated in Crisis Prevention Institute (CPI). From those staff members, the school identifies a Crisis Response Team (CRT). All ESE teachers, aides, behavior specialists, and ESE liaisons should have CPI training. CPI training is offered annually by the district and at individual schools.

### **ESE Liaison Job Responsibilities**

#### [ESE Liaison Job Description](#)

What do you do at the beginning of school?

- Have registrar run a roster (verification) of ESE students
- Check student records to ensure that each student has a current IEP - IEP must be current on the first day of school
- Check with registrar for pending transfer cases
- Elementary liaisons - schedule incoming pre-k eligibility meeting
- Ensure that Middle and High school transfer students have a schedule
- Provide class lists for all ESE service providers
- Review pending cases from last school year
- Work collaboratively with guidance and other support staff to determine scheduling of CARE, team meetings, etc...
- Check ESE transportation roster to ensure that all students that need transportation are routed.
- Ensure that regular education teachers have copies of IEPs as appropriate and that specials/explo teachers have copies of accommodations
- Verify that services on the IEP are reflected on the student's schedule
- Verify that placement and time with non-disabled peers on the IEP match the data on SIS

## **ONGOING RESPONSIBILITIES:**

### Articulations

Every spring, a meeting is held between the appropriate schools to transition students from elementary to middle and middle to high school. This process is done in conjunction with the guidance department. This meeting does not involve parents. If changes to the IEP need to occur, a IEP meeting is held on a different date.

General Guidelines for Articulations:

- The IEP must be current through September 30<sup>th</sup>.
- The EPs of all gifted students are reviewed via the articulation process. The EP may be written for four years at the high school level.
- Collaborate with certified school counselors to ensure that ESE students are included in general presentations and orientation opportunities provided by the receiving school

### Bus Transportation

It is the responsibility of the ESE liaison to request transportation for ESE students from the Transportation department. All transportation requests are submitted online through the Online Transportation System. A current IEP must be sent in order for the student to be routed. ESE Transportation is for students who are unable to ride a regular education bus due to various circumstances. Specialized transportation is for students that may need additional assistance such as an aide, lift bus, harness, etc... For assistance in determining the type of Bus Transportation that an ESE student needs, contact the ESE MapNet Specialist or Route Supervisor. These staff members should be invited to an IEP meeting anytime ESE transportation will be considered for a student.

### ESE liaison meetings

ESE liaison meetings are held on a monthly basis. Changes in procedures, rules, paperwork, etc...are disseminated at these meetings. It is expected that the ESE liaison attend all meetings so that this important information can be shared with ESE staff and administration at the school.

## **Enrich Computer IEP Software**

The Enrich software is a tool for Special Educator to use in order to complete various requirements regarding federal, state, and district procedures. The following forms/procedures are required to be completed using the Enrich software:

1. Notice of Meeting
2. IEP
3. IEP Amendment Agreement
4. Progress Reports
5. Eligibility Determination
6. Reevaluation
7. EP
8. Consent for Placement
9. Consent for Evaluation
10. Evaluation Reports
11. Manifestation Determinations
12. Matrix of Services
13. Prior Written Notice (FAPE change, dismissal, refusal, etc...)
14. Transfer of Rights
15. Summary of Performance
16. Notice of Graduation

## Extended School Year Services

The need for ESY services is based on the evidence or probability of significant jeopardy to current gains or severe loss of critical skills over an extended break in special education instruction. Keep in mind that the first seven to nine weeks of the school year are generally recognized as the period of time that it commonly takes the majority of students to recoup skill regression that occurred during the summer. Students with disabilities who are able to recoup skills within this timeframe will be considered to have experienced adequate recoupment.

All students with disabilities must have the need for ESY addressed on a yearly basis through the IEP process. The provision of ESY is considered the EXCEPTION and not the rule, and, thus, it is expected that for a great many students it will be readily apparent to the IEP team that ESY is unnecessary. Our school district offers summer remediation camps and these programs may be an appropriate alternative to ESY for numerous students.

### WHAT DOES THE LAW SAY?

The Federal Register, implementing the Individuals with Disabilities Education Act defines, at 34 CFR 300.309 extended school year services (ESY) for students with disabilities as follows:

- Extended school year services means special education and related services that are provided to a child with a disability beyond the normal school year, in accordance with the child's IEP, at no cost to the parents of the child and meets the standards of the Florida Department of Education.
- Extended school year services must be provided only if a child's IEP Team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education (FAPE).

### Therefore ESY Is Not...

- A mandated 12-months service for all students with disabilities.
- Required for the convenience of the school or parents and, therefore, cannot serve as a day care or respite care service.
- Required or intended to maximize educational opportunities for any student with disabilities.

- Necessary to continue instruction on all of the previous year's IEP goals during the ESY period; rather, the focus should be on those specific, critical skills where regression, due to an extended vacation period, may occur.
- To be considered to help students with disabilities advance in relation to their peers.
- For those students with disabilities who exhibit regression, which is solely related to medical problems resulting in degeneration, or transitional life situations such as divorce or death of a family member. This type of regression is not due to the interruption of summer vacation.
- Required solely when a child fails to achieve IEP goals and objectives during the school year.
- To provide a child with education beyond what is prescribed in his/her IEP goals and objectives.

### Criteria

No single criterion has been identified as the determining factor for ESY services. Decisions of eligibility for ESY services remain an IEP or family support plan team decision, and cannot be limited by use of a formula or single measure. Criteria that can be used to determine whether a student is eligible for ESY services include, but are not limited to

- regression/recoupment
- critical point of instruction
- emerging skills
- nature or severity of disability
- interfering behaviors
- rate of progress
- special circumstances (e.g., transition from school to work)

It is important that a variety of criteria or factors be considered, in order to ensure provision of FAPE. For example, it would be inappropriate to rely on "regression/recoupment" data to make a determination of need for a pre-K student, while discussion of "interfering behaviors" or "emerging skills" might be significant for that child.

The consideration of both formal and informal evaluations, as well as documentation of individual student performance, are valuable in assisting an IEP or family support plan team in determining need and extent of ESY services for a student.

Eligibility for ESY services and/or the duration of services cannot be limited based on the type or the degree of disability. The fact that a student has made progress toward annual goals or has met annual goals during the school year also does not exclude a student from receiving ESY services.

ESY is **not**

- child care
- respite care
- intended to maximize educational opportunity or potential growth
- based on specific area of disability, level of service, or type of classroom placement
- "one size fits all"
- a longer school day

## **Functional Behavior Assessment for Students with Disabilities**

### **Issues to Consider Regarding FBA:**

- Must be related to IEP needs (goals, present levels, services)
- An FBA/BIP should be conducted whenever a student's behavior or emotionality is interfering with their ability to learn, access their educational environment or socialize with peers.
- The development of the FBA/BIP is completed by a team of people, including the parent.
- It is recommended that the county-wide behavior team become involved with students with severe and/or significant behavior issues - referral to ESE supervisor is required.
- FBA/BIP progress monitoring data should be reviewed for effectiveness and adjusted as necessary on a regular basis as determined by the FBA/BIP team
- FBA/BIP training is offered annually by district staff.

Please adhere to the following consent procedures when considering use of a Functional Behavior Assessment:

1. If an ESE student has a current FBA and you are revisiting or reviewing the BIP, consent is not needed.
2. If an ESE student does not have a current FBA, follow procedures for setting up and conducting Re-eval.
3. If a manifestation determination is conducted, an FBA is mandated when the behavior is a result of the student's disability, consent is not needed.
4. If a regular ed. student is currently brought up in the MTSS process and an FBA is needed to determine proper interventions, follow current MTSS procedures.
5. Any ESE student with 5 or more days of out-of-school suspension should be brought up to school wide support team (SWST) to consider the possible need for an FBA/BIP.
6. An FBA is required for students with behavioral concerns being considered for ASD eligibility,

## Informed Notice of Refusal

The district is required to provide **Prior Written Notice** to parents when it refuses to take specific actions requested by the parent. It may include refusals for the following actions:

- Evaluations following pre-referral activities
- Evaluation
- Change of Placement
- IEP changes

The **Prior Written Notice** document must be accompanied by Procedural Safeguards. Use this form anytime a parent request is denied.

### Parent requests

If a parent requests evaluations, services, or specific methodologies, etc. have the parent put the request in writing. Schools must act on parent requests even if the request is made verbally. The school must schedule the student on the next available CARE agenda (within 20 calendar days of the parent request). The CARE team should review the request. If the request is denied by the CARE team, the parent should be provided a **Prior Written Notice** and Procedural Safeguards.

If a parent request for initial evaluation is agreed to by the CARE team, obtain consent from the parent for screenings and evaluations. The development of the MTSS portfolio and the evaluation will be completed concurrently.

If a parent requests an evaluation for an existing ESE student, the procedure for reevaluation review must be followed. Reevaluation does not need to occur more than once per year unless parents and LEA agree. School must give notice of refusal if refusing parent request for more frequent evaluation.

If a parent is in disagreement:

- with referral for initial evaluation? The parent should indicate "no" on the Consent for Initial Evaluation Form and be provided Procedural Safeguards. The student is no longer afforded rights under the IDEA.
- with initial evaluation results? The parent can request an Independent Evaluation according to the guidelines on the Procedural Safeguards.
- with initial placement? The parent should indicate "no" on the Consent for Initial Placement Form and be provided Procedural Safeguards. The student is no longer afforded rights under the IDEA.



- with a placement change? The parents can request mediation or a due process hearing (see section on Mediation).
- with services on an IEP? The parents can request mediation or a due process hearing (see section on Mediation).
- with program eligibility? The parents can request mediation or a due process hearing (see section on Mediation).

If a parent brings in a Physician's request for ESE services or evaluations (i.e., report, prescription, etc.), the school should schedule the student on the next available CARE agenda (within 2 to 3 weeks) and invite the appropriate personnel.

Private evaluations must be reviewed by the appropriate school/district evaluator. The psychologist must complete the **Psychological Review Form** (form found on Share Point) which is then attached to the report. The school should refer to the appropriate program checklists to determine which procedures need to be completed prior to determining eligibility (i.e., screenings, interventions, additional evaluations)

**Parent Survey** - The IEP team must inform the parent about the survey that must be completed. It is an online survey at [www.esesurvey.com](http://www.esesurvey.com)  
The school will receive a quarterly report of results.

Parents must be afforded the opportunity to participate in meetings regarding the evaluation, eligibility, reevaluation, and educational placement of their child. This is documented using the Parent Notification form.

Prior written notice must be provided to the parent:  
before the school district proposes or refuses to initiate or change the identification, evaluation, educational placement, or the provision of FAPE to the child. This is documented on the **Prior Written Notice** form

If the parent comes to an IEP meeting with a tape recorder or requests the use of a tape recorder during the IEP meeting, the school should also record the meeting. It is permissible for the parent to record any meeting. The school's tape is filed in the student's cumulative record. Videotaping of meetings is not permitted.

If a parent is unable to attend a meeting in person, encourage participation via other means, i.e. phone conference.

If a parent's attorney attends an IEP without the schools prior knowledge, the meeting may be rescheduled. If a parent informs the school that an attorney will attend, contact the PSS Program Specialist assigned to your school. If an attorney is attending the IEP meeting, a review of the student's cumulative records by the ESE liaison prior to the meeting is strongly suggested.

## Residential Placement

If a student returns to school following an out-of-district residential placement (including any DJJ placement), then the district CARE team must review the documentation provided by the facility *prior* to enrollment in school.

## Service Animals

### Guidelines for Including Service Animals in Schools and on School Buses

Definition of a Service Animal - The ADA regulations define a "service animal" as "any dog trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability." **Americans with Disabilities Act, 28 CFR Section 35.104.**

### Process for Exceptional Education Students (ESE):

- Parent notifies school staff that a student will be using a service animal to access school campus.
- The school notifies the Pupil Support Services (PSS) Program Specialist assigned to the school and the Transportation Department.
- The school requests from the parent copies of the following documents regarding the service animal (**proof of rabies vaccine is the ONLY required document**):
  - Letter from a physician stating that your child has a disability and should use a service animal
  - Service Animal Training Certification
  - Liability Insurance. Parent should maintain insurance for the student and animal.
  - Current health status and immunization records of the service animal.
- The documentation is then reviewed by the PSS Program Specialist, PSS Executive Director and Transportation department.
- The school conducts an IEP team meeting to address the request once the documents have been reviewed by the district staff
- The service animal is documented on the IEP on the Specialized Services Page under Accommodations "Service animal for assistance, Daily, School Campus"

If the student also requires Transportation, that service is listed under Related services as "Specialized Transportation, Daily, To and From School".

#### Process for Students with a Section 504 Accommodation Plan:

- Parent notifies school staff that a student will be using a service animal to access school campus.
- The school notifies the Pupil Support Services (PSS) Program Specialist assigned to the school and the Transportation Department.
- The school requests from the parent copies of the following documents regarding the service animal (**proof of rabies vaccine is the ONLY required document**):
  - Letter from a physician stating that your child has a disability and should use a service animal
  - Service Animal Training Certification
  - Liability Insurance. Parent should maintain insurance for the student and animal.
  - Current health status and immunization records of the service animal..
- The documentation is then reviewed by the PSS Program Specialist, PSS Executive Director and Transportation department.
- The school conducts a 504 Plan/CARE team meeting to address the request once the documents have been reviewed by the district staff
- Documenting the service animal on the 504 Plan

On the Classroom Accommodations page, indicate that a service animal is necessary for the student and note any specialized procedures.

**Discussion of the following issues should be documented on either the IEP team notes or CARE notes for the 504 Plan.**

#### General Issues

1. The service animal is provided by the family, not The School Board of Sarasota County, Florida (District).

2. The family must familiarize the service animal to the campus. The week before the service animal is going to be coming to school with the student, introduce the service animal to the campus so that it becomes familiar with its surroundings. Before or after school would be best because it is less crowded.
3. The student, with the service animal, should be interviewed in order to educate the faculty, staff and students about proper procedures in approaching the service animal, the job that the service animal is doing, and whom to report concerns and what to do in case of an emergency with the service animal. The school can determine the most appropriate interviewer such as a Team Leader, ESE Liaison or Guidance Counselor. Once gathered, this information is shared with appropriate staff, faculty, and students.
4. All parents of students in classes where the student with the service animal will attend must be notified in writing of the presence of the service animal in their child's classroom prior to the initiation of the service animal in the school/classroom setting.
5. A designated area should be established for the service animal to relieve itself. (Guide dogs have been trained to go for long periods of time without having to relieve themselves.) Universal precautions should be used by the student when they have to clean up after the service animal.
6. The responsibilities of the student regarding the service animal need to be identified, clarified, and documented in writing.
7. District/Faculty/Staff are not responsible for the service animal. Agencies responsible for training the student and service animal should be contacted to receive a list of these responsibilities.
8. The student should be allowed to leave class a few minutes early to avoid large crowds during class changes with the service animal. Considerations should be taken involving lunch, arrival, and dismissal, special gatherings, etc...

9. The administrative team at the school should be fully aware of all decisions made regarding the use of a service animal on campus. All documents should be kept in the student's cumulative file.

B. Considerations for District Transportation (if needed)

1. District transportation does not have to be an ESE bus. A student with a service animal may access a regular school bus.

2. Transportation, with the school's assistance, will notify in writing the parents of the other District bus riders that a service animal will be riding the bus to assist a student. Parents of other students may request that their student be able to access District transportation on another route. Examples include allergies or fear of animals. It is important to notify any newly added students to the bus route that a service animal is being transported.

3. District transportation and services will be provided even if the service animal is not with the student on a particular day. Clarification on accommodations when the service animal is not present should be documented.

4. To ensure that the animal is secure, the student will sit at the front of the bus with the service animal in the trained position, behind the driver's seat or the first seat on the opposite side for protection. Tethering the service animal may be necessary due to size. This should be discussed and the decision should be documented.

5. Document the discussion of emergency drills and safety issues pertaining to the evacuation of the bus.

6. Discuss any training that needs to be provided to the driver or students on the bus in regard to the service animal riding the bus. Example: bus evacuation in case of an emergency. Driver and monitor (if present) should learn critical commands. The animal will be working so the students should be instructed not to "play with it". The service animal should board the bus using the steps and not the lift.

7. There could be situations that would cause cessation of transportation of the service animal. Examples include: the service animal bites someone, the animal poses a direct threat to the health or safety of others, the animal is unable to control the excretion of bodily fluids on the bus and school due to medical reasons and the service animal does not respond to the student as trained.

8. If transportation or access to a school campus is suspended for the service animal, reinstatement may occur once additional training or medical issues are addressed. Parents and the student should be notified in writing of these consequences prior to the services being initiated.

A service animal is the personal property of the student. The School Board of Sarasota County, Florida does not assume responsibility for training, daily care, or healthcare of service animals.

Requests can be denied or animal removed if 1) the animal is out of control and the animal's handler does not take effective action to control it; 2) the animal is not housebroken; 3) the animal's presence poses a "direct threat" to the health or safety of others, based upon an individualized assessment; or 4) the animal's presence would constitute a "fundamental alteration" to the nature of the services, program or activity provided by the school.

## **Service Referral**

When a student is in need of a time-dedicated activity where a written response is required, a service referral form is completed. A service referral is given to the psychologist, social worker or nurse when a school needs a particular service performed for a student.

Examples include:

- counseling with student
- social history update
- psychological re-evaluation
- gifted evaluation
- obtain signatures
- home visit/parent contact
- arrange parent conference
- attendance issues
- behavioral/academic observation
- consult with teacher or administration

A service referral is not needed when there is a completed student intervention portfolio, CARE outcomes/recommendations, and signed parental consent for evaluation.

## **Specially Designed/ESE P.E.**

A progress report of the PE goals must be given to the parents according to the IEP.

Specially Designed/ESE PE is considered a related service, therefore the eligibility process may not be as rigorous as the special education services. Referrals for adaptive PE can come from various sources, including the liaison. The PE teacher will need to conduct an appropriate assessment to determine the need for Specially Designed/ESE PE. The ESE Liaison or ESE teacher will schedule an IEP meeting to add Specially Designed/ESE PE to the related services section on the provision of services page and add the goal sheets to the IEP. These activities must be completed prior to the provision of services to a student. The appropriate Special factor is indicated based on the needs of the student, Adaptive PE or Specially Designed/ESE PE. There are 2 (two) PE courses that can be used for students with disabilities who are unable to participate in regular PE. The regular education course is grade level PE and is taught by the regular PE teacher with accommodations. Any appropriate accommodations for this student must be documented on the IEP. The special education course is ESE PE for elementary and middle and Specially Designed PE for high school. Consult the course code



directory and course descriptions to determine the most appropriate course for the student.

### **Student Information Series**

The software used for entering student data is the Education Solution Development or ESD, referred to as SIS. SIS is used for entering a variety of student data including ESE. It tracks referral, evaluation, and participation in ESE. The liaison is responsible for reviewing reports and submitting a checklist to the district office every month. Our ability to produce accurate data and to conduct meaningful internal audits is dependent upon compliance with this process. Training for ESE Liaisons regarding FTE and the use of SIS is offered by the district every year.

### **Timelines**

- 10 calendar days (at least) parent notice of an IEP meeting must be given along with Procedural Safeguards. Any waiver of this requirement must be agreed upon by the parent and the school and documented on the **Notice of Meeting** form. Meetings that include the discussion of access point instruction or placement in an ESE center **MUST** be provided to the parent 10 days in advance.
- 10 days of suspension (cumulative) allowed for students with disabilities
- 10 days from a Manifestation an FBA must be developed (as appropriate)
- Within 10 days of the decision to suspend beyond the tenth day of suspension, a Manifestation Determination (MD) must be conducted with parents invited using the **Notice of Meeting** Form
- 20 school days of a parent request for evaluation, obtain consent or provide written refusal to conduct the evaluation.
- 20 school days from a school team's recommendation to evaluate, parental consent must be obtained (document attempts)
- 30 calendar days from the review of evidence of a disability (failed screening or receipt of private evaluation) to obtain parental consent for evaluation (Pre-K students only)
- 30 calendar days following eligibility determination to develop an IEP or EP
- 60 calendar days to complete an initial evaluation. For initial evaluation, the timeline starts upon receipt of signed consent for evaluation. Holidays and summer break are not counted. Weekends in between weeks when there is a school holiday are not counted.
- 60 days of student attendance to complete an initial evaluation or evaluation for LATS (eligibility determination to follow completion of evaluation within a reasonable time). For LATS, the timeline starts the date of the

reevaluation review meeting, NOT when consent is signed and continues through extended school year (ESY).

- 90 days of student attendance to complete an initial evaluation for gifted.
- Once every 12 months review the IEP, more frequently if parents or school requests
- At least once every 3 years and at transition from elementary to middle and middle to high an EP must be reviewed. The duration of a high school EP can be 4 (four) years.
- When determining eligibility for any ESE program:
  - For students under the age of 7 on the date of the evaluation, the intellectual assessments must be current within one year.
  - For students 7 years of age and above on the date of the evaluation, the intellectual assessment must be current within three years.
  - ⊖ For all ages, academic assessments must be current within one year.

## **Transition Services**

All middle and high school ESE liaisons are required to attend monthly Secondary Compliance/Transition meetings. Information presented at these meetings must be shared with school staff in order to ensure that appropriate transition service planning is completed for every student of transition age.

## **Virtual School**

Florida Virtual School is available for students with disabilities to enroll in courses IN ADDITION to courses taken at the districted school.

Sarasota Virtual School is available for students with disabilities to enroll in the school. The student is not enrolled in their districted school unless they are eligible to receive ESE services as determined by the student's IEP team. Services available are identical to those afforded to private school or home schooled students.

## Glossary of ESE Terms

**Academic**—Referring to subjects such as reading, writing, math, social studies, and science.

**Accommodation**—A different way of doing something that takes into account a person's disability. When a student with a visual impairment studies by listening to a recording of a textbook, the student is using an accommodation. Accommodations are changes in *how* a student is taught or tested. Accommodations do not change the requirements of a course or the standards the student must meet. Compare with "modification."

**Administrative Law Judge**—The person who is in charge of a due process hearing and who makes the decisions after the hearing. The administrative law judge cannot work for the local school district. He or she cannot know the student or be a friend or relative of the family. He or she is a person who is impartial—fair to both parents and the school district.

**Age of Majority**—The age when a person becomes a legal adult. The rights of the parent of a student with a disability transfer to the student when the student reaches the age of majority. In Florida, this is 18 years of age. See also "transfer of rights."

**Age-Appropriate**—Describes materials, activities, and experiences that are useful and suitable for persons of a particular age. For example, age-appropriate books for a teenager would be different than age appropriate books for a seven-year old, even if the teenager reads on a second grade level.

**Alternate Assessment**—An assessment that is used for a student with a disability when a standard state- or district-wide assessment is not appropriate for that student. See "assessment."

**Annual Goal**—See "measurable annual goal."

**Appeal**—A written request for a court to review the decision of an administrative law judge in a due process hearing.

**Assessment**—A way of collecting information about what a student knows and can do and what a student still needs to learn. Assessment may include giving tests, observing the student, and looking at a student's portfolio or work samples.

**Assistive Technology**—Assistive technology devices and/or services. See below.

**Assistive Technology Device**—Equipment that is used to maintain or increase the functional capabilities of children with disabilities.

**Assistive Technology Service**—A service that directly helps a child with a disability in the selection, acquisition, or use of an assistive technology device. This includes evaluating assistive technology needs; purchasing equipment; selecting, fitting, and repairing equipment; and training the child, family, teachers, employers, or others in the use of the equipment.

**Autism Spectrum Disorder**—One of the ESE programs in Florida. A student who has autism has difficulty communicating and interacting with others. In order to be eligible for programs and services for students with Autism Spectrum Disorder, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Behavior Intervention Plan (BIP)**—A plan that helps a student with a disability to decrease his or her problem behaviors. The BIP includes strategies the student will be taught that will allow the student to stop the problem behaviors or replace them with other behaviors. The BIP also includes the method for determining the student's progress in decreasing the problem behavior.

**Benchmarks** —Statements in the IEP that describe major milestones a student must reach in order to achieve one of his or her "measurable annual goals." An IEP must include either benchmarks *or* "short-term objectives."

**Certificate of Completion**—This certificate is given to students who pass the required courses in high school but fail to pass the state graduation test or achieve the grade point average required for a "standard diploma."

**Change of Placement**—A change in the type of placement listed on the IEP of a student with a disability. This includes a change from a more restrictive placement to a less restrictive placement, or vice versa. Change of placement must be determined during an IEP meeting.

**Children at Risk in Education (CARE) Team**—A group of people who help teachers meet the learning needs of their students. The team may refer a student for an "evaluation."

**Community-Based Instruction (CBI)**—Instruction that takes place in locations in the community and is designed to help students perform skills such as grocery shopping and using public transportation. CBI often includes training in the classroom followed by practice in community settings.

**Compensatory Services**—Services a school district provides to a student in order to make up for services not provided in the past.

**Complaint**—A parent's formal written claim that a school district has violated a law related to the education of students with disabilities. Also called "formal complaint" and "formal written complaint."

**Confidential**—Private, not to be seen by others. School records are confidential, so they may be read or used only by school staff members, parents, and others allowed to see them by law.

**Consent**—Parents' agreement to let the school take an action that affects their child's education. Consent is usually shown by the parent signing a form.

**Continuum of Services**—The range of possible placements for students with disabilities. It includes services provided in a general education classroom, some services provided in a general education classroom and some in a special class, services provided in a special school, and other placements.

**Courses of Study**—The courses a student age 14 or older plans to take in order to reach his or her desired post-school outcome.

**Cumulative**—Added together. If a child is suspended for three days in October, five days in January, and two days in May, the child has been suspended for 10 cumulative days.

**Daily Living Skills**—Skills in taking care of one's own personal needs as independently as possible. Examples include dressing for work, renting an apartment, and buying a bus pass.

**Deaf or Hard-of-Hearing**—One of the ESE programs in Florida. A student who is deaf or hard-of-hearing has a loss of some or all of the ability to hear. In order to be eligible for programs and services for students who are deaf or hard-of-hearing, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Desired Post-School Outcome Statement**—A statement that describes where a student would like to be within one to five years of leaving school. It is a vision of what that student wishes to become.

**Developmentally Delayed**—One of the ESE programs in Florida. This program is for children aged birth to five only. A child with a developmental delay is developing more slowly than his or her peers either mentally, emotionally, or physically. In order to be eligible for programs and services for students with developmental delays, a child must meet all the requirements listed in the Florida State Board of Education Rules.

**Disability**—A condition that makes it difficult for a student to learn or do things in the same ways as most other students. A disability may be short-term or permanent.

**Dismissal**—A decision made at an IEP meeting to dismiss a student from ESE services because the student no longer needs those services. The IEP team reviews evaluations and other information about the student before making this decision. Parents will receive written notice before services are stopped.

**Dual-Sensory Impaired (DSI)**—One of the ESE programs in Florida. A student with dual-sensory impairment is deaf-blind and has such severe problems with both seeing and hearing that the student cannot learn well in either a program for the deaf or hard-of-hearing or in a program for the visually impaired. In order to be eligible for programs and services for students who have dual-sensory impairments, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Due Process Hearing**—A formal meeting held to settle disagreements between parents and school districts about the evaluation, eligibility, placement, services, or IEP of a child with a disability. The meeting is run by an administrative law judge.

**Duration**—On an IEP, this indicates the length of time a student with a disability is expected to need a service during the school year or extended school year.

**Eligibility Criteria**—The requirements a child must meet to be eligible for each exceptionality category (program). The eligibility criteria are listed in Florida's State Board of Education Rules.

**Eligibility Meeting**—a meeting at which the parents and a group of school staff members decide if a student is eligible for ESE services. This decision is based on evaluation reports and other information. To be eligible, the student must meet the requirements listed in the Florida State Board of Education Rules.

**Eligible**—Refers to a student who meets the requirements for and is in need of ESE programs and services. The decision is based on State Board of Education rules.

**Emotional**—Having to do with feelings and the way one responds to and expresses feelings.

**Emotional/Behavioral Disability**—One of the ESE programs in Florida. It includes students who are “severely emotionally disturbed.” A student who has an emotional/behavioral disability may seem to act differently, think differently, or have different feelings from most students. In order to be eligible for programs and services for students who have emotional handicaps, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Employability Skills**—Skills necessary to get and keep a job. These are not technical skills but social and verbal skills that would help a person work well with others, communicate with others, follow directions, and be on time.

**ESE**—See “exceptional student education.”

**ESE Administrator**—The leader of a school district's ESE programs. This person works for the whole school district, not just one school.

**Evaluation**—A way of collecting information about a student's learning needs, strengths, and interests. It is used to help decide whether a student has a disability and is eligible for ESE programs and services. It may include giving individual tests, observing the child, looking at records, and talking with the student and parents.

**Evidence**—Pieces of written material (e.g., records, letters, notes, or work samples) that are used by parents or school districts in a due process hearing to help show that their point of view is the right one.

**Exceptional Student**—A student who has special learning needs as described in State Board of Education Rules. This includes students who have a disability. It



also includes students who are gifted. A child does not have to be in school to be an "exceptional student."

**Exceptional Student Education (ESE)**— The name given in Florida to educational programs and services for students with special learning needs (including those who have disabilities and those who are gifted). It is sometimes called "special education."

**Exceptionality**—A disability or special learning need. Giftedness is also an exceptionality.

**Family Support Plan (FSP)**—A written plan that describes the concerns and needs of the family related to the development of an infant or toddler who has a disability or developmental delay. It lists the services to be provided to the child and the family. An FSP may also be used instead of an IEP for children who are three, four, or five years old.

**FAPE**—See "free appropriate public education."

**Formal complaint**—See "complaint."

**Free Appropriate Public Education (FAPE)** — The words used in the federal law (IDEA) to describe the right of a student with a disability to special services that will meet his or her individual learning needs, at no cost to his parents.

**Frequency**—How often a service is provided, such as "twice a week."

**FSP**—See "family support plan."

**Functional Behavioral Assessment (FBA)** —The process of gathering data about problem behaviors of students with disabilities. Information about when, where, and under what conditions the behaviors occur is included.

**Functional Vocational Evaluation**—An ongoing process that identifies a student's work-related skills, interests, and need for training.

**GED Diploma**—A high school diploma earned by a student who is at least 18 years old and who passes the Tests of General Educational Development.

**General Educational Development Diploma**— See "GED diploma."

**General Curriculum**—The things that most non-disabled students are studying. In Florida, the general curriculum is the Sunshine State Standards, which describe what students are expected to know and be able to do at various points in their education.

**General Education**—The classes and activities most students participate in. It includes academic and vocational education.

**Gifted**—One of the ESE programs in Florida. A student who is gifted learns more easily than do other students. In order to be eligible for programs and services for students who are gifted, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Hearing Officer**—See "administrative law judge."

**Homebound or Hospitalized (HHB)** — One of the ESE programs in Florida. A student in this program must be taught at home or in a hospital for an extended period of time because of a severe illness, injury, or health problem. In order to be eligible for programs and services for students who are homebound or hospitalized, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**IDEA**—See "Individuals with Disabilities Education Act."

**Identification**—The determination that a student has a disability and what the disability is.

**IEP**—See "individual educational plan."

**IEP Meeting**—A meeting held at least every 12 months to write a student's IEP. Changes in a student's services or placement must be made at an IEP meeting.

**IEP Review**—A meeting held to discuss changing the IEP of a student with a disability. Any member of the IEP team, including the parent, may request an IEP review.

**Impartial**—Fair. An impartial person is one who does not take sides. For example, the person who runs a due process hearing must not work for the school district or be a friend of the parent.

**Independent Educational Evaluation (IEE)**—An evaluation asked for by a student's parents and done by someone who does not work for the school district.

**Independent Functioning**—A student's skills in meeting his or her own needs, such as feeding, dressing, and toileting; traveling safely; and using time management and organizational strategies.

**Individual Educational Plan (IEP)**—A written plan that describes the individual learning needs of a student with disabilities and the ESE services, supports, aids, and accommodations and modifications that will be provided to that student.

**Individual Evaluation**—See "evaluation".

**Individuals with Disabilities Education Act (IDEA)**—The most important United States law regarding the education of students with disabilities.

**Initiation Date**—The date, month, and year on which a service will begin for a student with a disability.

**Intellectually Disabled**—One of the ESE programs in Florida. A student who has an intellectual disability learns more slowly than other students. In order to be eligible for programs and services for students who are Intellectually Disabled, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Interagency Responsibilities**—Services listed on a Transition IEP that agencies have agreed to provide or help the school district provide.

**Interventions**—Strategies used to help a student make progress in learning or behavior. This term is often used for strategies implemented to help a student who has been referred, before or instead of evaluating the student's need for ESE services.

**Job Coaching**—Help for a student with disabilities in which a specially trained adult goes to the workplace with the student and helps the student to learn all the tasks that are part of that job.

**Learning Disability**—See "Specific Learning Disabilities."

**Least Restrictive Environment (LRE)**— The school setting (placement) that allows a child with a disability to be educated to the greatest extent possible with children who do not have disabilities.

**Linkages**—Connections between students with disabilities and agencies that provide adult services.

**Location**—Where services will be provided, such as "general education classroom."

**Manifestation**—Result. If a child's misbehavior is a result of his or her disability, the misbehavior is called a "manifestation" of the disability.

**Manifestation Determination Review**—A meeting at which a team decides if a child's misbehavior is a result of his or her disability.

**Matrix of Services**—A funding document used in Florida to determine the ESE cost factor that will apply to the services and supports provided to some students with disabilities.

**Measurable Annual Goal**—A statement in an IEP of what a student needs to learn and should be able to learn within one year.

**Mediation**—A process in which parents and school personnel try to settle disagreements with the help of a person who has been trained to resolve conflicts.

**Modification**—A change in the requirements of a course or the standards a student must meet. A change in *what* the student is taught or tested on. The change is based on the student's needs because of his or her disability. Compare with "accommodation."

**Motor**—Having to do with use of the large and small muscles to move parts of the body. Examples of motor skills are walking, holding and moving a pencil, and opening a door.

**Mutually Agreeable**—Acceptable to both the parents *and* the school. IEP meetings must be held at a time and place that is mutually agreeable.

**Notice**—A note or letter to parents about an action the school plans to take that will affect their child's education.

**Occupational Therapy (OT)**—Treatment for a student with a disability that helps the student to maintain, improve, restore, or develop skills needed for daily living, such as self-care and prevocational skills. These skills will help the student benefit from ESE services. Treatment is given by a licensed occupational therapist or licensed occupational therapy assistant. Occupational therapy is a related service. In order to be eligible for occupational therapy services, a student must meet all the requirements for an ESE program listed in the Florida State Board of Education Rules.

**On-the-Job Training (OJT)**—Instruction that provides students with realistic work experiences in order to help them acquire and apply knowledge, skills, and attitudes needed to hold a job.

**Orientation and Mobility Services**—Services that help students with visual impairments learn to move about safely in school, home, and community.

**Orthopedically Impaired.** Orthopedic impairment means a severe skeletal, muscular, or neuromuscular impairment. The term includes impairments resulting from congenital anomalies (e.g. including but not limited to skeletal deformity or spina bifida), and impairments resulting from other causes (e.g., including but not limited to cerebral palsy or amputations). In order to be eligible for programs and services for students who are orthopedically impaired, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Other Health Impaired.** Other health impairment means having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems.. In order to be eligible for programs and services for students who are other health impaired, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Participation**—Taking part in a task, such as making a decision or writing an IEP.

**Physical**—Having to do with the use or well-being of the body. An example of a physical skill is being able to sit in a chair with good balance and posture.

**Physical Therapy (PT)**—Treatment for a student with a disability that helps to maintain, improve, restore, or develop the student's movements and coordination so that he or she can benefit from ESE services. This treatment is given by a licensed physical therapist or licensed physical therapist assistant. Physical therapy is a

related service. In order to be eligible for physical therapy services, a student must meet all the requirements for an ESE program listed in the Florida State Board of Education Rules.

**Placement**—The type of setting in which the child is to receive special services. The placement may include one or more than one classroom or other area in which the student is to receive services for a particular amount of time.

**Post-School Activities**—Activities a student would like to pursue after finishing high school. Some post-school activities are postsecondary education, continuing and adult education, vocational training, employment, adult services, independent living, recreation, and community participation.

**Postsecondary Education**—The next level of education after high school, such as college/university course work or vocational/ technical training.

**Pre-Academic**—Having to do with skills a student needs to learn before he or she is ready to learn academic subjects, such as reading and math. Examples of pre-academic skills are knowing colors and holding a crayon or pencil correctly.

**Present Levels of Educational Performance**—Statements in an IEP that describe what a student can do or what he or she knows now.

**Prevocational**—Having to do with skills a student needs to learn before he or she is ready to learn job skills. Examples of prevocational skills are telling time, using a ruler to measure, and following directions.

**Procedural Safeguards**—Rules outlined in IDEA that give parents the rights to participate, have notice, and give consent. The procedural safeguards also determine how parents and schools can resolve disputes through mediation, due process, or complaint procedures.

**Reevaluation**—An evaluation that takes place after a student has already been receiving ESE services. A student with a disability must be reevaluated at least every three years to determine if the services he or she is receiving are still appropriate. Reevaluation may include new tests or other activities, or it may be based on review of data already available. See "evaluation."

**Referral**—A request that a child be given an individual evaluation. A referral may be made by a parent, a teacher, a doctor, or anyone who has worked with the child. Children do not have to be in school to be referred.

**Related Services**—Special help given to a student with a disability in addition to classroom teaching. Related services help a student benefit from instruction. Examples of related services are special transportation, social work services, physical and occupational therapy, and the services of readers for the blind.

**Residential Setting**—Where a person with a disability lives. Examples of residential settings include one's own home or apartment, a family care program, a foster care facility, a group home, and intermediate care facilities for the developmentally disabled (ICF/DD).

**School Psychologist**—A professional who conducts evaluations, especially intelligence testing. A school psychologist may also work with classroom teachers, parents, and school administrators on behavior assessments and behavior management.

**School Social Worker**—A professional who may provide services in the home, including parent-student conferences, family counseling, parent education, information and referral, social-developmental history, and behavior assessments, as well as services in the school and community, including parent groups.

**Screening**—A way of testing a group of students to find out if any of them need an individual evaluation.

**Self-Advocacy**—Actions a person with a disability takes to be sure his or her needs are understood and met, wishes are respected, and rights are honored.

**Self-Help**—Having to do with skills that allow a student to do things for himself. Examples of self-help skills are a student being able to dress or cross the street without help.

**Sensory**—Having to do with the use of the senses of hearing, seeing, touching (feeling), smelling, or tasting as a part of learning. An example of a sensory skill is being able to see the differences between letters of the alphabet.

**Short-Term Objectives**—Statements in an IEP that describe small, measurable steps a student must learn or master before the student can reach one of his or her "measurable annual goals." An IEP must include either short-term objectives or "benchmarks."

**Situational Vocational Assessment**—A system of observation used to gather information about a student's work-related behavior in a controlled work environment.

**Social**—Having to do with a student's ability to get along with other people— adults or children. An example of a social skill is being able to play well with other children.

**Special Certificate of Completion**—This certificate is given to students with disabilities who pass the required ESE courses in high school but fail to master the Sunshine State Standards for Special Diploma. See "certificate of completion," and "special diploma."

**Special Diploma**—The diploma given to students with disabilities who are not able to meet the regular Sunshine State Standards and receive a standard diploma. There are two types of special diploma, special diploma option 1 and special diploma option 2. To receive special diploma option 1, the student must meet the Sunshine State Standards for Students with Disabilities. Criteria for special diploma option 2 are based on the individual needs of the student.

**Special Education**—See "exceptional student education."

**Specific Learning Disabilities**—One of the ESE programs in Florida. A student with a specific learning disability has average or above average ability but is still unable to learn things as easily as most other students do. In order to be eligible for programs and services for students who have specific learning disabilities, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Speech and Language**—Having to do with a student's ability to talk, write, listen, or read. This includes understanding others and making himself or herself understood. An example of a speech-language skill is being able to put words together into a sentence.

**Speech and Language Impaired**—Two ESE programs in Florida. A student who has a speech or language impairment has problems talking so that he or she can be understood or understanding what others are saying. In order to be eligible for programs and services for students with speech-language impairments, a student



must meet all the requirements listed in the Florida State Board of Education Rules.

**Speech-Language Pathologist**—A professional trained to identify and treat communication disorders. Speech-language pathologists assist persons with speech and language disorders. They work with classroom teachers to help children with communication problems and to develop lessons on the communication process. They also work with parents to understand and help their children who have communication disorders.

**Standard Diploma**—Diploma granted to students who earn a specified number of credits and grade point average, meet the regular Sunshine State Standards, and pass the state graduation test. This is the general education diploma.

**State Board of Education Rules**—The rules developed to implement Florida's laws related to education.

**Stay-Put Placement**—The child's current placement, which the child stays in while a disagreement is being resolved through a due process hearing.

**Sunshine State Standards**—A set of objectives that describe what Florida's students are expected to know and be able to do at certain stages of their school career. Most students with disabilities are able to meet these standards if they have the right services and accommodations.

**Sunshine State Standards for Special Diploma**—A set of objectives students with disabilities in Florida work on if they cannot meet the regular Sunshine State Standards.

**Supplemental Security Income (SSI) Benefits**—Benefits paid to children with disabilities who are under age 18 and whose families have limited income. When a young person turns 18, and the income of his or her parents are no longer considered; the young person becomes a family of one. A young adult who was not eligible for SSI before his or her 18th birthday because his or her parents' income was too high may become eligible at 18 and should reapply.

**Supplementary Aids and Services**—Aids and services provided in general education classes or other education-related settings to enable students with disabilities to be educated with non-disabled students. These are listed in the IEP.

**Supported Employment**—Competitive work at or above minimum wage that provides regular opportunities for interaction with non-disabled people. Supported employment gives people with disabilities help in getting and keeping a job.

**Supports for School Personnel**—Support that enables a general education or ESE teacher to help a child progress in the general or special education curriculum. These are listed in the IEP.

**Transfer of Rights**—The shift of rights from the parent of a student with a disability to the student when the student reaches the "age of majority."

**Transition IEP Meeting**—The IEP used for students age 14 and older. The transition IEP helps prepare students for life after school.

**Transition IEP**—An IEP meeting for a student age 14 or older. A major purpose of this meeting is to help plan a young person's move into adult life.

**Transition Service Needs**—See "courses of study."

**Transition Services**—Activities that help a student move from school to post school activities.

**Traumatic Brain Injured.** A traumatic brain injury means an acquired injury to the brain caused by an external physical force resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance. In order to be eligible for programs and services for students that is traumatic brain injured, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Visually Impaired**—One of the ESE programs in Florida. A student with a visual impairment has a loss of some or all of the ability to see. This includes students who are blind or partially sighted. In order to be eligible for programs and services for students who have visual impairments, a student must meet all the requirements listed in the Florida State Board of Education Rules.

**Vocational**—Having to do with skills needed for a trade or technical career. Examples of vocational skills are typing and carpentry.

**Witnesses**—Persons who can make statements in a due process hearing that will help to prove to the administrative law judge that a parent's or a school district's point of view is the correct one.

The Clearinghouse Information center at FL DOE has a variety of publications available. Contact them at 850-245-0477 or [www.fldoe.org/ese/pub-home.asp](http://www.fldoe.org/ese/pub-home.asp)