

Vernonia School District Special Education Manual

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Section 1

Our Mission

Our promise is to engage, inspire, and prepare all students to learn, lead, and contribute toward a just community, both local and global.

Our Vision

Vernonia School District is an exceptional and equitable district, where all students are motivated, empowered, and prepared to succeed.

The purpose of this manual is to create a resource for Special Education Teachers and Student Services staff when questions may arise throughout the school year. The manual is designed to allow staff to remain in compliance with District and ODE regulations while providing a high level of exceptional services to our students and families.

The manual is designed to reflect the most current information that our district has regarding Special Education. With that said, district, state, and federal guidelines and expectations will often change throughout a given school. Special Education staff is expected to remain current on best practices and compliance expectations as part of their professional job requirements. Special Educators can find the most current ODE compliance information through the following link:

What is Special Education?

The definition we use for stakeholders

Under IDEA, special education is defined as *“Specially designed instruction, at no cost to the parent, to meet the unique needs of a child with a disability.”* A disability is an inability or a reduced capacity to

perform as other children do because of some impairment in sensory, physical, cognitive, or other areas of functioning.

In special education, children are categorized with exceptionalities. A category is a label assigned to individuals who share common characteristics and features.

Under the Individuals with Disabilities Education Act (IDEA), there are 12 categories of disability:

- Autism Spectrum Disorder
- Deaf-Blindness
- Emotional Disability
- Hearing Impairments (including deafness)
- Intellectual Disability
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech and Language Impairment
- Traumatic Brain Injury
- Visual Impairments including Blindness
- Developmental Delay

September 2021

Name changes in the disability code list

- 20 change to "Deaf or Hard of Hearing" from "Hearing Impairment"
- 40 change to "Visual Impairment Including Blindness" from "Visual Impairment"
- 50 change to "Speech/Language Impairment" from "Communication Disorder"
- 60 change to "Emotional Behavior Disability" from "Emotional Disturbance"
- Regional Programs now known as Regional Inclusive Services.
- Expanding Timeline Not Met Comment to 250 characters.

When talking to families or staff regarding our students with disabilities, it is vital to **put the person first**. **Say “The child with autism” NOT “The Autistic Child.”** This puts the focus on the individual and not the disability.

VSD Guiding Principles

The Individuals with Disabilities Act (IDEA) was developed under seven major principles. These principles shape our process and our procedures.

1. **Informed Consent**. Before any evaluations, testing, or placement can be done; there **must be parental informed consent**. Informed consent is defined as the following:
 - a. The parent has been **fully informed** of all information relevant to the activity for which consent is sought, in his or her native language or another mode of communication.

- b. The **parent understands and agrees in writing** to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) which will be released and to whom.
 - c. The parent understands that the issuing of consent is voluntary and may be revoked at any time.
- 2. **Zero Reject.** Establishes that all students have the right to a public school education and cannot be excluded because of a disability.
 - a. **All students have the right to appropriate public school education at no cost to the parent regardless of the extent of the disability. "Free" is easy to understand but what is "appropriate"? It is the responsibility of the IEP team to develop an educational plan that is "appropriate" and that meets the student's needs. This plan is based on data.**
- 3. **Non-Discriminatory Evaluations.** Students must participate in Non-Discriminatory evaluations. Under IDEA, six criteria must be met in order for an evaluation of a suspected disability to be considered a non-discriminatory evaluation:
 - i. When considering eligibility for special education, the **evaluation must be done by a multidisciplinary team.**
 - ii. All testing materials and procedures used for the purposes of evaluation and placement of children with disabilities must be selected and administered to not **to be racially or culturally discriminatory.**
 - iii. All tests and other evaluation materials must have been validated for the specific purpose for which they are used.
 - iv. Tests and other evaluation materials must **be administered by trained personnel** who conform to the instructions provided by the test's producer.
 - v. **No single procedure** can be used as the **sole criterion** for determining an appropriate educational program for a child.
 - vi. Reports must be **interpreted in the native language.** When doing an assessment, all reports must be interpreted in the parent's native language.
- 4. **Least Restrictive Environment.** Students with disabilities need to be placed in the **school setting that is best suited to meet their educational needs (LRE).**
 - i. There is also a provision in IDEA that states that students with disabilities are to be educated with their non-disabled peers to the maximum extent appropriate.
- 5. **Individualized Education Program (IEP).** All students in special education are required to have an individualized education program designed to meet their needs. The IEP includes both short- term and long-term goals, along with how and where services will be provided. **The IEP must be written by a team.**
- 6. **Due Process.** All students and their parent(s) or guardian(s) are afforded due process. If a conflict or disagreement ensues concerning a student's eligibility for special education

- a. placement or services, **no changes can be made until the issue has been settled by mediation or an impartial hearing.**

7.

Adherence to the previous principles will ensure that a student's rights have been protected, and will help should the situation require mediation or due process resolution. By seeking to follow both the spirit and the letter of the law, students are provided with a meaningful educational experience.

Section 2

CHILD FIND

I. General Child Find

- A. The Vernonia School District implements an ongoing system to locate, identify and evaluate all children birth to 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education, or special education services.
- B. The VSD identifies all children with disabilities, regardless of the severity of their disabilities, including children who are:
 - 1. Highly mobile, such as migrant and homeless children;
 - 2. Wards of the State;
 - 3. Indian preschool children living on reservations;
 - 4. Suspected of having a disability even though they advance from grade to grade;
 - 5. Home schooled;
 - 6. Attending private (religious or secular) school located within the boundaries of the school District;
 - 7. Below the age of compulsory school attendance; or,
 - 8. Above the age of compulsory school attendance who have not graduated from high school with a regular diploma and have not completed the school year in which they reach their twenty-first birthday.

The VSD is required to conduct a thorough and complete yearly "Child Find" at the beginning of the school year to determine the number of parentally placed private school children with disabilities within the Vernonia School District's boundaries.

Currently, VSD has no private schools within its boundary.

EVALUATION, REEVALUATION AND ELIGIBILITY

All requirements for evaluation, reevaluation, and eligibility that apply to public school students with disabilities will be met with regard to evaluations for private school / home school students who are suspected of having a disability.

STUDENTS ATTENDING PRIVATE SCHOOLS

Child Find

The Vernonia School District conducts a thorough and complete yearly child find to determine the number of parentally placed private school children with disabilities within the Vernonia School District's boundaries. The Director of Special Education or designee will provide timely and meaningful consultation with each private school located within VSD.

[ODE Special Education Child Find Manual](#)

Evaluation, Reevaluation and Eligibility

All requirements for evaluation, reevaluation, and eligibility that apply to public school students with disabilities will be met with regard to evaluations for private school and home school students who are suspected of having a disability.

Service Plan

Parents can choose not to accept public education in favor of their parental private school placement. When they make this choice, VSD is not obligated to provide FAPE to the student. Rather, a Private School Service Plan is negotiated with the parent and private school representative, if the parent wants to access some special education services while the student attends the private school.

In a private school setting, the service plan replaces the public school's Individualized Education Plan (IEP) form. In developing the student's service plan VSD will:

- Initiate and conduct meetings to develop, review and revise a service plan for the student.
- Ensure that a representative of the private school is present for each meeting.
- The student's service plan will describe the specific special education and related services that VSD will provide.
- VSD will continue to review and revise the student's service plan at least one time per academic year.
- VSD is not required to provide transportation from the child's home to the private school. VSD will provide transportation from the private school to the service site of the public school if such services are documented on the student's service plan.

Home Schooling for Special Education Students

Child find and evaluation is provided - no services are provided unless VSD and homeschool provider agree.

Parents can choose not to accept public education in favor of a home school setting. When they make this choice (not VFA), the NWRESd contacts VSD office secretary. The special education compliance officer needs to be made aware of any home school students in VSD.

Section 3 - Free Appropriate Public Education (FAPE)

Referral Process

The referral process is the first step towards possible special education eligibility. The referral process assumes that general education/SST teams have done the following:

- Documented culturally responsive interventions over time
- File review
- Collected student academic and behavior data
- Informed parents of an SST referral.

Once the SST team has collected the above data and determined a need for further information and possible special education evaluation, a consultation with the school psychologist will occur. There will be two possible outcomes through collaboration between the school psychologist and the SST team:

1. A referral for special education evaluation, or
2. A referral back to the SST team for additional intervention and data gathering.

Student Admission

- A. The VSD admits all resident school age children with disabilities and makes special education and related services available at no cost to those:
1. Who have reached 5 years of age but have not yet reached 21 years of age on or before September 1 of the current school year, even if they have not failed or have not been retained in a course or grade or are advancing from grade to grade;
 2. Who have not graduated with a regular diploma;
 3. Who have been suspended or expelled in accordance with special education discipline provisions; or,
 4. Who reach age 21 before the end of the school year. These students remain eligible until the end of the school year in which they reach 21.
- B. The VSD determines residency in accordance with Oregon law.
- C. VSD may, but is not required to, provide special education and related services to a student who has graduated with a regular diploma.
- D. VSD provides a continuum of services to meet the individual special education needs of all resident children with disabilities, including resident children enrolled in Vernonia Family Academy.
- E. State law prohibits VSD from recommending to parents, or requiring a child to obtain, a prescription for medication to affect or alter thought processes, mood or behavior as a condition of attending school, receiving an evaluation to determine eligibility for early childhood special education or special education, or receiving special education services.
- F. If the IEP Team determines that placement in a public or private residential program is necessary to provide FAPE, the program, including non-medical care and room and board, must be at no cost to the parents of the child.

Protections for students not yet eligible for special education

If VSD has the knowledge and/or suspects that a student is disabled prior to the disciplinary infraction, he/she is entitled to the same protections as a student on an IEP. The basis of knowledge would include:

- The parent of the child has expressed concern that their child needs special education services in writing;
- The parent has requested a special education evaluation;
- School personnel has expressed specific concerns about a pattern of behavior from the child directly to the special education director or another administrator in the building where the student attends;

- The student is in the process of being evaluated for special education at the time the behavior occurs.

Section 4 - Evaluation and Eligibility

I. VSD Responsibility for Evaluation and Eligibility Determination

- A. VSD is responsible for evaluating and determining eligibility for special education services for school-age children.
- B. VSD is responsible for evaluating children who may be eligible for Early Intervention/Early Childhood Special Education (EI/ECSE) services. VSD's designated referral and evaluation agency is responsible for determining eligibility.
- C. Upon completion of the evaluation, VSD provides the parent or eligible child a copy of the evaluation report at no cost. The evaluation report describes and explains the results of the evaluation.
 - a. Evaluation report is mailed to the parent or guardian.
- D. Upon completion of the eligibility determination, VSD provides the parent or eligible child documentation of eligibility determination at no cost.
 - a. Eligibility determination form is mailed to the parent or guardian.
- E. VSD conducts a comprehensive evaluation or reevaluation before:
 1. Determining that a child has a disability;
 2. Determining that a child continues to have a disability;
 3. Changing the child's eligibility;
 4. Providing special education and related services,
 5. Terminating the child's eligibility for special education, unless the termination is due to graduation from high school with a regular diploma or exceeding the age of eligibility for a free appropriate public education.
- F. Prior written notice is provided to the parent or guardian upon completion of the eligibility determination (regardless of the outcome/team's decision.)
- G. Before conducting **any** evaluation or reevaluation, VSD:
 1. Plans the evaluation with a group that includes the parent(s);
 2. Provides prior written notice to the parent that describes any proposed evaluation procedures the agency proposes to conduct as a result of the evaluation planning process; and,
 3. Obtains informed written consent for evaluation.
 - a. Including evaluations completed via file review.

II. Request for Initial

Evaluation Parent Request for

Evaluation

Parents may request an evaluation and referral for special education from time to time. When the special educator is made aware of this request, the following steps need to be implemented:

Evaluation Process

- Call the parent or guardian to set up a meeting to review and discuss parent concerns.
 - Prior to the meeting, the special educator will gather the student's academic, attendance, and behavioral data.
 - Required meeting participants are parents, special education case managers, and administrators.
 - A clear jargon-free explanation that informs the parent or guardian of how the school will proceed with next steps, including three possible outcomes:
 - A referral to SST (if that has not already occurred),
 - A plan that continues interventions related to the parent concern(s), or
 - The beginning of the 60-day Evaluation process.
- A. Consistent with its child find and parent consent obligations, VSD responds promptly to requests initiated by a parent or public agency for an initial evaluation to determine if a child is a child with a disability.
- B. Upon receiving a request from a parent or public agency for an initial evaluation, VSD designates a team to determine whether an initial evaluation will be conducted.
1. VSD team includes the parent and at least two professionals, at least one of whom is a specialist knowledgeable and experienced in the evaluation and education of children with disabilities.
 - a. The team may make the decision to evaluate with or without a meeting.
 - b. VSD documents team members' input, including parents, whether or not VSD convenes a meeting.
 - c. If a meeting is held, VSD invites parents to participate.
 - d. If VSD agency refuses an evaluation requested by the parent, VSD provides the parent with prior written notice of its refusal to conduct an evaluation.
 - e. VSD acknowledges the parent's right to challenge its refusal to conduct an evaluation.
 2. The initial evaluation consists of procedures
 - a. To determine if the child has a disability; and,
 - b. To identify the child's educational needs.
- C. VSD conducts the initial evaluation within 60 school days of receiving parental consent for evaluation, unless:

1. VSD and the parents agree in writing to extend the timeline for an evaluation to determine eligibility for specific learning disabilities;
2. The child moves from another school district during the evaluation, VSD is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and VSD agree in writing to a specific time when the evaluation will be completed.

III. **Reevaluation**

A. VSD conducts reevaluations:

1. When the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation;
2. When the child's parents or teacher requests a reevaluation; and
3. At least every three years, unless that parent and VSD agree that a reevaluation is unnecessary.

B. VSD does not conduct reevaluation more than once a year, unless the parent and District agree otherwise.

Process for Re-Evaluation for Special Education Student is due for triennial re-evaluation

<u>Re- Evaluation Planning</u>	<u>Evaluation</u>	<u>Eligibility</u>
• 60 days prior to the three- year re-evaluation due date, the IEP team, including parents, reviews existing information using the Re-Evaluation planning form. • The team determines which testing, if any, is required to conduct the evaluation	• School Psychologist conducts cognitive, behavior (FBA) K-12 assessments. • School Psychologist will be responsible for academic testing in grades K-12. • Speech Pathologist is responsible for speech/language tests.	• Case manager collaborates with the IEP team to schedule a re-evaluation meeting within 60 days of consent (signature obtained.) <i>Send information to Kim Hathcoat to schedule meeting</i> • School psychologist prepares eligibility paperwork for meeting • If SLP is case managing, they will prepare CDD eligibility paperwork) • If team determines that the student remains eligible for special

• Consent for Evaluation is required. The consent for evaluation must be in the parent's native language and English. • Copy of Re-Evaluation Planning and Consent needs to be sent to the special education secretary. Original consent will be filed in the official special education file.	• Related service providers are responsible for their own related evaluations such as OT/PT, ASD, vision, and hearing. • All results submitted to the school psychologist to compile the psychological report.	education services, IEP will be updated. • If teams determine that the student is no longer eligible for special education services, the case manager will send a Prior Written Notice informing parents of the decision. The case manager will also inform the special education secretary of the decision through email.
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IV. Evaluation Planning:

- A. VSD, or designated referral and evaluation agency for preschool children, ensures that, as part of an initial evaluation (if appropriate), the child's IEP or IFSP team, including the parents, and other qualified professionals, as appropriate, review and document their review of existing evaluation data on the child, including:
 1. Evaluations and information provided by the child's parent(s);
 2. Current classroom-based, local, or state assessments, and classroom-based observations; and,
 3. Observations by teachers and related services providers.
- B. On the basis of that review and input from the child's parents, identify what additional data, if any, are needed to determine:
 1. Whether the child has a disability;
 2. The child's present levels of academic achievement and related developmental needs;
 3. Whether the child needs, or continues to need, EI/ECSE or special education and related services; and,

4. For reevaluation, whether the child needs any additions or modifications to special education and related services or, for a preschool child, any additions or modifications to ECSE services:
 - a. To enable the child to meet the measurable annual goals in the child's IEP or IFSP; and,
 - b. To participate, as appropriate, in the general education curriculum or, for preschool children, appropriate activities.

V. Evaluation Procedures

- A. VSD assesses the child in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- B. The evaluation is sufficiently comprehensive to identify all of the child's special education and related service's needs, whether or not commonly linked to the disability category in which the child has been classified.
- C. The evaluation includes information **provided by the parent** and a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child that assist in determining:
 1. Whether the child has a disability; and,
 2. The content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities).
- C. VSD ensures that assessments and other evaluation materials, including those tailored to assess specific areas of educational need, used to assess a child:
 1. Are selected and administered so as not to be discriminatory on a racial or cultural basis;
 2. Are provided and administered in the **child's native language** or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so;
 3. Are used for the purposes for which the assessments or measures are valid and reliable;
 4. Are administered by trained and knowledgeable personnel; and,
 5. Are administered in accordance with any instructions provided by the producer of the assessments.

- D. VSD selects and administers assessments to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).
- E. VSD uses technically sound assessments that assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- F. VSD does not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.

Required Special Education Eligibility Documentation

Each Special Education Eligibility requires specific documentation to determine if a child meets eligibility criteria as a student with a "Certain" disability.

Form: [Special Education Eligibility Checklist](#)

VI. Requirements If Additional Evaluation Data Are Not Needed to Determine Eligibility

- A. If the child's IEP or IFSP team determines that no additional data are needed to determine whether the child is or continues to be a child with a disability, and to determine the child's educational and developmental needs, VSD provides prior written notice of that decision, the reasons for it, and the right of parents to request an assessment.
- B. When the IEP or IFSP team determines that no additional data is needed to determine eligibility, VSD does not conduct an assessment of the child unless requested to do so by the parents.

VII. Eligibility Determination

- A. Once evaluation is completed, VSD designates an eligibility team to determine whether the child is eligible for special education services.
- B. This team includes:
 - 1. Two or more professionals, one of whom will be knowledgeable and experienced in evaluating and teaching students with the suspected disability; and,
 - 2. The student's parent(s).
 - 3. For consideration of eligibility in the area of specific learning disabilities, VSD eligibility team includes:

- a. A group of qualified professionals and the parent;
 - b. The child's regular classroom teacher or, if the child does not have a regular classroom teacher, a regular classroom teacher qualified to teach a child of his or her age, or, for a child of less than school age, a preschool teacher; and,
 - c. A person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or other qualified professional.
- C. In interpreting evaluation data each District team carefully considers and documents information from a variety of sources, including but not limited to, aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background and adaptive behavior and all required elements of the evaluation.
- D. Each eligibility team prepares a written eligibility statement that includes:
 - 1. Identification of the evaluation data considered in determining the child's eligibility, including the required evaluation components for the disability under consideration;
 - 2. A determination of whether the child meets the minimum evaluation criteria for one or more of the disability categories in Oregon Administrative Rule;
 - 3. A determination of whether the primary basis for the suspected disability is:
 - a. A lack of appropriate instruction in reading (including the essential components of reading) or math; or,
 - b. Limited English proficiency;
 - 4. A determination of whether the child's disability has an adverse impact on the child's educational performance;
 - 5. A determination of whether, as a result of the disability, the child needs special education services;
 - 6. The signature of every team member and an indication of whether each agrees with the eligibility determination;
 - 7. For a child suspected of having a specific learning disability, the team's written report includes additional specific documentation as required by Oregon Administrative Rule.
- E. The team does not find a child eligible as a child with a disability if:
 - 1. The determinant factor for that eligibility decision is:
 - a. Lack of appropriate instruction (Attendance) in reading, including the essential components of reading instruction, or lack of appropriate instruction in math; or,

- b. Limited English proficiency; and,
 - c. The child does not otherwise meet the eligibility criteria found in Oregon Administrative Rule for the category(ies) of disability under consideration.
- F. The team finds a child eligible if the child has a disability and needs special education and related services, even though the child is advancing from grade to grade.
- G. A child may have disabilities in more than one disability category, but the team needs to find the child eligible under only one category. However, VSD evaluates the child in all areas related to the suspected disability or disabilities, and the child's IEP addresses all of the child's special education needs.

*****Eligibility Statements**

*Eligibility Statements are used only to establish and to re-establish eligibility and the need for special education services. This determination is made only after a **full and comprehensive evaluation of the student is complete.***

*Parents **MUST** be given a copy of the eligibility statement(s).*

After the meeting

After an eligibility determination, the following paperwork will be turned in to the Special education secretary

- Prior notice - completed by case manager
- Meeting minutes - completed by District Rep; uploaded to Orsped & turned in by case manager
- Eligibility form - completed by school psychologist & turned in by case manager
- Evaluation report(s) - completed by school psychologist & turned in by case manager
- Procedural Safeguards - printed by special education secretary, if needed

Meeting paperwork to be turned in to the Sped secretary inbox. Secretary mails all paperwork listed above to parent/guardian within 10 school days.

Section 5- Individualized Education Program (IEP)

1. The Vernonia School District ensures that an IEP is in effect for each eligible student including:
 - a) Before special education and related services are provided to a student, and,
 - b) At the beginning of each school year for each student with a disability for whom the District is responsible.
 - c) All the special education and related services, including program modifications, supports, and/or supplementary aids and services, as identified on the IEP.
2. VSD uses:

The Oregon Standard IEP

- a) VSD develops and implements all provisions of the IEP as soon as possible following the IEP meeting, specifically the next school day or indicated in the service summary.
- b) The IEP will be accessible to each of the student's general education teacher(s), the student's special education teacher(s), and the student's related services provider(s), and other service provider(s).
 - a. VSD teachers can access IEP documents on Synergy (SIS) platform
 - b. Or, request a paper copy through case manager

- c) VSD takes steps to ensure that parents are present at each IEP meeting or have the opportunity to participate.
 - a. VSD currently holds meetings in-person, and offers parents to option to attend via alternative platforms (Google Meets or phone).
 - b. Parents receive a minimum of three meeting reminders
 - i. Phone call, Meeting notice, and meeting reminder prior to meeting
- d) VSD takes whatever action is necessary to ensure that parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.
- e) VSD provides a copy of the IEP to the parents at no cost, within 10 school days of the meeting date.

Meeting Notices

- 1) VSD must provide parents with a written notice, in the parent's native language, of the meeting sufficiently in advance to ensure one or both parents will have the opportunity to attend.
- 2) The written notice must state the purpose, time, and place of the meeting and who will attend.
- 3) The notice must inform the parent that they may invite other individuals whom they believe have knowledge or special expertise regarding the child, inform the parent that the team may proceed with the meeting even if the parent is not in attendance, and inform the parent of whom to contact before the meeting to provide information if they are unable to attend.
- 4) Meeting Notices must be sent to IEP team members a minimum of **ten** school days prior to the scheduled IEP/Eligibility meeting.
- 5) Required team members include parent or adult student, special education provider, general education teacher, district representative, and individual interpreting instructional implications of evaluations.
 - a. A team member may serve in multiple roles if they meet the requirement for the designated role.
 - b. Students 16 and over must be invited to the IEP meeting.
 - VSD invites all students grades 9 through age 21 to their IEP meetings.
- 6) In addition to the Meeting Notice form, parents may also be notified via phone call, email and/or home visit when the case manager is concerned that a parent may not be able to attend. Efforts to contact parents must be made through multiple modes and attempts (at least three).

IEP Sections

- 1) The IEP document is designed to be a working document throughout a year.

- a. Although a formal IEP meeting is held at least once per year, multiple IEP meetings could be called by any team member throughout the IEP year, based on student needs and progress.
- 2) There are two roles that the IEP document serves:
 - a. One is compliance for IDEA
 - b. Implementation of best practices to provide students with quality services and supports.
- 3) The IEP document should have a logical flow throughout, meaning that there should be a clear connection from the present level to all other sections of the document.

Meeting Participants

- 1) Required team members include:
 - a. Parent or Adult Student
 - b. Special Education Provider
 - c. General Education Teacher
 - d. District Representative
 - e. Individual Interpreting Instructional Implications of Evaluations
- 2) For required team members to be excused, parent must be notified and give consent prior to the meeting being held; parent and District complete a written agreement form
 - a. If a parent does not give consent for the excusal of a team member, all required team members must be present.
 - b. A meeting may need to be rescheduled when all required members can be present.
- 3) For someone to be identified as district representative, they must meet the following requirements:
 - a. Qualified to provide, or supervise the provision of, specially designed instruction;
 - b. Knowledgeable about the general education curriculum;
 - c. Knowledgeable about district resources; and
 - d. Authorized to commit district resources and ensure that services set out in the IEP will be provided.
 - VSD Administrators serve as district representatives
 - Sped Director may designate another staff member to serve as district rep.
- 4) A team member may serve in multiple roles if they meet the requirement for the designated role
- 5) A written agreement must be completed for a required team member to be excused
- 6) When required team members are excused from all or part of the meeting, written input must be provided prior to the meeting- See further information under *Excusing Required Team Members from Meetings*
- 7) The general education teacher is a required member if the student is or may be participating in the general education environment; this decision is made on an individual basis and should not

be generalized based on placement (transition, self-contained programs, etc.), eligibility category, age, or any other student characteristics; however, best practice is to always include the general education teacher in the IEP meeting to avoid predetermination

- 8) When conducting IEP team meetings and placement meetings, the parent of a child with a disability and a school district may agree to use alternative means of meeting participation, such as video conferences or conference calls.

Procedural Safeguards

- 1) VSD must provide Procedural Safeguards to parents at least one time a school year, and a copy also must be given to the parents –
 - a. Upon initial referral or parent request for evaluation;
 - b. Upon receipt of the first State complaint and upon receipt of the first due process complaint in a school year (provided by ODE);
 - c. In accordance with the discipline procedures; and
 - d. Upon request by a parent
 - e. When rights transfer at age of majority, safeguards should be provided to the parent and adult student
- 2) Procedural Safeguards must be provided to the student at least one year before the student's 18th birthday
- 3) Procedural Safeguards should be offered in a print format first unless parent indicates electronic mode is preferred. *Case manager needs to ask parent this question at special education meeting.*
- 4) If parents refuse a copy of the procedural safeguards, team should indicate YES on the IEP; parents were provided with the safeguards but declined a copy. *Also indicate this in meeting notes.*

[Link to Procedural Safeguards- Parent Right for Special Education](#)

Excusing Required Team Members from Meetings

- 1) A **required** team member who is not able to attend the meeting should notify the special education case manager before the scheduled IEP/ eligibility meeting.
- 2) The case manager then needs to call the parent/caregivers **well in advance of the meeting** and inform them that the team member is unable to attend.
- 3) Parents have the right to reschedule the meeting at a time all team members can be present.
- 4) If parents agrees to excuse the **required** team member and hold the meeting as scheduled, the parent and case manager will sign a Written Agreement.
- 5) The excused team member must provide input in writing for the IEP meeting.

- 6) The parent is informed of all information related to the excusal in the parent's native language or other mode of communication according to consent requirements.

Cover Page

- 1) The purpose of the cover page is to provide demographic information and an attendance record for the IEP meeting.
- 2) If meeting are held in person:
 - a. It is recommended that the case manager bring a blank cover page to the IEP meeting for members to sign.
 - b. After the meeting, create a duplicate cover page with the typed names of attendees and attach it to the IEP.
- 3) If the meeting is held online:
 - a. Case manager will input all names of meeting attendees on cover page before meeting is held.
 - b. If a member is absent, or another staff member is present, the case manager will update attendee names on meeting notice.

Special Factors

- 1) BEHAVIOR:
 - a. The IDEA strongly supports the notion that IEP teams should proactively consider and implement BIPs (Behavior Intervention Plans) based on functions of the student's behavior (i.e., not waiting for a removal situation).
 - b. Districts are required to address behavior that impedes the student's learning or the learning of others.
 - Such behaviors may include, but are not limited to: disruptive behavior that distracts a teacher from teaching and a student and his or her peers from learning, noncompliance, abuse of property, verbal abuse, aggression toward students or staff (*Yell, Bateman, & Shriner, 2022*).
 - c. Reasonable attempts must be made to obtain parent consent to conduct a Functional Behavior Assessment (FBA).
 - d. If Yes, the IEP team must describe Behavior needs in the present levels; needs may also be addressed in the following areas: service summary, goals, assessment, ESY and/or transition.
- 2) LIMITED ENGLISH PROFICIENCY:
 - a. Teams should indicate the English Language Proficiency Level as identified on the ELPA21 or other English language identification assessments in a way that is understandable to the team and family (e.g., 3: Intermediate)
 - b. Present Levels should further describe the English Language Proficiency Level; for example, simply stating in the present levels that a student scored a "3: intermediate" is not enough information to guarantee all members of the IEP team understand the student's English proficiency level.
 - c. IEP Teams should collaborate with the English Language Specialist to clearly understand and identify the student's language needs as they relate to the IEP

3) BLIND OR VISUAL IMPAIRMENTS:

- a. Braille must be included in the IEP unless, based on an evaluation of reading/writing skills, the team determines it is not appropriate for the student

- b. The use of braille must be considered annually
 - c. To indicate a YES, student must meet OAR Eligibility Requirements for Vision Impairment
 - d. If Yes, the IEP team must describe visual needs in PLEP; needs may also be addressed in the following areas: service summary, goals, assessment, ESY, and/or transition
- 4) COMMUNICATION:
- a. To indicate a YES, assessment data must reflect a student's need in at least one of the following areas: receptive, expressive, articulation, oral motor, pragmatics, fluency, or voice
 - b. If Yes, the IEP team must describe communication needs in PLEP; needs may also be addressed in the following areas: service summary, goals, assessment, ESY, and/or transition
- 5) DEAF AND HARD OF HEARING:
- a. To indicate a YES, student must meet OAR eligibility requirements for Deaf or Hard of Hearing
 - b. If Yes, the IEP team must describe hearing needs in PLEP; needs may also be addressed in the following areas: service summary, goals, assessment, ESY, and/or transition
 - c. In the PLEP, teams may discuss and identify modes of communication, supports, or services (i.e., ASL, hearing aids, FM system, type of loss, interpreter, visual technology, etc.)
- 6) ASSISTIVE TECHNOLOGY:
- a. Assistive technology may include low tech devices (pencil grips, slant boards, raised line paper, etc.) and high tech devices (iPad, augmentative communication devices, software programs, etc.)
 - b. Assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.
 - c. Assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device (See OAR 581-015-2000 for complete definition)
 - d. To indicate a YES, data must reflect a need for assistive technology device or service
 - e. If IEP team determines student needs assistive technology based on classroom trials of equipment/program, no formal evaluation is required; the decision and supporting data should be documented in the present levels
 - f. If an IEP team determines an assistive technology evaluation is needed, reasonable attempts must be made to obtain parent consent
- 7) ACCESSIBLE INSTRUCTIONAL MATERIALS:
- a. To indicate a YES, there must be evidence that indicates the student cannot use typical educational materials effectively due to a disability that impacts access to information

- b. Accessible instructional materials refers to changes in format of the materials, not in modifications to the content (braille, large print, audio, digital)
- c. Supports for students who cannot effectively use educational materials should be addressed in the statements of present levels of academic achievement and functional performance

Present Levels

The IEP team must review, document, and discuss the following: Strengths of Student, Parent Input, Present Level of Academic Performance, Present Level of Functional Performance, and Impact of Disability on the Involvement and Progress in General Education.

STUDENT OVERALL STRENGTHS, INTERESTS, AND PREFERENCES

- 1) This case manager must capture the student strengths, interests, and preferences that may not fit under academic or functional strengths
- 2) IEP Teams might identify strengths, interests and/or preferences to be later addressed in more detail within the Academic/Functional Performance
- 3) Identified strengths, interests, and/or preferences may be outside of Academic/Functional performance
- 4) Ensure that this section has depth and meaning so that it can inform practice and the development of the IEP and how to work with and build a relationship with the student.

Example:

- ".....Enjoys playing basketball with peers..."
- ".....prefers listening to music during free time..."
- ".....loves to tell jokes and has great sense of humor..."

Input From Parents

Before the meeting:

Case manager sends the parent/guardian a parent input form, either digital or hard copy, well in advance of the meeting (at least 2 weeks, if possible.) Case manager should let the parent know they are sending the input form, with a short explanation as to why parent input is necessary and helpful in the development of the IEP. Case manager can also talk through the input form questions with the parent in person or over the phone.

During the meeting:

- 1) This section should not be left blank because this would imply parent input/concerns were not considered- Indicate positive remarks from parents
- 2) If parent does not attend, must still include input obtained through alternate means and indicate, "*Parent was invited to meeting, but did not attend*"

- 3) May include what the student is working on at home as it relates to academic/functional performance
- 4) Parent input may include strengths as well as concerns related to academic/functional performance
- 5) Parent input / concerns should be noted in the meeting minutes as well.
- 6) If entering parent input on the IEP draft during the meeting, repeat what is written to the parent and ask if the summary is accurately and complete
- 7) Remind the parent that the IEP is a “living document” or “working document,” and that the team can decide to revise the IEP if needed at any time during the IEP year.

After the meeting:

Case manager sends Prior Written Notice (PWN) not more than 10 days after the meeting. PWN should include a description of the parent’s concerns expressed at the meeting. If the parent had no concerns, PWN should reflect that with a phrase such as “Parent has no concerns at this time.”

- 8) Parent input and concerns are an integral part of the IEP process and should be considered in the development of the IEP

Example

- "Parent has no concerns at this time..."
- "Parent is pleased with the progress, but continues to be concerned with behavior..."

Preset level of Academic Achievement.....State & District Wide Testing

- 1) Narrative supports and explains the data (scores, numbers, results) so it is understandable to parents and others reading the IEP.
 - If the student's name is removed from the document, is the narrative description detailed enough to allow someone familiar with the student to identify them? If so, the narrative detail is sufficient. If not, consider adding additional information or explanation.
- 2) It must be clear to all team members what the data means in relation to grade level expectations- *How students are required to perform at their current grade level.*
- 3) Strengths, needs, and impact should relate to academics
- 4) Each academic area (reading, writing, math) should be addressed and clearly identified as a strength or need
- 5) This section must contain a statement of how the student's academic needs impact his or her ability to participate and make progress in the general education curriculum

Example

- Student has a standard score reading comprehension, grade equivalent 3.2 which indicates an area of weakness (Student is currently in 6th grade)
- "...students scored 1142 on Smarter Balanced ELA Assessment, meeting proficiency in the 11th grade is 1342"
- "...STAR math assessment indicates math PR of 85 which is an area of strength..."
- Writing: Given a prompt, 1 minute to plan, and three minutes to write, wrote a total of 51 words with 45 correct writing sequences and 48 words spelled correctly. The student is good at writing about anything and filling his time so (s) he can continue to write. The tone of his/her writing is very cohesive, meaning it sounds like the student and his/her thought process. The student struggles with dropping the 'e' when adding 'ing.' The student also struggles with using words that sound the same (using 'no' instead of 'know'). The student also struggles with segmenting his/her thoughts which causes him to write a sentence that is a paragraph long. Eighth graders should be able to produce clear and coherent writing in which the development, organization, and style are appropriate to the task, purpose, and audience.

Present Levels of Functional Performance, Including the Results of Initial or Most Recent Formal or Informal Assessment Observation

- 1) Narrative describes the data (scores, numbers, results) of all assessments (Cognitive, Behavioral, Communication, Orthopedic, FBA, BIP, etc.) so it is understandable to parents and others
- 2) Strengths, needs, and impact statements should relate to functional skills (*How the student functions with routines, social interactions, daily hygiene, etc.*)
- 3) Functional strengths should be included as well as areas of need (*SLD Areas of Strength and Weakness*)
- 4) This section must contain a statement of how the student's functional needs impact his or her ability to participate and make progress in the general education curriculum
- 5) If student has no functional needs, strengths should still be identified

Example

- Communication: According to the Common Core State Standards, by the end of Kindergarten, a student should be able to "Speak audibly and express thoughts, feelings, and ideas clearly" (CCSS.SL.K.6. The student is currently working on /f/, /s/s, /s blends/ and /z/. She produces /f/ and /s blends with a model in 75% of opportunities. Most recent test results (3/10/15): GFTA SS 47 with stopping of students (/f/, "sh", "ch", /v/, /s/, /z/), gliding of liquids (/l/ and "r") and difficulties with initial consonant blends and final consonants in conversation].
- A functional behavioral assessment (FBA) was completed and a behavior intervention plan (BIP) was created to support the student in addressing coping skill and self-regulation concerns.

State and District-wide Assessments

The IEP will reflect ODE's guidance as it pertains to state and district-wide assessments: <http://www.ode.state.or.us/search/results/?id=169>

Some VSD examples of district-wide testing include the following: EasyCBM (Grades K-3) and STAR Math & Reading.

Examples of statewide testing are SBAC, Essential Skills, and ELPA21.

- Students should not see any accessibility support (modification or accommodation) for the first time on an assessment; any identified supports used on assessments should be used in instructional settings and will be found on the service summary page as an accommodation.

Oregon Extended assessment Checklist

Transition Planning- Age Appropriate Post-Secondary Goals

Age-appropriate Transition Assessment

- Measurable postsecondary goals are based upon age-appropriate transition assessments.
- The IEP team collects information from formal and informal assessments of needs, strengths, preferences, and interests.
- Assessments may be informal or formal (observation, interest inventories, ACT, interview, MAGI, etc.), but they should provide information about students' preferences, interests, needs, and strengths (PINS) in relation to education, training, employment, and independent living. The measurable postsecondary goals are developed or confirmed, and assessment information is updated annually.

Measurable Postsecondary Goals

- Beginning no later than with the IEP that is in effect when the student turns 16, or earlier if determined appropriate by the IEP team, the IEP must include appropriate measurable postsecondary goals based upon age-appropriate transition assessment related to education or training, employment, and where appropriate, independent living skills.
 - Each student must have an education or training related goal. If the student is not planning to pursue one of these areas, include a statement explaining why a goal is not needed. For example, if assessment data or parent/student input indicates a student does not wish to pursue postsecondary education, the student does not need a goal in this area. However, this section should include a statement such as: "Student is not interested in postsecondary education at this time. The team agrees a goal is not needed in this area."
- The goals must be measurable and written for after the student leaves K-12 education; if the student is in an 18-21 transition program, goals are written for after the student leaves the program.
 - A possible phrase to begin each goal: "Within one year of exiting school services..."

Transition Services/Activities

- Transition services are coordinated activities designed to be a results-oriented process that facilitates the successful movement from school to postsecondary living.
- These activities are based on student Preferences, Interests, Needs, and Strengths (PINS).
- Transition services may include instruction, related services, community experiences, the development of employment and other post-school living objectives, and when appropriate

daily living skills.

- Transition services support progress towards the student's postsecondary goals and must be linked to transition assessments when appropriate; these services may be described on the service summary page as instruction or related services and may be supported by a measurable annual goal.

Course of Study

A course of study is a current description of coursework and activities to achieve the student's desired post-school goals, from the current to the anticipated exit year. This is not a description of graduation requirements, and the areas of study must be directly linked to postsecondary goals. Please see the following ODE guidelines "Best Practices" example:

<u>10th grade</u>	<u>11th grade</u>	<u>12th grade</u>	<u>Transition Program</u>
Forestry	Forestry II	Employability Training	Cashier/Money Skills
Weight Training	Geometry	Consumer Math	Community Job
English	History	Writing in the	Home Ec.
Health		Workplace	

If course options are limited, a student may take a class more than once, provided the course reflects that student's PINS and postsecondary transition goals. Classes included in the course of study should be prioritized when a student's class schedule is created/forecasted.

Agency Participation/Collaboration

- Transition services are designed to be a results-oriented process that facilitates the movement from school to postsecondary living activities that include adult services.
 - Examples of agencies include Vocational Rehabilitation, Office of Developmental Disability Service, Brokerages, and others.
 - Agency representation does not include school district staff, such as YTP counselors, Transition Specialists, or Transition Network Facilitators.
- Not every student will require agency participation. If agency participation is not required, document this decision by the team.
- Written consent (Release of Information) is required from the parent or adult student before inviting an agency representative to an IEP/Eligibility meeting. If a parent or adult student refuses to consent, document the refusal in the meeting notes.
- If a representative was invited but did not attend, and information was provided to the team regarding services, document the information on the transition services page and in the meeting notes.

Post-School Outcomes (PSO)

- High School Case Managers are responsible for exit interviews and follow-up.
- This is an ODE-required compliance task for a student's IEP transition plan and goals.
- Special Education staff will call each student on the exit list. The exit list is provided by ODE. If not able to contact the student, Special Education staff must contact parents, friends, other relatives, etc. in order to complete the required compliance reports.

- Multiple modes and attempts of contacts must be clearly documented. Staff with this responsibility will receive yearly training.

Transition Specially Designed Instruction Goals

- Goals must address education AND training AND employment AND MAYBE independent living (if appropriate)
- For some students, education and training may be the same goal; it must be clear that both were addressed
- If Education and Training goals are the same, team may indicate both were addressed by any of the following:
 - Duplicating the goal in both education and training sections
 - Indicating the goal in the education section and stating “see education section” for the training goal (or vice versa)
 - Indicating in the education section that “education goal is the same as training goal” (or vice versa)
- SGs must be measurable and written for after the student leaves K-12 education; if the student is in an 18-21 transition program, SGs goals are written for after the student leaves this program
- SGs should link directly back to age-appropriate transition assessments

Diploma Options

Diploma conversations should begin by 5th grade. IEP teams should document this on the meeting minute’s page.

A diploma decision must be made **two years** before the anticipated graduation date. IEP teams determine if a student’s diploma type is regular, modified, or extended or if the student will work towards a certificate of completion.

Modified diplomas require parental or adult student consent. Use the Diploma Decision Consent Form to document the decision and consent (See form at the end of this section). Diploma determinations may change over time if a student’s circumstances, supported by data, have changed. **Earning an Oregon diploma (regular) ends a student’s right to FAPE; students earning modified, extended certificates or GEDs are still eligible for services through age 21.**

[Diploma Options Form](#)

State and District Assessments

Extended Assessments

- Most Case Managers will not administer Extended Assessments. If you are a teacher in a Life Skills classroom or Structured Learning Program, you may administer the assessment.
- The extended assessment is not meant to replace SBAC testing if a student has low academic achievement.

- Students with the most significant cognitive disabilities are typically characterized by significantly below average general cognitive functioning.
 - This commonly includes a student with intelligence test scores two or more standard deviations below the mean on a standardized individually administered intelligence test, occurring with commensurate deficits in adaptive behavior that are frequently also evident in early childhood.

The extended assessment is designed to be a statewide assessment tool for when a student is pursuing such diploma options as a certificate of attendance.

See Link: [Oregon Extended Assessment Decision Making Guidance](#)

Accessibility Supports

- Team should document all accessibility supports identified as needed, including specific universal tools, designated supports, and accommodations
- Team should identify any embedded universal tools that must be turned off due to potential distractions
- Students should not see an accessibility support for the first time on a SBAC or Extended Assessment assessment;
 - any identified supports used on assessments should also be used in instructional settings and will be found on the service summary page as an accommodation

Modified Cut Scores

- Modified cut scores may only be used for Essential Skills for Graduation if the student is receiving a modified diploma
- Modified cut scores are used for determining proficiency levels on SBAC or essential skills assessment as a senior for graduation, and should only be used at the high school level
- Teams should review trend data from previous assessments such as easyCBM or STAR math and Reading to determine an individualized modified cut score
- Cut score(s) should be based on the individual and should not be determined for groups of students or for districtwide proficiency levels
 - For guidance, see ODE Modified Cut Score - Conversion Tables: Standard Score to Percentile Rank
- Once a team determines a modified cut score, the student must achieve this level on a future attempt; previous scores cannot be used to meet essential skills requirement
- Team may change modified cut scores based on student progress towards proficiency

ELPA

- IEP teams may not exempt a student from all four domains
- Decisions about exemptions are based on access to the assessment, not disability or placement
- The IEP team must include staff knowledgeable about language acquisition and the ELPA in order to make an informed decision in which language

Annual IEP Goals and Objectives

- Goals must reflect the priority needs identified in the Present Level by the IEP team- There needs to be a direct correlation to PLEP.
- Objectives are only needed for areas in which a student participates in the State Extended or Alternate assessment/ Modified diploma.
- Each goal must align with baseline data in PLEP performance (Must look to see if it align with PLEP
- Goals may be related to both academic or functional
- All areas of SDI must have at least one goal
- Students taking the Extended Assessment for a subject area, must have measurable, short-term objectives as part of the goal
- Goals should be written in S.M.A.R.T. goal format
 - Goals Guidelines: (S) Specific, (M) Measureable, (A) Attainable, (R) Relevant, and (T) Time-bound
- Mode of measurement is such as observation data, curriculum-based assessments, student work samples, behavioral data, self-charting data, or formative assessments
- Progress for each goal should provide enough information for the team to identify current levels of performance in the goal area
- Students with a transitions plan: Annual measurable goals should reflect the student's postsecondary goals, such that the annual goals will encourage the student's progress toward their postsecondary transition goals.

The intent of an IEP Goal

- Meet the student's needs that are present because of the disability, or because of behavior that interferes with the student's ability to learn, or impedes the learning of other students;
- Enable the student to be involved in and progress in the general curriculum, as appropriate; and,
- Clearly describe the anticipated outcomes, including intermediate steps if appropriate, that serve as a measure of progress toward the goal.

Services on the IEP

SPECIALLY DESIGNED INSTRUCTION:

- Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction—
 - (i) To address the unique needs of the child that result from the child's disability; and
 - (ii) To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that

apply to all children. CFR 300.39

- Simply put, SDI is changing the content, methodology or delivery of instruction based on the individual student's needs
- May include: reading, writing, math, behavior, transition, social/emotional, and speech/language

RELATED SERVICES:

- Includes **transportation** and such developmental, corrective and other supportive services as are required to assist a child with a disability to benefit from special education, and includes:
 - **orientation** and **mobility** services,
 - **speech** language pathology and **audiology** services,
 - **interpreting** services,
 - **psychological** services,
 - **physical and occupational therapy**,
 - recreation including therapeutic **recreation**,
 - **school health** services and school **nurse** services,
 - **counseling** services, including **rehabilitation** counseling services, **social work** services in school,
 - **parent counseling and training**,
 - school health services and medical services for **diagnostic** or **evaluation** purposes, and includes early identification and assessment of disabling conditions in children.
- For complete definition of each of the above related services, see CFR 300.34

SUPPLEMENTARY AIDS AND SERVICES:

- "Supplementary aids and services" means aids, services and other supports that are provided in regular education classes or other education-related settings and in extracurricular and nonacademic settings to enable children with disabilities to be educated with children without disabilities to the maximum extent appropriate. CFR 300.42
- Accommodations are devices, practices, interventions, or procedures provided to a student with a disability that affords equal access to instruction and assessment; Accommodations do not change the learning expectations, construct, grade-level standard, and/or measured outcome.
- Modifications are also devices, practices, interventions, or procedures that afford equal access to instruction or assessment; Modifications change the learning expectations, construct, grade-level standard, and/or measured outcome.
- An assistive device or service, including the teaching of the device to the student, may go in this section
- The aid or service should be specific and replicable; simply writing "Assistive Technology" is not sufficient

PROGRAM MODIFICATIONS/SUPPORTS FOR SCHOOL PERSONNEL:

- It is the responsibility of the IEP team to determine what types of program modifications or supports are necessary to support staff and to specify these in the IEP
- Examples may include: attending a conference or training related to the student's needs, getting help from another staff member or administrative person, having an aide in the classroom, getting special equipment or teaching materials
- Common supports such as "Consultation" and "Supports for School personnel" should be more clearly defined; WHO is consulting/training with WHOM, about WHAT

ANTICIPATED AMOUNT/FREQUENCY:

- When documenting amount/frequency consider the following question: "If you were handed this IEP and did not know the student, could you implement the service?"
- Amount/Frequency should be based on actual time spent providing the service, and not on length of class periods or other scheduling factors
- Amount/Frequency should be based on data as described in the Present Levels

ANTICIPATED LOCATION:

- This does not always need to be a number; it should be clearly understandable by the entire IEP team for implementation
- "As needed", "Upon teacher permission", or "When appropriate" **are not acceptable** because each is a subjective interpretation of student need
- As much as possible, the location must be clear to the student, family, and IEP team where the service will be provided (general education, special education, self-contained, community, work-site, etc.);
- In some circumstances it may be appropriate, based on individual student needs, to have a service identified as more than one location if it is explained in the present levels; for example, a team may identify location as "general education/special education" to allow flexibility in providing services with minimal disruption to the student's participation in the general education classroom

START/END DATE:

- Should include month, day, and year
- Services may start on the day of the IEP meeting or at future date as determined by the IEP team
- Services will likely end the day before the next annual IEP meeting is required, although may end at a sooner date as determined by the IEP team

PROVIDER:

- The provider is the agency or entity providing the service
- Typically the LEA is the provider for instruction and services; however, other examples of providers may be Regional, or ESD, depending on the service

ROLE RESPONSIBLE FOR MONITORING:

- The team identifies the role of the staff member, not a specific person's name (ex. special education teacher, general education teacher, speech language pathologist, teacher of the visually impaired, administrator, Occupational Therapist, autism consultant/specialist)
- This staff is responsible for monitoring implementation of the service and progress on goals
- The person responsible will vary depending on the service being provided, and should be determined by the IEP team (ex. consultation may be provided by a regional staff member, but the team may determine the special education teacher will be responsible for monitoring the implementation and progress on this service)

If the position responsible for delivering the special education services is anyone other than a certified special education teacher or related service provider, then the certified special education teacher/related service provider must design and supervise the instruction, and monitor and evaluate the student's progress

Non participation Justification

- The IEP must explain the extent, including amount, if any, to which the student will not participate with non-disabled peers in the regular classroom and in extracurricular and other nonacademic activities.
- Describe the extent (amount) of any removal from the regular class environment, and provide justification for the removal.
- This is not a range of times
- Nonparticipation should be quantifiable, but may be written as number of minutes removed or percentage of time removed, as determined by the IEP team
- The IEP team determines the timeframe in which the calculation is developed (day, week, month, etc.); this should be explained in the nonparticipation justification statement
- Explanation for removal cannot be due to a disability category

Example of NJP Language

120 minutes per week (6%)

"The Student" is removed from the general education setting to access social skills instruction and reading comprehension instruction in a self-contained environment. "

Extended School Year

What are Extended School Year (ESY) Services?

- ESY services are a provision of Special Education and related services during the summer breaks to maintain **progress on IEP goals that the student had previously acquired prior to scheduled breaks (winter and spring).**
- ESY services are based on the student's IEP and, therefore, are "student specific" or individually tailored programs.
- Teachers must collect data relating to specific goals and objectives identified from the current IEP as they collect data on all IEP goals to determine progress throughout the school year.
- The decision of whether a student is eligible is determined by a student's ability to maintain progress on goals identified on the IEP during the typical school year is based on regression and recoupment data.
- Regression means significant loss of skills or behaviors in any area specified on the IEP as a result of an interruption in education services
- Recoupment means the recovery of skills or behaviors specified on the IEP to a level demonstrated before the interruption of education services
 - Criteria must include regression and recoupment time based on documented evidence or, if no documented evidence, on predictions according to the professional judgment of the team OAR 581-015-2065 (5)

****While all students regress or lose some skills during a break, some students with disabilities experience a loss of skills or regression that is so great, that it takes a significant length of time during the next school period to regain or recoup those skills (See Data Documentation Timelines and IEP Timeline for ESY).**

The Oregon Department of Education has determined that ESY services: ARE

- To maintain *learned* skills
- To target goals and objectives derived from the current IEP
- Determined on an individual basis
- Provided at no cost to families
- Based on the needs of an individual student and therefore no specific amount of time is required (typically not the same as what the student may receive during the school year)
- Available to any student eligible for them
- Evaluated annually and are based on Data collected during the current year to determine eligibility

- Discussed at an IEP meeting by the IEP team

ARE NOT

- To develop new skills
- A traditional summer school program
- To meet newly developed goals and objectives
- To make up for absences incurred during vacation, expulsion or suspension
- Provided for the convenience of families, e.g. to substitute for daycare or to maintain the families' job security
- To replace or duplicate alternative community services

IEP Revisions

There are times throughout the life of an IEP that changes occur in a student's services and revisions need to be made.

If the revision is minor, a meeting is not necessary. In the case that a meeting is not possible, have parents or guardians sign a written agreement form. Then, revise the IEP and create a Prior Written Notice documenting the revisions. Send a copy of the revised IEP and Prior Written Notice to parents or guardians.

If a meeting is possible, revise the IEP and create a Prior Written Notice during the meeting. Give a copy of revised IEP, Prior Written Notice, and meeting notes to parents.

In cases where the IEP needs significant revisions during the year, schedule an IEP meeting.

[ESY Flow Chart](#)

[VSD ESY Checklist](#)

[ESY Table of Considerations](#)

[ESY-Addendum](#)

[ESY Data Collection Form](#)

Section 6: Least Restrictive Environment

- To the maximum extent appropriate, students with disabilities, including children in public or private institutions or other care facilities, are educated with students who are non-disabled.
- Removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Placement of the Student

- The placement decision for each eligible student:
 - Is made by a group of persons, including the parents, and other persons knowledgeable about the student, the meaning of the evaluation data, and the placement options;
 - Is made in conformity with the Least Restrictive Environment requirements;
 - Is determined at least once every 365 days;
 - Is based on the student's IEP; and
 - Is as close as possible to the student's home.
- The student is educated in the school that he or she would attend if nondisabled unless the services identified in the IEP cannot feasibly be provided in this setting.
- A continuum of placement options is available to meet the needs of students with disabilities for special education and related services.
 - The continuum includes instruction in regular classes (with special education and related services, and/or supplementary aids and services as identified on the IEP), special classes, special schools, home instruction, and instruction in hospitals and institutions.
 - Placement options, including instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions are available to the extent necessary to implement the individualized education program for each student with a disability.
- Placement teams select the least restrictive environment for each student, using the following decision-making process:
 - Completion of the IEP, including determining the student's special education and related services, and determining the extent to which these services can be provided to the student in the regular class;
 - If all IEP services cannot be provided in the regular class, identifying those that must be provided outside the regular class; however, the District will not remove a student from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum;
 - For those services that must be provided outside the regular class, identifying where, on the continuum from least to most restrictive, the services can be provided;
 - Placement is in the school the student would attend if not disabled, unless another arrangement is required for implementation of the IEP;
 - In selecting the student's placement, the placement team considers and documents:
 - All placement options considered, including placement options requested by the parent;

- Potential benefits of placement options that are considered;
 - Any potential harmful effects on the student or on the quality of services that he or she needs; and,
 - Modifications and services considered to maintain the student in the least restrictive placement before concluding that a more restrictive setting is necessary.
- The placement team documents the placement selected, and provides a copy of the determination to the parent;
 - If the selected placement is a change from previous placement, the District provides the parent with prior written notice of the change in placement; and,
 - If the parent requests a specific placement that the team rejects, the District provides a prior written notice of refusal.

Citations:

OAR 581-015-2245 Alternative Placements and Supplementary Aids and Services

OAR 581-015-2250 Placement of the Child

PLACEMENT OF STUDENTS IN A LIFE SKILLS CLASSROOM

It is strongly encouraged that the following interventions/strategies be implemented as part of the building level staffing process PRIOR TO CONSIDERING/RECOMMENDING Life Skills:

- Data Collection must occur on each intervention
 - Support from cross-categorical and/or paraprofessional staff has been insufficient to allow student to make progress in a general education setting.
 - Change of environment
 - teacher
 - length of day
 - increase special education support/possible change of location (i.e. pull out)
 - Revision of IEP
 - Add additional academic accommodations
 - Add curriculum modifications/individualized instruction
 - Add instructional support
 - Involvement with support team
 - Psychoeducational evaluation data
 - Review academic history, grades, level of service
- Criteria for placement into Life Skills

The following criteria must be met for placement in Life Skills:

- Cognitive, academic and/or adaptive functioning within the Moderate Cognitive Disability range

or lower

- Previous placement and accommodation/ modification data in general education and Mid-Level classroom setting indicates inability to perform without intense adult support.
 - Cognitive (SS < 65)
 - Adaptive (SS < 70)
 - Functional
 - Communication- Low Expressive, Low Receptive, cannot access AC/AT device (Fine motor/ gross, motor),
 - Adaptive: Toileting (independence)
 - Social Interaction- Deficits in mutual interaction, disproportionate response to stimulus, poor understanding of social cues and school wide expectations
 - Requires adult support to access general education setting and educational requirements.
 - Behavior:
- Goals based on functional skills
- Student is on certificate track

Placement protocol

Students who meet all of the above criteria may be placed into a Life Skills classroom with the consultation of the Life Skills Coordinator for designation of the school to attend based on classroom numbers and location.

Students who do not meet all of the above criteria may be considered for Middle-Level Program (Life skills placement) but must conform to the following protocol:

1. A Support Team member must observe the student being considered for the Life Skills.
2. Staffing must be held prior to a case conference to determine if Life Skills is an appropriate placement. Staffing must include a data-driven discussion of:
 - Academic, communication, social and behavioral needs, including a Behavior Intervention Plan if indicated
 - Outcomes of strategies, accommodations, and modifications that have been implemented.
3. The Life Skills Coordinator will be contacted, and a copy of the IEP and supporting documentation will be sent for review/approval to make certain criteria is met and determine final placement school.
4. Case Conference convened
 - Participants should include: Current Teacher of Record, Teacher of Service, Support Team member, receiving building Administrator, potential receiving teacher and staff who provides other services (i.e. OT, PT, SLP, CAT, etc)
 - Current Teacher of Record will schedule case conference.

Placement determination is a case conference decision

Discipline

Special Considerations and Behavior

IEP Special Factors

- VSD strongly supports the notion that IEP teams should proactively consider and implement BIPs (Behavior Intervention Plans) based on student behavior functions (i.e., not waiting for a removal situation).
- Special Education case managers must address behavior that impedes the student's learning or the learning of others.
- Reasonable attempts must be made to obtain parental consent to conduct a Functional Behavior Assessment (FBA)
- If checking "Yes," the IEP team must describe Behavior needs in the PLEP; needs may also be addressed in the following areas: service summary, goals, assessment, ESY and or transition.
- If Behavior is considered at an annual IEP for the first time, referral to **Student Study Team** must be done before specially designed instruction is implemented.

FORM:

[GUIDANCE-BEHAVIORAL and IEP Meeting](#)

[Behavior Plan Templates, #1 & #2](#)

[Behavior Plan examples, #1 & #2](#)

Functional Behavior Assessments (FBA) and Collaborative Problem Solving (CPS) template

Vernonia School District follows a three tiered behavior intervention system. Please access the following link for VSD's process and guidelines in regards to completing FBA's and BIP:

FORM: [FBA and CPS Template](#)

Discipline Removal for up to 10 School Days (consecutive or intermittent).

VSD may remove a student with a disability who violates the Student Code of Conduct from the student's current educational placement to an appropriate interim educational setting or an out-of-school suspension **for up to 10 school days in a school year in the same manner as student without disabilities.**

- These removals **ARE NOT** considered a change of placement. VSD will not provide access to special education and general education during this time.
- VSD will complete a **Manifestation Determination** for students whose data reflects a pattern of discipline removals up to 10 days in an academic school year.
- For students who transfer from another Oregon school district, any days of suspension from the previous district MAY carry over to VSD. In-School **or Out of School Suspension**
- Suspensions for half-day or less count as half-day suspension and must be coded in SYNERGY as .5 FTE
- Suspensions for more than a half day count as a full day suspension.

Individual Education Plan (IEP) teams must determine whether the series of removals constitutes a pattern on a case-by-case basis. If the team determines that there is a pattern of behaviors. In that case, the team will implement one or more of the following:

- Classroom observations by qualified staff
- Safety Plan
- Functional Behavior Analysis (FBA) and Behavior Support Plan (BSP)
- Referral to SST Team

Disciplinary Removals of More than 10 Cumulative School Days and Pattern of Removal

1. The District may remove students with disabilities from their current educational placement to an appropriate interim alternative educational setting, another setting, or suspension for additional periods of up to ten days in a school year to the same extent, and with the same notice as for students without disabilities, if the removals do not constitute a pattern. These removals do not constitute a change in placement.
2. In determining whether removals of additional periods of up to 10 school days constitute a pattern of removals, school personnel will consider, on a case-by-case basis:
 - a. Whether the behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - b. Additional factors such as the length of each removal, the total number of days of removal, and the proximity of removals to one another.
3. During removals of additional periods of up to 10 school days in a school year that do not constitute a pattern, the District will provide services that are necessary to enable the student to:
 - a. Continue to participate in the general education curriculum;
 - b. Progress toward achieving the goals in the student's IEP; and,
 - c. The services and location for delivery of services in this section will be determined by school personnel, in consultation with at least one of the student's teachers, or by the student's IEP team.
4. The determination regarding whether a series of removal constitutes a pattern is subject to review in an expedited due process hearing.

Citations:

OAR 581-015-2410 Additional Disciplinary Removals of Up to 10 School Days Each (No Pattern)

Removal to an Interim Alternative Educational Setting for Not More Than 45 Days by the District under Special Circumstances

1. The District may remove a student with disabilities from the student's current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year for a drug or weapon violation, or for infliction of serious bodily injury, without regard to whether the behavior is a manifestation of the student's disability. This removal is considered a change in placement.
2. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order such a removal.
 - a. For the purpose of determining a drug or weapon violation or serious bodily injury, the District will apply the following definitions:
 - b. **"Drug"** means illegal drug or controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or otherwise legally possessed. It does not include alcohol or tobacco.
 - c. **"Drug violation"** means the use, possession, sale, or solicitation of drugs at school or a school function.
 - d. **"Infliction of serious bodily injury"** means serious bodily injury caused by a student to another person while at school, on school premises, or at a school function under the jurisdiction of ODE or a school District.
 - e. **"Serious bodily injury"** means bodily injury, which involves substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
 - f. **"Weapon"** means a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that it does not include a pocket knife with a blade of less than 2 ½ inches in length.
 - g. **"Weapon violation"** means carrying a weapon to school or to a school function or acquiring a weapon at school.
1. On the date that the District decides to remove a student to an interim alternative educational placement because of a drug or weapon violation or for serious bodily injury, the District notifies the parent(s) of the decision and gives the parent(s) a Procedural Safeguards Notice.
2. Within 10 school days of any decision to remove the student to an interim alternative educational placement because of a drug or weapon violation or for serious bodily injury, the District:
 - a. Convenes a meeting to determine whether the behavior is a manifestation of the student's disability, and
 - b. Conducts, as appropriate, a functional behavior assessment, and develops a behavior intervention plan based on the functional behavior assessment that is designed to address the behavior so it does not recur.

Citations: OAR 581-015-2425 *Removal to an Interim Alternative Educational Setting by School District*

Removal to an Interim Alternative Educational Setting for Not More Than 45 Days by Administrative Law Judge for Injurious Behavior

1. The District may request an expedited due process hearing to obtain an administrative law judge's order to remove a student to an interim alternative educational setting for not more than 45 school days if the student is exhibiting injurious behavior. For the purpose of this request, "injurious behavior" is defined as behavior that is substantially likely to result in injury to the student or to others.
2. The interim alternative educational setting must meet the requirements of the "Interim Alternative Educational Setting" section.

Citations: *OAR 581-015-2430 Removal to an Interim Alternative Educational Setting by School District (Injurious Behavior)*

Interim Alternative Educational Setting

1. When a student with a disability is placed in an interim alternative educational setting, the setting:
2. Is determined by the student's IEP team; and
 - a. Enables the student to:
 - b. Continue to participate in the general curriculum, although in another setting;
 - c. Progress toward achieving the goals in the student's IEP; and
 - d. Receive services and modifications designed to address the misconduct that led to placement in the Interim alternative educational setting and to prevent the misconduct from recurring.

Citations: *OAR 581-015-2435 Requirements of an Interim Alternative Educational Setting*

Placement pending appeal

1. If a parent disagrees with the manifestation determination or any decision about placement related to the disciplinary removal and requests a due process hearing, the student will remain in the interim alternative educational setting pending the decision of the administrative law judge, or until the end of the disciplinary removal, whichever is shorter, unless the parent and District agree to another placement pending the hearing.

Citations:

OAR 581-015-2425 Removal to an Interim Alternative Educational Setting by School District

OAR 581-015-2430 Removal to an Interim Alternative Educational Setting by an Administrative Law Judge (Injurious Behavior)

Conduct and Outcome of a Manifestation Determination

1. Within 10 school days of any decision to change the placement of a student with a disability for disciplinary reasons, the District convenes a manifestation determination meeting.

2. The team that determines whether a student's behavior that led to a disciplinary removal from school was caused by, or had a substantial relationship to the student's disability or was a direct result of the District's failure to implement the student's IEP, includes the parent(s), school District representatives, and other relevant members of the IEP team, as determined by the parent and District.
 - a. The team reviews all relevant student information, including the student's IEP, teacher observations, and information provided by the parent.
 - b. The team concludes that the conduct in question is a manifestation of the student's disability if it determines the behavior was caused by, or had a substantial relationship to, the child's disability, or if it was the direct results of the District's failure to implement the IEP
3. If the team determines that the District did not implement the student's IEP or identifies other deficiencies in the student's IEP or placement, the District corrects the identified deficiencies immediately.
4. Regardless of whether the behavior was a manifestation of the student's disability, the District may remove the student to an interim alternative educational setting for weapons or drug violations or for infliction of serious bodily injury for up to 45 days.
5. When Behavior is a Manifestation of Disability.
 - a. If the team concludes that the behavior was a manifestation of the student's disability:
 - b. The District will not proceed with a disciplinary removal for more than 10 days.
 - c. The District conducts a functional behavioral assessment and develops behavior plan to address the behavior that led to the disciplinary action. If the District has already conducted a functional behavioral assessment or, if the student already has a behavior intervention plan regarding that behavior, the District reviews, modifies as necessary, and implements the plan to address the behavior.
 - d. The District may review and revise the student's IEP and placement through normal IEP and placement processes.
 - e. The District may enter into an agreement with the parent to change the student's placement as part of the modification of the behavioral intervention plan.
 - f. If the District believes that maintaining the current placement of the child is substantially likely to result in injury to the student or to others, the District appeal the decision of the manifestation determination team by requesting an expedited due process hearing. An administrative law judge who concludes that that maintaining the current educational placement is substantially likely to result in injury to the student or to others may order a change in placement to an interim alternative educational setting for no more than 45 days.
6. When Behavior is Not a Manifestation of Disability.
 - a. If the IEP team determines that the student's behavior is not a manifestation of the student's disability, the District may proceed with disciplinary removals, in the same manner and for the same duration, as would be applied to students without disabilities. If the District takes such action, applicable to all students, the District:

- b. Notifies the parent(s) of the decision to remove the student on the date that decision is made and gives the parents a *Procedural Safeguards Notice*;
- c. Give the parent(s) prior written notice of any proposed change in placement;
- d. Provides services to the student in an interim alternative educational setting that is determined by the IEP team; and
- e. Provides, as appropriate, a functional behavioral assessment, develops appropriate behavioral interventions to address the behavior, and implements those interventions.

Citations:

OAR 581-015-2415 Disciplinary Removals of More than 10 School Days (Pattern or Consecutive)
OAR 581-015-2420 Manifestation Determination
OAR 581-015-2425 Removal to an Interim Alternative Educational Setting by School District
OAR 581-015-2430 Removal to an Interim Alternative Educational Setting by an Administrative Law Judge (Injurious Behavior)
34 CFR 300.532 Appeal

Protections for Students Not Yet Eligible for Special Education

1. The District will follow all special education disciplinary procedures for a student who has not yet been identified as a student with a disability if the District had knowledge that the student had a disability and needed special education.
2. The District is presumed to have such knowledge if, before the behavior that precipitated the disciplinary action occurred:
 - a. The student's parent(s) expressed a concern in writing to supervisory or administrative school personnel, or to a teacher of the student, that the student is in need of special education and related services;
 - b. The student's parent(s) requested a special education evaluation of the student; or
 - c. The student's teacher or other school personnel expressed specific concerns about a pattern of behavior demonstrated by the student directly to the District's special education director or other District supervisory personnel.
3. The District is not presumed to have knowledge of a disability if:
 - a. The parent has not allowed an evaluation of the student or has refused the initial provision of special education services to the student; or
 - b. The student has been evaluated and found not eligible for special education services.
4. If the District did not have knowledge before taking disciplinary action against the student, the District may take the same disciplinary actions as applied to students without disabilities who engaged in comparable behaviors. However:
 - a. If a special education evaluation is requested, or if the District initiates a special education evaluation, the evaluation will be conducted in an expedited manner.
 - b. Until the evaluation is completed, the student may remain in the educational placement determined by school personnel, which may include suspension, expulsion, or placement in alternative education.
 - c. Upon completion of the evaluation, if the student is determined to be a student with a disability, the District will conduct an IEP meeting to develop an IEP and determine

placement and will provide special education and related services in accordance with the IEP.

- d. The District will apply the IDEA discipline protections beginning on the date of the eligibility determination.

Citations: OAR 581-015-2440 *Protections for Children Not Yet Eligible for Special Education*

Section 7: Restraint and Seclusion

Despite our best attempts, there will be a small number of occasions where a student may be a danger to self or others that physical restraint or seclusion must be used. Vernonia School District implements the Safety Care Model.

Use of Restraint and Seclusion in VSD

1. Restraint and/or seclusion are safety responses utilized as a last resort when risk is high and when less restrictive interventions would not be effective.
 - a. Restraint and/or seclusion are not behavioral or therapeutic interventions.
 - b. Restraint and/or seclusion may not be used for discipline, punishment, retaliation or convenience of personnel, contractors or volunteers of the public education program.
 - c. The use of any action designed for the primary purpose of inflicting pain upon a student in a public education program is prohibited.
2. Restraint may be used on a student in a public education program only if the student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective.
 - a. "Substantial physical or bodily injury" means any impairment of the physical condition of a person that requires some form of medical treatment.
3. Seclusion may be used on a student in a public education program only if the student's Behavior imposes a reasonable risk of imminent and serious bodily injury to the student or Others and less restrictive interventions would not be effective.
 - b. "Serious bodily injury" means any significant impairment of the physical condition of a person, as determined by qualified Medical personnel, whether self-inflicted or inflicted by someone else.
 - c. Note that, while both Restraint and seclusion are to be used as a last resort, the threshold for use of seclusion (i.e., imminent and serious bodily injury) is higher than that for restraint (i.e., imminent and substantial physical or bodily injury).

Under OAR 581-015-2181, a school district must conduct a functional behavioral assessment

After an incident involving a *Restraint* or *Seclusion*, use the following checklist:

- Notify the parent the **same day of the event**. (In the extraordinarily rare case in which a student is restrained/secluded for longer than 30 minutes a parent must be notified **immediately**).
- The **incident report** must be distributed within **24 hours** to *Parent, Principal, Student Services, and Case Manager*.
- A **debrief** must be held within **2 school days** of the incident. **Required participants** are: *Staff involved in or supporting the restraint/seclusion, Administrator, and Case Manager. Parents must be invited.* **Debrief Form** distributed to *Parent, Principal, Student Services, Case Manager*.
- *The case manager* must check to see how many restraints/seclusions the student has had during the school year. If **5** or more, an **IEP MEETING MUST be held** including *school personnel and parent* to discuss the FBA and BIP in order to discuss how to proactively prevent future restraints/seclusions specifically.

Copies of all required forms must be sent to the Student Services office, as VSD is required to complete an annual report of the implementation of restraints and seclusions. All building administrators and special education staff should stay current on district policy and CPI training to best be prepared for handling these difficult situations.

[Please see Restraint and Seclusion Form](#)
[Restraint and Seclusion Technical Manual](#)

Section 8: Procedural Safeguards

Parent Rights: English Version <https://www.oregon.gov/ode/rules-and-policies/Documents/englishk21.pdf>

Spanish Version <https://www.oregon.gov/ode/rules-and-policies/Documents/spanishk21.pdf>

Written Agreement

At any time during the Life Cycle of the IEP, the team can obtain written permission from parents and guardian to revise the IEP without holding a meeting.

1. The district staff person who is authorized to enter into a written agreement with the parent

explains to the parent that the agreement is voluntary. Write in the authorized staff person's name and the date this information is provided to the parent.

2. This form includes several different types of agreements. Select the agreement(s) that applies by checking the box.
 - a. Three year re-evaluation: If the parent and district agree that the district will not conduct a three year re-evaluation, write in the date the three year evaluation would otherwise be due.
 - b. Parent and authorized district staff person each sign and date the agreement.
 - c. IEP team attendance:
 - i. Content not discussed: The parent and school district may agree to excuse from attendance IEP team members who are not necessary because the member's area of curriculum or related service is not being modified or discussed at the meeting.
 1. List the date of the IEP meeting and the names of the excused members.
 2. Parent and authorized district staff person each sign and date the agreement.
 - ii. Content discussed: The parent and school district may consent to excuse from attendance IEP team members when the member's area of curriculum or related service is being modified or discussed at the meeting, if the member submits input in writing to the IEP team before the meeting.
 1. List the date of the IEP meeting and the names of the excused members. Parent and authorized district staff each sign and date the agreement.
 2. NOTE: Parents must be fully informed of all information related to the excusal in the parent's native language or other mode of communication. Refer to OAR 581-015-0039 (1) for consent requirements.
 - d. Revisions to IEP: The parent and school district may agree that an IEP meeting is not necessary to revise the student's IEP between annual IEP meetings. If so, indicate the date of IEP revision. Parent and authorized district staff each sign and date the agreement.
 - i. Note: The IEP revision must be written on the student's IEP and dated.
 1. If new IEP pages are required, these pages must be stapled to the IEP, a complete copy filed with the student's education records, and a copy given to the parent upon request.
 2. The District must give the Parent *Prior Notice of Special Education*

Action describing the IEP change.

- e. Completion of Evaluation of Transfer Student: The 60 school day evaluation timeline will not apply to a student who transfers to a new school district while the evaluation is underway if the new district is working promptly to complete the evaluation and the parent and new district agree to a specific time when the evaluation will be completed.
 - i. If these circumstances are present, indicate the date by which the evaluation will be completed. Parent and authorized district staff each sign and date the agreement.
- f. Completion of evaluation for SLD: The 60 school day evaluation timeline does not apply to a student who is evaluated for specific learning disabilities if the parent and other members of the eligibility team agree to extend the timeline because more time is needed.
 - i. If these circumstances are present, indicate the date by which the evaluation will be completed. Parent and authorized district staff each sign and date the agreement.
- g. Sign and date the bottom of the form indicating that the parent has been given a copy of the form to not conducting a three-year re-evaluation, the district would not be required to

Section 10: Prior Written Notice

The purpose of a Prior Written Notice is to notify parents and caregivers, and adult students (18 years or older) of any change to FAPE and the IEP.

A Prior Written Notice Form is used when a significant change to FAPE and the IEP content will occur. Examples include:

- The implementation of each IEP
- A change in service
- Changes in the length of the instructional day
- Changes in state or district-wide testing.

Prior Written Notices must be written to fit the individual situation, **not a template form**. The Prior Written Notice must be provided to parents and/or caregiver, and adult student (18 years or older) in their native language. The original copy will be filed in the student's sped file and a copy will be sent to parent, caregiver or adult student.

Prior written notices will be provided at each IEP meeting stating that services will be implemented starting the day of the meeting.

For students K-15 years of age, the IEP is complete at this stage. For students 16 years and older, the IEP must include transition documents (See the Graduation and Transitions section).

Section 11: Attendance and Withdrawal

Vernonia School District encourages all students to maintain consistent attendance at school. VSD also recognizes that some students will have inconsistent or low attendance due to various factors.

- **VSD staff working with students with low and inconsistent attendance will need to look at creative ways to engage them in their academic work.** These include positive and supportive communication with students and families and student attendance incentives.

ODE requires a minimum of Instructional hours based on grade level. According to ODE, each school district shall ensure that at least 90% of all students in VSD are scheduled to receive the following minimum hours of instructional time per school year:

- a. Grade 12 – 966 hours;
- b. Grade 9-11 – 990 hours; (c) Grades K-8 – 900 hours.

<http://www.oregon.gov/ode/aboutus/stateboard/Documents/October%202014%20board%20meeting/instructional-hours-powerpoint-foroctober-24-board-meeting-revised.pdf> -

Reduced School Day Determination

Special Education teams may provide an abbreviated school day program to a student with an individualized education program (“IEP”) only if the student’s IEP team takes all of the following actions:

- determines that the student should be placed on an abbreviated school day program based on the student’s needs;
- provides the student’s parents/guardians with an opportunity to participate in a meeting to discuss the placement meaningfully;
- Documents in the IEP the reasons why the student was placed on an abbreviated school day; and
- Documents that the team considered at least one option that includes appropriate supports for the student and could enable the student to access the same number of hours of instruction or educational services provided to students in the same grade within the same school.

Process for Students Whose Attendance is Sporadic (Missing > 17 days)

- Hold an IEP team meeting to establish whether the **disability is affecting** attendance.
 - Submit Sped Meeting Request form to Sped secretary to schedule IEP Meeting
 - Indicate on IEP Team Meeting Form:
 - ***Develop or review (IEP) and placement for your child.....***
 - ***Invite all student teachers and attendance personnel to attend the meeting (along with other required members)***
- If disability **affects** attendance: Develop an attendance incentive program or other solutions to address the problem. Document the team's plan and attach it to the IEP under "Functional Performance."
 - **This will be an "Amended IEP" unless the IEP is close to the annual review.**
- If the disability is **NOT** affecting attendance: Document steps are taken to improve attendance in the student's file and notify the Dean of Students/ Attendance team for further support.
 - **** Complete PWN for either outcome.**
- When a student is not attending, the special education placement remains the same unless the IEP team decides a change of placement is needed to increase attendance.
- Place a copy of the student attendance record and any relevant parent communications in the IEP file.
- If a child has dropped out or is a "10-day drop", Collaborate with the school counselor and building administrator(s) to send a letter offering services (Stand Ready to Serve PWN). Keep a copy in the student's file, and send one to the Sped secretary.
- VSD staff will continue to implement all IEPs to the best of our ability for students whose attendance is sporadic.

Attendance and Withdrawal

Attendance and Eligibility

Initial Eligibility

- Prior to informed consent, the S.S.T. team will need to address all student attendance aspects. Primarily, does attendance have an **ADVERSE IMPACT** on student academic progress?
 - If the **STUDENT's ATTENDANCE** (Lack of Appropriate Instruction) is determined as a PRIMARY factor for lack of academic progress, the student cannot be found eligible for special education services.

Re-evaluation

- IEP teams cannot consider low and inconsistent attendance as a determining factor in changing students' eligibility. i.e., *if a student is not attending school, a team cannot hold an eligibility meeting to exit the student from special education services.*

Process for Students Who Have Become 10-day Drops or Voluntary Withdrawal

- Special Education Case Managers will inform the Student Services Director of potential 10-day drops on the seventh consecutive student absence (* *School attendance team. Principals should already be working with family*).
- The Case Manager will inform the Sped secretary when a student becomes a 10-day drop.
- Students' **Case Manager** will send a **Stand Ready-to-Serve letter** and a Prior Written Notice to parents and students.
- Subsequent annual notification that available special education services will be sent to the student/parent.

Section 12: Dismissal from Special Education Services

Before determining that a student is no longer eligible for special education or related services, VSD completes a reevaluation, except when:

1. The student becomes ineligible because of graduation with a regular high school diploma;
or
2. The student becomes ineligible due to age.

Graduation Process

Graduation with a regular high school diploma constitutes a change of placement. A student who receives a regular diploma **is no longer eligible for special education services.**

Persons aged 18-21 years, **who are eligible** for special education and have NOT received a regular high school diploma, are entitled to free educational services to assist in achieving IEP goals and objectives.

A student without a regular diploma may be eligible for services until the end of the school year in which his/her 21st birthday occurs. The IEP team determines whether continued services, including transition services, can assist the student to meet the goals and objectives of the IEP.

VSD have the obligation to provide Free Educational Services to students 18-21 Years of Age in the following manners:

Special Education students with regular diploma or students who are ineligible due to age:

- Change of Placement
- Send Prior Written Notice of Special Education Action a Month Prior to Graduation.
- Summary of Performance.
- No reevaluation required

Special Education students without regular diploma:

- The school district will provide services until the end of the school year in which the 21st birthday occurs.
- The IEP team writes IEP goals and objectives if continuing services are needed.
- The IEP team decides if continued services will assist in achieving the student's IEP goals and objectives.
- Send Prior Written Notice of Special Education Action to terminate services a month before the end of the school year in which the student turns 21.
- Reevaluation is recommended if services are terminated prior to age 21.
- Reevaluation is not required if termination occurs because the student is 21.

A student's IEP needs to be revised and updated one time per school year. This date should be determined by the original date of the current IEP. If the IEP is revised and updated beyond the 364 calendar days, the IEP is non-compliant.

If academic, behavioral, and attendance data reflect a need for the IEP team to meet more often, the Case Manager will initiate an IEP team meeting. Parents and Guardians may request an IEP meeting during the IEP year.

The IEP should make seamless connections between the Present Level, Goals and Objectives, Service Summaries, Assessments, and Placement. In other words, the information at the Present Level should be reflected throughout the IEP. Each section of the IEP will be an accurate reflection of the services provided for the student.

GRADUATION FROM HIGH SCHOOL

1. The year before the student reaches the maximum age or completes requirements appropriate for secondary graduation, a IEP must be written that includes –
 - a. Summary of Performance. The IEP should include the needed services to assist the student in the transition into the world of work or secondary education beyond high school. .
2. At the Annual Review prior to and at the end of the student's last year in school, the necessary service providers should be in attendance to make the transition from school to work or higher education as smooth as possible.

- a. The IEP for the last known year (including Summary of Performance), should be reviewed, updated, and signed by all participants. The parent should be offered a copy of this finalized IEP.
 - b. The Parent/Guardian Notification of Conference Recommendations, should also be completed specifying the intent to graduate or reaching maximum age.
3. In all cases, a student's eligibility for special education and related services ends when he/she receives a regular high school diploma or the day before he/she turns

DISMISSAL Due to other Factors

1. NO student may be dismissed from special education services WITHOUT an Individualized Eligibility Plan Conference to determine that the student no longer has a disabling condition, which is having an adverse impact on the student's educational performance.
 - a. Exit criteria for the current disabling condition should be reviewed and discussed at the Eligibility Conference prior to making a final decision.
 - b. It is suggested that a monitor period of at least one semester be implemented prior to the formal dismissal to ensure academic success.
 - c. The decision to terminate related services can be made at an IEP/eligibility Meeting.
2. If dismissal from special education services is to be considered, the Parent/ Guardian Notification of Conference MUST be sent to the parent/guardian at least 10 days prior to the staffing date listing the reason for the conference.
 - a. If additional testing is needed to make this decision, an IEP Meeting MUST be convened to complete the Parent/Guardian Consent for Evaluation, once the needed assessments are completed, all individuals involved in the original disability identification (Psychologist, Social Worker, etc.) must be invited to attend an Individual Eligibility Plan staffing.
 - b. The current IEP must be reviewed and updated. If it is determined that the student no longer needs/is eligible to receive specialized services, he/she may be dismissed from services.
 - c. A **reintegration plan** to assist with a smooth transition back into the regular classroom MUST be developed and implemented. The Individual Eligibility Plan Report and Parent/Guardian

Section 13: Special Education Records

Student Records

Student Records

Vernonia School District complies with all federal and state laws regarding student records. VSD's policies reflect this compliance requirement. Special Education student records specifically are housed in

the Green IEP File. The school office maintains the student's cumulative file while the Special Education Secretary maintains the Green IEP.

Keeping Files Current

Within ten school days of the student's IEP and Eligibility, the special education files need to contain all current IEP and Eligibility paperwork. The case manager is expected to update the master IEP schedule in google form to reflect the date documents are filed.

Special Education File Organization- Flow Chart

- In order to maintain consistent special education files, all special education paperwork is completed within ORSPED and DocuSign (As much as possible).
- Any paperwork that is not electronic should be sent to DO through intra-district mail.
- Completed special education files are copied and mailed to student families by the special education secretary.
- Special education secretary will file special education paperwork using the VSD organizational flowchart.

Special education Records Storage

The Special Education IEP Files will be stored at the VSD special education office and are legal and official student records. The files are designed to meet ODE's Special Education service requirements. These files must be current and accurate so that our district can provide a high level of services to students and meet IDEA compliance requirements.

Confidentiality- Student File Check-out

Access to special education files for non-special education staff is on a "Need-to-know" basis and should only happen in unique circumstances. If non-special education staff needs access to a student's special education file, their first point of contact should be with the IEP case manager. VSD has provided access to all teacher's copies of IEPs for their specific students through Synergy look-up.

Special education original paperwork must **never** be taken home. If you will be working from home on paperwork, use the special education database, ORSPED, and working files with copies.

Section 14: Serving Students in Special Education and English Language Development Services (ELD).

VSD is legally required to serve students who are identified as needing both Special Education and ELD services in grades K – 12. VSD must comply with both Special Education and ELD regulations. The mission of our school district is to have all students, regardless of disability, have the opportunity to receive language development instruction at their level.

Supports for Dual Identified Students: Can ELD Services be suspended for any Student? NO

Form: [Special Education and English Language Development Services](#)

Section 15: ODE Compliance: Systems Performance Review and Improvement (SPR&I) Vernonia School District Compliance: Internal Special Education File Audit

All Special Education staff are responsible for district, state, and federal compliance for IDEA. Vernonia School District believes that compliance begins in the classroom and at each student's IEP meeting. In order to assure that students and families are provided with a high level of services, our district fully participates in ODE's SPR&I system and our district's internal IEP and file audits. As a result of this expectation, VSD has implemented the following compliance process.

ODE Compliance: Systems Performance Review and Improvement (SPR&I)

- Annually, ODE randomly selects student files for review (ALL charter school files are included)
- Mid-year, selected VSD SPR&I team reviews student files- Susanne and special education case managers
- An ODE Corrective Action Plan is shared with responsible Special Education staff
- When Corrective Action Plans are completed, VSD submits a final SPR&I report to ODE
- Corrective Action Plans may include; staff professional development, Review of policies and procedures, and Systems and Process Analysis.

Vernonia School District Compliance: Internal Special Education File Audit

- After every special education meeting (referral, eligibility, IEP, etc.), case managers will email Special Education Secretary that the paperwork is complete and ready to be reviewed.
- A review of all paperwork is evaluated for SPR&I compliance by the Sped Director and compliance staff.
- If Any SPR&I compliance issues are found:
 - Compliance issues are documented in the staff "Compliance" folder

- Case managers are notified through email by special education secretary that compliance issues have been documented in the compliance folder
- Case managers have (3) calendar days to correct compliance issues and email special education secretary that file is complete.
- VSD will recheck compliance and indicate compliance concerns have been corrected by highlighting them in electronic compliance file.
- If any compliance issues are found not to be corrected, VSD will contact the case manager through email and document in an electronic file. The case manager has (1) calendar day to correct the compliance issue and email VSD.

Section 16: Special Education Processes

Oregon Move-Ins

When a student moves into Vernonia School District with a current IEP from another district, a Move-In File Review must be completed.

IN STATE TRANSFER - SPECIAL EDUCATION PROCESS

1. Records request rec'd from School Secretaries - Records have been requested for a new student from the previous school.
2. Sped staff calls the school to expedite a copy of IEP and Evaluations.
3. Documents rec'd, File opened in ORSPED, upload docs rec'd in ORSPED by Sped staff.
4. Sped Staff assigns Case Manager and emails Case Manager, docs uploaded in ORSPED.
5. Case Manager emails specialists their roles as needed and calls the parent to notify them of the initiating of the Sped process.
6. In ORSPED, the Case Manager creates NOTM, checks boxes, and adds whom to invite to the IEP/Evaluation Planning Meeting. (Specialists attached to concerns (academic, behavior, motor, vision, speech, ASD) and School Psych.) Case manager notifies Sped Staff ok to schedule meeting and to mail NOTM.
7. **30-day timeline starts -** Sped staff creates files, schedules IEP meetings, and mail/email NOTM.
8. PWN needs to be written after the initial meeting has been completed. The PWN indicates if the IEP was accepted (Not changed) or new IEP was written.

Determined "Yes"-Evaluation should be done - Testing required:

Forms filled out by school psych:

1. Consent and testing evaluation tool form, consent signed by the parent (DocuSign).
2. Medical Statement form, if needed, given (emailed) to parents.
3. Authorize to use and disclose educational and protected health information if needed, signed by the parent (DocuSign).

4. School Psych uploads signed consent and testing form to ORSPED and notifies specialists it is available. School Psych gives documents to Sped Staff.
5. **60-day timeline starts** - School Staff will tentatively schedule a date for the eligibility meeting two weeks prior to the 60-day timeline.
6. School Psych will notify Sped Staff 30 days prior to the deadline if a tentative date is okay to confirm with w/parents or try to schedule a date sooner.
7. Sped Staff will schedule Eligibility Meeting, create NOTM, notify Case Managers to check boxes, and fill out/verify whom to invite. When complete, Sped staff mail/email NOTM.

Eligibility Meeting: (Use Team Meeting Notes Form)

Found Eligible

1. School Psych fills out Eligibility form, Team and parents sign, and mark document “does” qualify.
2. **30-day timeline starts** to complete IEP.
3. Case Manager emails Sped Staff to schedule IEP meeting.
4. OR During Eligibility Meeting, the case manager required move forward, then continue with IEP. Individualized Educational Plan (IEP) Meeting: (Use Team Meeting Notes Form)
5. IEP is written and discussed with parents at meeting. All attendees sign IEP and placement Determination page.
6. The Case Manager fills out prior Notice of Sped Action.
7. All documents turned into Sped Support staff. Copies mailed to parents.

Found “Not” Eligible

1. School Psych fills out Eligibility form, Team and parents sign, and mark document “does not” qualify.
2. Prior Notice of Sped Action filled out, explain eligibility determination, and why not found eligible.
3. All Non-Eligible docs turned into Sped Support Staff. Copies mailed to parents.

No Testing required to accept current Oregon Eligibility:

1. At the Evaluation planning meeting, VSD agrees with current Eligibility (No need for a Consent to be filled out for in-state transfers if we are accepting current eligibility).
2. Previous schools' eligibility form is accepted as is and will be filed as the active eligibility.
3. 30-day timeline starts to complete IEP.
4. Case Manager emails Sped Staff to schedule IEP meeting.
5. OR During Eligibility Meeting, the case manager wants to move forward, then continue with IEP.
6. If scheduling an IEP meeting for a later date, a Prior Written Notice of Sped Action is filled out stating the reason for not testing and the right of parents to request an assessment. The case Manager notifies Sped staff to mail home.

Individualized Educational Plan (IEP) Meeting: (Use Team Meeting Notes Form)

1. IEP is written and discussed with parents at meeting. All attendees sign the IEP and placement Determination page (DocuSign).
2. If Eligibility/IEP is completed on the same day, Prior Notice of Sped Action is filled out by the Case Manager and the reason for not testing and the right of parents to request an assessment.
3. All documents turned into Sped Support staff. Copies mailed to parents.

Out-of-State Move-Ins

1. When a student moves into Vernonia School District with a current IEP from an out-of-state district, a Move-In File Review, new eligibility, new IEP, and new Initial Consent for providing services must be completed.
2. Use the Move-In File Review Form (included in Resources/Tools) to complete the process. When complete, send copies of all move-in paperwork to special education secretary, including the Move-In File Review form.

***Teams must implement IEP services as soon as possible while completing the eligibility review and process.**

1. Records request rec'd from School Secretaries - Records have been requested for a new student from the previous school.
2. Sped staff calls the school to expedite a copy of IEP and Evaluations.
3. Documents rec'd, File opened in ORSPED, upload docs rec'd in ORSPED by Sped staff.
4. Sped Staff emails school psych docs in ORSPED.
5. School Psych calls the parent to notify them of the initiating of the Sped process. Once the parent is notified, school psych emails specialists/case managers their roles as needed.
6. Case Manager assigns themselves as Case Manager in ORSPED (if not done by sped staff).
7. The case Manager creates a Prior Notice of Sped Action accepting Out of State IEP / Eligibility until the Oregon Eligibility determination meeting. CM notifies Sped Staff to mail PNOSA home.
8. In ORSPED, the Case Manager fills out the Referral for Special Education form and Parent Referral notification, creates NOTM, checks boxes, and adds whom to invite to the Eval Planning Meeting. (Specialists attached to concerns (academic, behavior, motor, vision, speech, ASD) and School Psych.)
9. CM notifies Sped staff to start the 30-day process and mail NOTM.

10. The sped staff creates a file, prints the Referral for Sped form for file, mails Parent Referral notification, schedules Eval Planning Meeting, and mail/email NOTM.

Suppose the team decides yes, that there is enough information to determine Oregon eligibility. In that case, the IEP team completes the following:

1. Oregon Eligibility Forms (attach Reevaluation Planning Form)
2. Prior Notice of Special Education Action
3. Oregon IEP
4. Placement
5. Initial Provision of Special Education Services
6. Meeting Minutes
7. Meeting Notice

Send a copy of the move-in packet to Student Services including Move-In Form, Current IEP, and Initial Consent for Placement, Consent for Evaluation, Eligibility and Eligibility report.

Suppose the team decides no; there is not enough information to determine Oregon eligibility. In that case, the IEP team completes the following:

1. Consent for Evaluation
2. Test Descriptors Page
3. Referral Form
4. *May* need medical and release forms
5. Prior Notice and Consent for Initial Provision of Special Education
6. Move-In File Review with Out-of-State documents attached
7. Meeting Minutes
8. Meeting Notice
9. Send a copy of the move-in packet to Special education secretary including Move-In Form, Current IEP, and Initial Consent for Placement, Consent for Evaluation, Eligibility and Eligibility report.

Special Education Process Timelines

<u>Tasks:</u>	<u>Timeline:</u>	<u>Paperwork:</u>	<u>Team:</u>	<u>Paperwork copy/Routed/Finalized:</u>
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Annual IEP	Once every school year; prior to the 365 th day	Meeting Notice (mailed out two weeks prior to IEP meeting	Parent/Guardian Student Special Education Teacher/Case Manager	Within 10 School Days: In Person Meeting: Original placed in Green IEP folder
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		Meeting Notes Agenda Parents' Rights Completed IEP	General Education Teacher District Representative Second Language Acquisition Specialists Individual Interpreting Evaluations	Copies sent to DO for review Copies sent to Parent/Guardian Finalized in ORSPED Online Meeting: Originals maintain in ORSPED Any DocuSign forms sent to DO Email DO that forms are all complete DO reviews forms and sends to Parent/Guardian when done Finalized in ORSPED
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Placement Determination	Once every school year	Meeting Notice Meeting Notes Placement Page attached to current IEP	Parent/Guardian Student Special Education Teacher/Case Manager General Education Teacher District Representative Second Language Acquisition Specialists Individual Interpreting Evaluations	Within 10 School Days: In Person Meeting: Originals placed in IEP File (all documents signed) Copies sent to DO for review Copies sent to Parent/Guardian Finalized in ORSPED Online Meeting: Originals maintain in ORSPED Any DocuSign forms sent to DO Email DO that forms are all complete DO reviews forms and sends to Parent/Guardian when done Finalized in ORSPED
<u>Tasks:</u>	<u>Timeline:</u>	<u>Paperwork:</u>	<u>Team:</u>	<u>Paperwork copy/Routed/Finalized:</u>

Re-Evaluation Planning	At least <u>60 school days</u> before 3 year eligibility is due (if testing) to determine evaluation needs	If testing is required: Re-evaluation Planning Form Signed Consent for Evaluation Referral for (VSD and/or NWRES D) May need additional medical and/or Release of Information	Parent/Guardian Student Special Education Teacher/Case Manager General Education Teacher District Representative Second Language Specialists Individual Interpreting Evaluations	Within 5 School Days: If additional testing is being requested, copies of entire packet must be sent to Student Services
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		Forms		
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Eligibility	Once every 3 years	If testing is required: Re-evaluation Planning Form Signed Consent for Evaluation Referral For (VSD and/or NWRES D) Medical and/or Release of Information Forms for all students <u>except</u> LD or communication evaluations	Parent/Guardian Student Special Education Teacher/Case Manager General Education Teacher District Representative Second Language Acquisition Specialists Individual Interpreting Evaluations	Within 10 School Days: In-Person Meeting Originals placed in File (all documents signed) Copies sent to DO for review Copies sent to Parent/Guardian Finalized in ORSPED On-Line Meeting Originals maintain in ORSPED Any DocuSign forms sent to DO Email DO that forms are all complete DO review forms and sends to Parent/Guardian when done Finalized in ORSPED
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<u>Tasks:</u>	<u>Timeline:</u>	<u>Paperwork:</u>	<u>Team:</u>	<u>Paperwork copy/Routed/Finalized:</u>
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Initial Evaluation Planning	<u>5-10</u> school days after SST recommendation for Special Ed referral	Meeting Notice Meeting Notes Consent for Evaluation Referral For (VSD and/or NWRES D) Medical and/or Release of Information Forms for all students <u>except</u> LD or Communication evaluations	Parent/Guardian Student School Psychologist Special Education Teacher Specialist(s) for area(s) of concern General Education Teacher District Representative	Within 5 school days of signed parent consent, send copies to : DO Parent/Guardian should be given a copy of their signed consent, meeting notes <i>Follow In-Person or Online process for paperwork</i>
Initial Eligibility	Conclusion of the referral process within <u>60 days</u> of the date that parent/guardian signed consent for evaluation/testing	Meeting Notice (mailed out 2 weeks prior) Meeting Notes Agenda Parent's Rights Evaluation Report(s) Eligibility Form(s) Eligibility Summary Medical/Health Statement for all but LD and Communication Evaluations	Parent/Guardian Student Person knowledgeable about Evaluation/Testing results Person Knowledgeable about Placement Options Special Education Teacher General Education Teacher District Representative	<i>Follow In-Person or Online process for paperwork</i>

Initial IEP	No more than <u>30 calendar days</u> after initial eligibility	Meeting Notice (mailed out 2 weeks prior) Meeting Notes	Parent/Guardian Student Special Education Teacher/Case Manager General Education Teacher	Within 10 School Days: In Person Meeting: Original placed in Green IEP folder
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		Agenda Initial Provision of Special Ed Services Parent's Rights Completed IEP	District Representative Second Language Acquisition Specialists Individual Interpreting Evaluations	Copies sent to DO for review Copies sent to Parent/Guardian Finalized in ORSPED Online Meeting: Originals maintain in ORSPED Any DocuSign forms sent to DO Email DO that forms are all complete DO reviews forms and sends to Parent/Guardian when done Finalized in ORSPED
In District Move-In	Within 5 School Days	Email Student Services Secretary	NA	NA

Out of District Move-In (Oregon)	1st day of enrollment: email Student Services Secretary (Jen Smith) Student's name, DOB, so that a ORSPED account can be created Convene IEP Team within 10 school days to determine interim IEP services	Move-In File Review Begin Process to have an IEP meeting within 30 school days Prior Notice of Special Ed Action Initial Provision for Special Ed Services Signed consent for Evaluation Current IEP Current Eligibility	Convene IEP Team as soon as possible within 30 school days of move- in (this could be a part of VSD Parent-teacher conferences, could be the annual IEP due date)	Within 10 School Days: In Person Meeting: Original placed in Green IEP folder Copies sent to DO for review Copies sent to Parent/Guardian Finalized in ORSPED Online Meeting: Originals maintain in ORSPED Any DocuSign forms sent to DO Email DO that forms are all complete DO reviews forms and sends to Parent/Guardian when done
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Special Education Meetings and Paperwork Organizational Grid

<u>Tasks:</u>	<u>Timeline:</u>	<u>Paperwork:</u>	<u>Team:</u>	<u>Paperwork copy/Routed/Finalized:</u>
Out of State Move-In	1st day of enrollment: email Student Services Secretary Student's name, DOB, so that a ORSPED account can be created Convene IEP Team within 10 school days to determine interim IEP services	Re-evaluation Planning Form Meeting Notice Meeting Agenda Meeting Notes Parent's Rights Prior Written Notice <u>If IEP Team has enough information:</u> Oregon Eligibility Form Oregon IEP Placement Form Initial Provision of Special Ed Services <u>If IEP Team needs additional info:</u> Signed consent for Evaluation NNWRES Request for services (if applicable) May need additional medical and/or Release of information forms *Keep in mind that when we sign consent, student will be counted in census.	Parent/Guardian Student General Education Teacher District Representative If needed: School Psychologist, Second Language Specialist	Within 10 School Days: In Person Meeting: Original placed in Green IEP folder Copies sent to DO for review Copies sent to Parent/Guardian Finalized in ORSPED Online Meeting: Originals maintain in ORSPED Any DocuSign forms sent to DO Email DO that forms are all complete DO reviews forms and sends to Parent/Guardian when done

IEP Revisions	Can happen at any time throughout the life of the IEP as long as revisions are minor; major revisions require that a new IEP be developed	Minor Revisions: Written Agreement Form (if changes are being made without a meeting); Complete revised IEP with Revision Date noted; Prior Notice of Special Ed Action; Meeting Notes (if a meeting was held) Major Revisions: See Annual IEP	Parent/Guardian Student Special Education Teacher/Case Manager General Education Teacher District Representative Second Language Acquisition Specialists Individual Interpreting Evaluations	Within 10 School Days: Minor Revisions: Copy of Revised IEP to parent/guardian and General Education Teacher Major Revisions: See Annual IEP
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Special Education Meetings and Paperwork Organizational Grid

Please Note:

1. All consents and Parent's Rights booklet must be completed/offered in the parent's native language
2. All consents must be informed consents and in writing.
3. All changes to FAPE require a Prior Written Notice and must be completed in English and the parent's native language
4. All meeting notices must be sent in the parent's native language
5. All original documents must be filed correctly in the Green IEP file
6. Parent's Rights must be offered at each step in the IEP process but Parent/Guardians do not need to take a hard copy each time
7. Instructional Assistants need to be cross trained in this process
8. If parents request IEP documents be translated, contact Student Services.

Calculating Educational Time inside the Regular Classroom

1. To calculate the percentage of time inside the regular classroom, divide the number of hours/day the youth receives special education and related services outside the regular

classroom by the total number of hours in the school day.

Calculating Educational Time in Non-Traditional Educational Settings (Federal Guidance)

2. Educational time spent in age-appropriate community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, should be counted and calculated the same as time spent **inside the regular classroom**.

30 80% or more of the day - Regular Class

Children who were inside the regular classroom for 80 percent or more of the school day, previously known as **Regular Class**. These are children who received special education and related services outside the regular classroom for less than **21 percent** of the school day. This may include children with disabilities placed in:

31 40 to 79% of the day - Regular Class

Children who were inside the regular classroom between 40 and 79% of the day, previously known as **Resource Room**. These are children who received special education and related services outside the regular classroom for at **least 21 percent** but no more than **60 percent** of the school day. **Do not include children who are reported as receiving education programs in public or private separate school or residential facilities**. This may include children placed in:

- **Students coded 31 must spend at least 21% of their day *outside* a regular class. Just because a child spends some time in a resource room does not mean an automatic Federal Placement Code of 31. It is the percent of the time that determines the placement.**

33 Less than 40% of the day - Regular Education Class

Inside regular class less than 40 percent of the day. Children who were inside the regular classroom less than 40 percent of the day, previously known as **Separate Class**. (These are children who received special education and related services outside the regular classroom for **more than 60 percent** of the school day.) **Do not include children who are reported as receiving education programs in public or private separate school or residential facilities**.

This category may include children placed in:

Time in General Education Class	Federal Placement Code
80% or more	30
40-79%	31
Less than 40%	33

Reduced School Day Process

When IEP Teams are considering reducing a student's school day, the below process will need to be implemented **prior** to a final decision being made. Team meetings and discussions need to be held within the IEP Team and Special Education Process.

Considerations **before** reducing a student's school day:

- **Is the shortened day due to behavioral concerns?**
 - Yes – Must FIRST have an FBA and BIP with review and/or revisions
 - BIP must be based on the most current FBA
 - If the FBA is out of date, it must be updated and revised
 - Has the BIP been implemented as written and with fidelity
- **Has the IEP team considered and/or attempted other supplementary aids and services that would assist the student in accessing a full day?**
 - FBA and BIP
 - Temporary IA support
 - Different Classes
 - Alternative Schedule
 - Accommodations during transitions
- **Have other classes been considered?**
 - Special or self-contained classes
 - Alternative schedules with breaks
 - Sensory room/space/time
- **How will a shortened day BENEFIT the student?**
 - Does the data collected reflect a pattern or predictability in a specific time of day when a student has difficulties?
 - Does the data collected outline the extent of a student's difficulties?
 - Is there a pattern or pattern of antecedents related to behaviors?
- **The IEP team must create a plan around increasing the student's time at school with objective measures of when and by how much a student's time at school will gradually increase.**
 - For example, a daily behavior rating scale that focuses on target behaviors with objective measurement of progress
 - Must determine a baseline and a standard at which the student's day will increase
 - Example: after receiving an average of a 3 or above daily for three consecutive weeks, the student's day will be increased by 30 minutes
 - This plan should be included in the supplementary aids and services section of the IEP
 - Meetings should be held regularly to keep the shortened day from becoming status quo. Consider how long between the first day of a shortened day begins until the first meeting to review data, no longer than 6 weeks

- **Is this shortened day being considered for educational purposes?**
 - What does the collected data suggest?

A shortened schedule is a TEMPORARY intervention and support that MUST be documented via a Prior Written Notice as well as the following documentation on a student's IEP: Present Level, Meeting Notes, Meeting Agenda, Supplementary Aids and Services and Placement Page (this is a modification of the student's placement)

Reduced School Day Plan: This plan must be completed prior to any reduction in a student's schedule. Completing this plan requires the IEP Team to convene. When completed, submit it to the Director of Student Services for final review.

IEP Team Reminders:

- A change to the student's schedule will require a Prior-Written Notice of Special Education Action and a revision to the IEP
- Documentation of this plan will live in the following places on a student's IEP: Present Level, Meeting Notes, Meeting Agenda, Supplementary Aids and Services and Placement Page (this is a modification of the student's placement)

Reduced School Day Flowchart

When IEP Teams are considering reducing a student's school day, the below flowchart will need to be implemented prior to a final decision being made. Team meetings and discussions need to be held within the IEP Team and Special Education Process.

Either the Special Education Coordinator or the Director of Student Services will need to participate in this decision-making process.

Reduced School Day form must be completed and signed by parent and special education team

[Reduced School Day form](#)

Transportation

The Individuals with Disabilities Education Act (IDEA) includes transportation within its definition of "related services." This means that students with Individualized Education Programs (IEPs) have the right to receive special transportation services if it is needed.

If a student requires specialized transportation as part of their special education services, the Case Manager is responsible for

1. Complete [transportation "Google Form"](#) right after IEP is complete.
2. Email Shelley letting them know a transportation student has been added

3. Shelley will reach out to families and schedule pick-up and drop-off times.

Progress Monitoring, Student Growth Data, Cycle of Inquiry

1. In order to effectively monitor student growth, special education teachers and other service providers are required to continually monitor student progress towards IEP goals.
2. This expectation will be met through progress monitoring.
3. Progress monitoring needs to occur at a minimum of every 3-4 weeks.
4. The data produced from progress monitoring will inform special education staff of next steps for instruction in academic and non-academic goal areas as well as information to make decisions about Extended School Year.
5. Progress monitoring on individual IEP goals will be reported in writing to parents and a copy placed in the green file a minimum of four times per year.

General summary of specialist roles/ responsibilities:

School Psychologist

- Collaboration with SST team on students with high needs in Red Zone
- Conduct academic, cognitive & behavioral assessments as part of Initial SPED evaluation including report writing
- Participate in requested IEP meetings
- Collaborating with Behavior Specialist to facilitate the functional behavioral assessment process
- On-going consultation with the Learning Specialists, Behavior Specialist and SLP/LSP teachers to monitor needs of students on SPED caseload
- Model or Co-Teach skill specific small groups based on student needs
- Provide on-going consultation to the School Counselor on Tier 2 and Tier 3 interventions
- Provide individual student counseling on a short term basis related to grief, trauma, high needs, while awaiting referral to outside mental health
- Attend eligibility meetings for students when testing has been completed (initial and reevaluation) that qualify under 10, 82, 60 and/or 90
- Ensuring compliance with special education law
- Establishes and maintains positive and respectful relationships with parents and guardians

Speech and Language Pathologist

- Complete all speech and language related evaluations
- Collaborate with the Health Services team for district hearing screenings
- Provide individual and small group direct services to students
- Consult and Collaborate with building staff

- Develop goals and objectives and attend IEP meetings when a student has speech and language related needs.
- Consult with other specialists to meet IEP goals
- Ensuring compliance with special education law
- Establishes and maintains positive and respectful relationships with parents and guardians

Special Education Teacher

- Special education case management
- Providing specially designed instruction
- Providing consult to building staff
- Coordinating and facilitating IEP services
- Facilitating IEP and eligibility meetings
- Ensuring compliance with special education law
- Provides training, consultation, direction and monitoring of special education assistants
- Establishes and maintains positive and respectful relationships with parents and guardians

Special education Assistants

- Clerical support for IEP meetings and paperwork
- Clerical support for instructional planning
- Monitor small groups for specially designed instruction
- Student supervision
- Provide support for students as related to IEP goals and services
- Implement behavior support plans
- Attend district and building level professional development

Special education Interpreters

When scheduling Spanish and/or Russian interpreters, use the following guidelines:

1. Access classified staff receiving the stipend.
2. If there are none available, access bi-lingual classified staff (staff will receive an hourly stipend for interpreting).
3. Contact the Welcome Center for additional interpreting services.
4. If no classified staff is available, request bi-lingual licensed staff.

Goal: Continue to integrate Special Education staff and services with General Education staff and services to improve academic, social, and behavior outcomes for students with disabilities by providing timely and frequent job performance feedback to Special Education staff.

Building Principals	Primary Evaluator: Superintendent
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	Secondary supervisor: Director of Student Services
Speech and Language Pathologists 2.5 Staff	Primary Evaluator: Director of Student Services
School Psychologists 1 Staff	Primary Evaluator: Director of Student Services Secondary Evaluator: Building Principal
Learning Specialists 2 Staff	Primary Evaluator: Building Principal Secondary Evaluator: Director of Student Services
Self-Contained Teachers (Life-skills)	Primary Evaluator: Building Principal Secondary Evaluator: Director of Student Services
Health Services Team 1 Staff	Primary Evaluator: Building Principal Secondary Evaluator: Director of Student Services
Building/K-12 Classified Staff	Primary Evaluator: Building Principal Secondary Evaluator: Director of Student Services
DO Level/K-12 Special Education staff	Primary Evaluator: Building Principal Secondary Evaluator: Director of Student Services

Interpreter Protocol

	Vernonia School District Protocols for meetings that require an interpreter
Before the Meeting	• Have an authorized interpreter scheduled for the meeting, two weeks in advance (when possible). • Connect with the interpreter to review any paperwork (key ideas highlighted) or content of the meeting (including vocabulary and acronyms) two or three days before the meeting. • Interpreters should be seated next to parent or guardians.
During the Meeting	• One person speaks at a time, with no side conversations. • Everyone uses short phrases, no more than two or three sentences. • Everyone speaks slowly and clearly • The interpreter interprets EXACTLY and CONSECUTIVELY what was said. • Speakers should not look at interpretation but maintain eye contact with the speaker. • Provide parents time to process information and ask questions. • Meeting should take no longer than an hour.
After the Meeting	• Debrief to see how the interpreting process worked during the meeting.

***Team should always review interpreter protocols before the meeting.**

Section 18: Family Educational Rights and Privacy Act (FERPA) & HIPAA

1. Under FERPA, a school may not generally disclose personally identifiable information from a minor student's education records to a third party unless the student's parent has provided written consent. There are some exceptions. One of the exceptions to the prior written consent requirement in FERPA allows "school officials," including teachers, within a school to obtain access to personally identifiable information contained in education records provided the school has determined that they have "legitimate educational interest" in the information.
2. Although the term "school official" is not defined in the statute or regulations, this office generally interprets the term to include parties such as: a teacher; administrator; board member; support or clerical staff; attorney; nurse and health staff; counselor; human resources staff; information systems specialist; school security personnel; and a contractor, consultant, volunteer or other party to whom the school has outsourced institutional services or functions.
3. A school may disclose personally identifiable information from education records without consent to a "school official: under this exception only if the school has first determined that the official has a "legitimate educational interest" in obtaining access to the information for the school.
4. FERPA differs from HIPAA in that it does not allow the sharing of information outside of specifically designated individuals within the education program without a signed consent to disclose information.
5. HIPAA allows information to be shared between health professionals as part of the continuation of care of the patient. As such, a HIPAA covered entity may be allowed to share information with a school nurse; however, because the school nurse is bound by FERPA, he or she may not share/discuss health information without a signed consent. Disclosure includes calling or otherwise initiating a conversation about a student.

Section 18: Northwest Regional Educational Service District (NWRES D)-Tools

Vernonia School District and NNWRES D collaborate in providing IEP-related services. NNWRES D Specialists are expected to provide a schedule and calendar for when they will be providing services to students. VSD Case Managers are also required to provide NWRES D staff with the classroom/program calendar on or before the first week of school.

NNWRES D staff is required to attend IEP and Eligibility meetings that are related to their specialty. At times, they may provide written input if they are unable to attend the meeting. NWRES D staff also has full access to ORSPEDas a member of the IEP team. **VSD Case Managers are required to provide ESD staff with copies of all relevant paperwork.**

Vernonia School District contracts the following services through the NWRESD:

- Occupational Therapy
- Augmentative Communication
- Some Speech and Language
- Services for Visually Impaired students
- Services for Deaf and Hard of Hearing students

Vernonia School District Resources/Tools

Introduction

Assistive technology (AT) devices and services are a means of ensuring that children with disabilities are able to access their free and appropriate public education (FAPE). IEP teams are required to consider if a student needs AT devices or services. If the team determines that the student needs an AT device or service, it is included in the IEP and the school district has to ensure that the device or service is provided. Augmentative Communication is a type of AT, but will be discussed separately because of its unique requirements.

What Are the Legal Requirements For Assistive Technology?

Part B of the IDEA states that the IEP team shall "consider whether the child needs AT devices and services." In addition, the AT Act of 2004 states that AT services and devices are used to "maximize accessibility for children with disabilities."

The decision to add AT services and devices to the IEP needs to be based on assessment data or a trial of AT after attempts to meet IEP goals has not been successful.

Assistive Technology Device:

AT device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted such as cochlear implants, or the replacement of such device.

**Assistive Technology evaluations are completed by the NNWRES. Case manager will complete a Form 30 when requesting AT evaluations: [Form 30 Service Request/ Service Credit Transfer 22 -23 \(download to open and fill out\)](#). Please send it to Julie Hathaway once the form is completed. Julie will send to NNWRES.

Basic Categories of Assistive Technology devices:

The following examples are intended to show the basic categories of AT devices, and are not inclusive of all AT devices.

1. Low tech tools: basically things that don't require electricity. These can include slant boards, pencil grips, footrests, pictures and symbols.
2. Mid-tech tools: these can include switches, environmental control, or static display communication devices.
3. High-tech tools: these tools are more complex than the previous categories and can include computers, tablets, software/apps, and communication devices with dynamic displays, etc.

