 **No. 113A**

 **SECTION: PROGRAMS**

**TITLE: REFERRAL, EVALUATION, PLACEMENT/DUE PROCESS PROCEDURES**

**MEDICAL ACADEMY ADOPTED: 10/8/13**

**CHARTER SCHOOL REVISED:**

113A. REFERRAL, EVALUATION, PLACEMENT/DUE PROCESS PROCEDURES

The intent of this document is to assist administrators and guidance staff in implementing appropriate measures for students having learning and/or behavioral needs. It must be stressed that these measures are guidelines only and that depending on the circumstances, these procedures may be adjusted with the approval of the Principal/CEO and in concert with existing laws and regulations.

**The Referral Process**

Grades 9 - 12

The counselor may receive a request for a referral of a student from any source: teacher, parent, specialist, principal, etc.. The counselor will then distribute the Referral Form to all teachers and collate all information gathered. Collection of additional data should include a review of the pupil record (including the health history), conferencing with the previous year's teacher(s), any specialists that currently work with the child, and, when appropriate, the child. Race, gender and ethnicity will not be given any consideration in the referral or evaluation process.

The Principal/CEO or his designee shall convene a Child Study Team meeting that may be attended by the child's teachers, counselor, principal, parent(s), school nurse, school psychologist, and appropriate specialists. The Child Study Plan shall be completed at the conference. The plan should outline the specific intervention strategies deemed appropriate by the team, and may include a recommendation for additional evaluation.

**Evaluation**

If the recommendation of the Instructional Support Team or Child Study Team is for a multidisciplinary evaluation, the designated team member contacts the parents to inform them of the recommendation and obtains their signatures on the Request for Permission to Evaluate form.

An appropriate evaluation, whether conducted by school staff, those contracted by the school, or persons not employed by the school, shall consist of the administration of all testing and the use

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of all assessment procedures required to rule in or rule out the existence of all legally-defined disabilities that school staff, parents, or the evaluator reasonably suspect the child might have.

The evaluation need include only that testing and those assessment techniques that are required in light of information already available from previous evaluations, information from school staff familiar with the performance of the child, and education records concerning the child. The evaluator shall review all such sources of information prior to conducting testing and assessment. The evaluator shall either review assessments conducted by others that indicate how the child is responding to scientific research-based instruction or, in the absence thereof or in addition thereto, shall include such assessments as part of his or her evaluation. To the extent that the results of such instructional assessments are inconsistent with the results of norm- or criterion referenced testing and assessments that the evaluator has administered, the evaluator shall explain in his or her report, if possible, the reason for the inconsistency.

Testing and assessment procedures shall be selected and administered to yield valid measurement or assessment of the construct or quality they purport to measure or assess. The evaluator shall administer any testing or assessment procedures in a manner consistent with the requirements and recommendations of the publisher of the test or procedure, if any, and in compliance with applicable and authoritatively recognized professional principles and ethical tenets and shall report any factor that might affect the validity of any results obtained.

The evaluation shall include an observation of the student in an educational setting, unless the student is not then in such a setting, and the evaluator shall obtain information concerning the performance of the student directly from at least one current teacher of the child, unless the child does not have a current teacher.

The evaluator shall hold an active certification from the Pennsylvania Department of Education that qualifies the evaluator to conduct the type of evaluation that he or she is conducting of the student. If certification from the Pennsylvania Department of Education is not issued for the particular area of professional practice in which the evaluator is otherwise lawfully engaged, the evaluator shall hold such license or other credentialing as is required for the area of professional practice under Pennsylvania law.

The evaluator shall prepare and sign a full report of the evaluation containing (a) a clear explanation of the testing and assessment results; (b) a complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and subtest scores reported in standard, scaled, or T-score format; (c) a complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator; and (d) specific recommendations for educational programming and, if possible, placement.

Independent Educational Evaluations

A parent who disagrees with the results or content of an evaluation performed or obtained by the school may request an independent educational evaluation at public expense. If the request is received verbally, the staff member who receives the request shall immediately inform the parent that the request must be in writing. If the native language of the parent is other than English, the

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requirement that the parent make his or her request in writing shall be conveyed by whatever means practicable in the native language of the parent. A written request for an independent educational evaluation at public expense shall be immediately forwarded to the Principal/CEO.

The Principal/CEO may, upon receipt of the request for an independent educational evaluation at public expense, request that the parent state his or her reasons for disagreement with the evaluation conducted or proposed by the school. It may not require the parents to do so, however, and the refusal of the parent to do so shall not delay the process detailed below.

1. Within ten school days of receipt of a request for an independent education evaluation in

a. Initiate a due process hearing and notify the parent in writing that it has done so; or

b. Issue to the parents correspondence containing (a) an assurance that the school will

 pay for an independent educational evaluation as long as the evaluation meets all of

 the requirements of an appropriate evaluation identified in Section 1.0 of this

 procedure; (b) a statement that the school shall not pay for the evaluation until it

 receives directly from the evaluator a complete copy of a report of that evaluation and

 determines that the evaluation meets all of the requirements of this procedure; (c) a

 request that the parents consider accessing reimbursement for all or part of the

 evaluation from public or private sources of insurance or reimbursement, together

 with a clear assurance that the parent is not required to do so and that the school would

 pay any cost not covered by such sources; (d) directions that the parent is responsible

 for arranging for the evaluation and for ensuring that the evaluator contacts the

 Principal/CEO to arrange for payment of the evaluation. If the evaluation has already

 been conducted and paid for, the correspondence shall advise the parent that the

 school will not reimburse the parent for the reevaluation until it receives (a) a

 complete and unredacted copy of the report of the evaluation and determines that the

 evaluation meets all of the requirements of Section 1.0 of this procedure, and (b)

 documentation substantiating that the parents paid for or incurred the obligation to pay

 for the evaluation without reimbursement from a public or private source of insurance

 or reimbursement. The Principal/CEO shall send the correspondence to the parent by

 certified mail or by other independently verifiable means of conveyance and enclose

 therewith such a copy of this policy.

The Principal/CEO shall maintain a list of qualified independent evaluators in each of the various disciplines commonly relied upon to provide education-related evaluations and assessments and shall make that list available promptly to any parent who requests it.

**IEP Meeting**

After a multidisciplinary team evaluation has been completed, an Individualized Education Program (IEP) meeting is convened. The Individualized Education Program team must include the parent, teacher, and principal or other designated Local Education Agent (LEA) who is knowledgeable about program and service options which may be available. The counselor, psychologist, teachers, and other specialists may attend as appropriate. It is the responsibility of the Individualized Education Program team to determine whether a child is exceptional and in need of special education. If the child is found to be exceptional, the team determines which

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services can best serve the child, which subjects can continue to be taught in the regular education classroom, and which need to be taught in a special education setting.

**Placement/Due Process Procedures**

First Step

If the child is found to be "exceptional" and thus in need of special educational services, the following procedures are followed:

1. The Invitation To Participate In An Individualized Education Planning Meeting is mailed to the parent/guardian. If the parent/guardian does not respond within five (5) days school personnel are required to make additional attempts to contact the parent by phone, letter, or home visits if needed. If they choose not to attend the planning conference, the conference is to be held without them and the completed Individualized Education Program is sent to them.

 b. At the Individualized Education Program Planning Conference, parents are invited to make

 their recommendations pertaining to the program.

 c. For newly identified students the IEP (Individualized Education Program Plan) is developed

 based on test data and information provided by the psychologist, classroom teacher, the

 special education teacher, and other appropriate specialists as well as parents/guardians.

The Individualized Education Program must include a cover page, a Present Educational Levels Page(s), and a section listing goals and objectives. The Present Educational Levels page(s) should include narrative statements about the child and may also include copies of standardized test scores or other pertinent information.

 d. Parents are invited to assist in developing the Individualized Education Program and to sign

 the Notice of Recommended Assignment (NORA). In cases where the parents

 are unable or unwilling to attend a conference, the Individualized Education Program and

 Notice of Recommended Assignment may be mailed to the parents/guardian by certified

 mail, return receipt requested. For new placements the parent/guardian must sign the Notice

 of Recommended Assignment before the placement may begin. For continued placements, if

 the parent/guardian does not respond within ten (10) days, it will indicate that the parent

 approves the recommended placement, and the program may be implemented.

 e. If a parent/guardian refuses recommendations at any step in the referral and/or placement

 process, it shall be the responsibility of the Principal/CEO, to determine whether to begin the

 pre-hearing procedures.

Second Step - Continuing Students in Special Education

a. An Individualized Education Program meeting is convened annually to make

 recommendations regarding the education needs, the need for continued placement, and

 the level of services. The team must consist of the principal or other designated Local

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 Education Agent, parent, and teacher. The counselor, other teachers, and specialists may be

 included if appropriate. The child’s records are reviewed and current levels of functioning

 are reported. The team’s recommendations are reviewed and a new Individualized Education

 Program is written reflecting these recommendations.

 b. When a re-evaluation is scheduled, a Notice Of Intent To Re-Evaluate is sent to the

 parent/guardian and a copy placed in the file. Retesting may be recommended for any

 special education student as part of the re-evaluation.

 c. The Notice of Recommended Assignment (NORA) must be re-issued and signed by the

 parent/guardian every two years.

Exceptional Students Transferring into the School

When an exceptional student transfers into the school and an Individualized Education

Program and Notice of Recommended Assignment are received, an Individualized

Education Program Team meeting must be convened and all documentation pertaining to the placement (Comprehensive Evaluation Report, Individualized Education Program,

Notice of Recommended Assignment, achievement testing and other pertinent data) is to be

reviewed. Based on recommendations of the team, a new Individualized Education

Program, or revised Individualized Education Program, and Notice of Recommended

Assignment are issued following all due process procedures.

The Local Education Agent is the Principal/CEO or Assistant Principal.

Special Education Files/Due Process Procedures

The special education records of all exceptional (including gifted) students will be maintained in the Special Education office. All due process activities related to referral, testing, placement and re-evaluation will be coordinated through this office.