

## ANNUAL PUBLIC NOTICE OF SPECIAL EDUCATION SERVICES AND PROGRAMS, SERVICES FOR GIFTED STUDENTS, AND SERVICES FOR PROTECTED HANDICAPPED STUDENTS

State and federal special education regulations require each school district to provide notice to the community by publishing an annual public notice to parents, in newspapers or by other media, regarding the school district's identification and screening activities, the location and time of the activities, and also any evaluation activity which takes place in the Penn Manor School District.

The district is required to provide a free, appropriate public education (FAPE) to children with disabilities who are determined, through the evaluation process, to need special education and related services under IDEA and 22 Pa. School Code §14. A school-age child with a disability, who is determined to be in need of special education and related services, is identified as a child with a disability eligible for special education in need of specially designed instruction. The following are disability categories under IDEA:

Autism • Deafness • Deaf/Blindness • Emotional Disturbance • Traumatic Brain Injury • Hearing Impairment • Specific Learning Disability • Mental Retardation • Multiple Disabilities • Visual Health Impairment • Speech and Language Impairment • Orthopedic Impairment • Visual Impairment including Blindness

### SERVICE AGREEMENT PLANS (SECTION 504 OF ADA)

The Penn Manor School District provides to each protected handicapped student those related aids, services or accommodations that are needed to provide equal opportunity to participate in and benefit from the public school program and extracurricular activities. Services are provided without discrimination or cost to the student or family.

To qualify for services under Section 504, the student must be school age and have a physical or mental disability or condition that substantially limits one or more major life activities, such as self-care, manual tasks, walking, seeing, hearing, speaking, breathing, standing, thinking, concentrating, reading, learning, sleeping, working, bending, communicating, reproducing, normal cell growth, immune system function, and digestive function, bowel function, bladder function, neurological function, brain function, respiratory function, circulatory function and endocrine function. The disability or condition impacts the student's access to participate in the public school program. These services and protections are distinct from those under IDEA 2004.

For further information on the rights of parents and children, provision of services, screening and evaluation and procedural safeguards, you may contact a Penn Manor School District principal in writing. Only students enrolled in the Penn Manor School District are eligible for services.

### GIFTED EDUCATION

Parents who suspect that their child is in need of specially designed instruction beyond that required in 22 Pa. School Code §4 (relating to academic standards and assessments) may request in writing to the building principal that their child be evaluated under the criteria of 22 Pa. School Code §16.22. For additional information, please contact Dr. Robert Hoempel, Coordinator of Gifted Services, at 872-9520 ext. 1813.

### EARLY INTERVENTION

In Pennsylvania, any child between three years of age and the school district's age of beginners who has a developmental delay or one or more of the physical or mental conditions listed above is identified as an "eligible young child." Children who are less than the age of beginners and at least three years of age are considered to have a developmental delay when one of the following exists: (i) the child's score, on a developmental assessment device, on an assessment instrument which yields a score in months, indicates that the child is delayed by 25% of the child's chronological age in one or more developmental areas, as documented by test performance of 1.5 standard deviations below the mean on standardized tests. Developmental areas include cognitive, communicative, physical, social/emotional and self-help. For more information please contact the Lancaster-Lebanon Intermediate Unit 13. Eligible young children are afforded the same rights under IDEA and 22 Pa. School Code §14 as school-age children. In order to determine if they are eligible to receive special education services through the screening and evaluation process. Once a child is determined to be eligible to receive special education, an individualized education program will be developed for the child.

The Pennsylvania Department of Education is responsible for providing programs and services to eligible young children under Act 212 of 1990, the Early Intervention System Act. If you think your preschool child (child age 3-5) may need early intervention services, please call the UI3 Preschool Early Intervention Program at 717-606-1601 for Lancaster and Lebanon counties or toll free at 888-745-0771. If you think your infant or toddler (child age birth-3) may need early intervention services, please call the Lancaster County Infant/Toddler Early Intervention Program at 717-399-7323 or the Lebanon County Infant/Toddler Early Intervention Program at 717-274-3415.

### SERVICES FOR ENGLISH LANGUAGE LEARNERS

Students whose first language is not English may be eligible for services as an English language learner (ELL). Students are screened upon enrollment or at the request of parents, teachers or administrators. Parents are notified of the assessment results, including proficiency level (emerging, beginning, developing, expanding or bridging) and the eligibility of services. In a language that they understand, parents will be informed of the services available to their children. Students are exited from ELL services when a team, that includes parents, determines that the student's proficiency level is sufficient for academic achievement in English-only classes without ELL support. If you are concerned about your child's language proficiency level, please contact your child's school. These services are available for enrolled Penn Manor School District students. If you have additional questions, please contact Dr. Theresa Kreider, Coordinator of ELL Services at 872-9500 ext. 2227.

### SCREENING

Screening activities are conducted on an on-going basis throughout the school year. Screening is conducted in the student's home school unless other arrangements are necessary. Parents can request screening in writing for their children by contacting the school that their child attends. When screening indicates that a student may be a child with a disability eligible for special education, the school district will seek parental consent to conduct an evaluation.

Screening activities cannot block the rights of a parent to request, at any time, including prior to or during instructional support activities, an evaluation for the purpose of determining if the student is a child with a disability and eligible for special education services.

### EVALUATION

"Evaluation" is the procedure used to determine whether a child has a disability and if the child's disability is of the nature and extent that the child would be eligible for special education and related services. Evaluation procedures used are determined on an individual basis by a Multi-disciplinary Evaluation team, which includes the parents. Parents are asked to provide permission to conduct the evaluation via a Permission to Evaluate form. The evaluation team takes into consideration cultural issues; as they determine the assessment tools that will be administered for the student. A single test or procedure cannot be the sole factor in determining that a child is eligible for special education services. The initial evaluation shall be completed and a copy of the evaluation report shall be presented to the parents no later than 60 days after the agency receives written parental consent. Evaluation for the purpose of determining if a child is a child with a disability eligible for special education does not include the procedures or basic tests that are administered to all children. Parents who think their child is a child with a disability may request, at any time, that the school district conduct an evaluation to determine if the child is eligible to receive special education and related services. This request must be made in writing to the Director of Special Services. If a parent makes an oral request for an evaluation, the school district shall provide the parent with a Permission to Evaluate form to complete.

### INDEPENDENT EDUCATIONAL EVALUATION

The parents of a child with a disability have the right to obtain an independent educational evaluation of the child, subject to the provisions outlined below. The district shall provide to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and criteria applicable for independent educational evaluations as set forth below.

For the purposes of this part, "independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the district and "public expense" means that the district either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.

A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the district. If a parent requests an independent educational evaluation at public expense, the district, without unnecessary delay, either initiates a hearing under procedures described below to show that its evaluation is appropriate or shall ensure that an independent educational evaluation is provided at public expense. If the district initiates a hearing and the final decision is that the district's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at district expense.

If a parent requests an independent educational evaluation, the district may ask for the parent's reason why he or she objects to the district's evaluation. However, the explanation by the parent is not required and the district may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the district's evaluation.

### PARENT-INITIATED EVALUATIONS

If the parent obtains an independent educational evaluation at private expense, the results of the evaluation must be considered by the district, if it meets the district's criteria. In any decision made with respect to the provision of FAPE to the child, in addition to the independent educational evaluation may be presented as evidence at a Due Process hearing.

### EDUCATIONAL PLACEMENT

After the evaluation team has determined that the student is eligible for special education, an IEP team develops an educational program, based on the evaluation, which identifies the type of services, the level of intervention, and the location of intervention. The IEP team must include:

- a school district representative (LEA) • the general education teacher • the special education teacher • the child's parents and the student when 16 years of age.

An IEP describes a student's current educational levels, goals and objectives, and the individualized programs and services necessary to provide the student with FAPE. These services may include:

1. Learning support class
2. Life skills support class
3. Emotional support class
4. Sensory support
  - Deaf or hard-of-hearing class
  - Blind or vision loss class
5. Speech and language support class
6. Physical support class
7. Artistic support class
8. Multiple disabilities support class

A student's special education placement must be made in the least restrictive environment in which the student's educational needs can be addressed. All students with disabilities must be educated to the maximum extent appropriate with their non-disabled peers. A student's IEP is reviewed on at least an annual basis.

### SERVICES FOR PROTECTED HANDICAPPED STUDENTS

In compliance with state and federal law, and 22 Pa. School Code Chapter 15, the district will provide to each protected handicapped student, without discrimination or cost to the student or family, those related aids, services, or accommodations which are needed to provide an equal opportunity to participate in and obtain the benefits of the school programs and participate in extracurricular activities to the maximum extent appropriate to the student's abilities.

In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability which substantially limits one or more major life activities which prohibits participation in, or access to, an aspect of school programs. These services and protections for "protected handicapped students" are different from those applicable to all students eligible or thought to be eligible for special education services and must be designed to meet individual educational needs of the handicapped individual as adequately as the needs of non-handicapped persons are met.

The school district or parent may at any time initiate an evaluation of a student. Parents who wish to have a child evaluated should contact their building principal or guidance counselor for further information on the evaluation procedures and provision of services to protected handicapped students.

