

## Chester County Family Academy

### Annual Public Notice of Special Education Services and Programs for Students with Disabilities

Chester County Family Academy publishes the following Annual Notice in the school's Parent-Student Handbook and on the school's website:

[www.ccfacademy.org](http://www.ccfacademy.org).

#### **CHILDFIND (§300.125)**

It is the policy of Chester County Family Academy that all students with disabilities, regardless of the severity of their disability, who are in need of special education and related services, are identified, located and evaluated. This responsibility is required by a Federal law called the Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1200 et. Seq. ("IDEIA 2004"). Chapter 711 of Title 22 of the Pennsylvania Code requires the publication of a notice to parents sufficient to inform parents of children applying to or already enrolled in Chester County Family Academy of (1) available special education services and programs, (2) how to request those services and programs, and of (3) systematic screening activities that lead to the identification, location and evaluation of children with disabilities enrolled in Chester County Family Academy. The purpose of this Annual Notice is to comply with the school's obligations under Chapter 711 of Title 22 of the Pennsylvania Code. This Annual Notice is made available both in the school's Parent-Student Handbook and on the school's website: [wwwccfacademy.org](http://wwwccfacademy.org).

#### **QUALIFYING FOR SPECIAL EDUCATION AND RELATED SERVICES**

Under the Federal IDEIA2004, there are two steps for a student to qualify for special education and related services. The first step is a finding that the student has one or more of the following disabilities that interfere with his or her educational performance: (1) autism or pervasive developmental disorder, (2) deaf-blindness, (3) deafness, (4) serious emotional disturbance, (5) hearing impairment, (6) mental retardation, (7) multiple disabilities, (8) orthopedic impairment, (9) other health impairment (includes ADD, ADHD, epilepsy, etc., (10) specific learning disability, (11) speech or language impairment, (12) traumatic brain injury, and (13), visual impairment including blindness. IDEIA 2004 provides legal definitions of the above-listed disabilities, which may differ from those terms used in medical or clinical practice or daily language. The second step in determining eligibility for special education and related services is a finding by the school's multi-disciplinary team (MDT) that the student with one or more of these disabilities is in need of specially designed instruction.

#### **WHAT PARENTS CAN DO IF THEY THINK THEIR CHILD MAY QUALIFY FOR SPECIAL EDUCATION**

Parents who think their child is eligible for special education may request at any time, that school conduct a multi-disciplinary evaluation. Some potential signs of a

student having a qualifying disability include experiencing continued patterns of having difficulty in reading, writing, or solving math problems, difficulties controlling emotions (such as anxiety and depression) and/or behaviors. Requests for a multi-disciplinary evaluation must be made in writing to any school official or teacher. If a parent makes an oral request for a multi-disciplinary evaluation, the school shall provide the parent with a form for that purpose.

## **CHESTER COUNTY FAMILY ACADEMY'S SYSTEMATIC SCREENING AND REFERRAL PROCESSES**

Through our systematic screening and referral processes, CCFA identifies and refers for evaluations students who are thought to be eligible for special education services. These screenings and referral processes include initial (after acceptance) academic placement assessments, standardized reading and mathematic assessments, speech and language assessments, occupational therapy assessments, curriculum based formative assessments, classroom performance, behavior rating scales, teacher observations, work samples, vision, hearing and dental screenings.

Chester County Family Academy regularly assesses the current achievement and performance of the child, designs, school-based interventions, and assesses the effectiveness of interventions. The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not to be considered an evaluation for eligibility for special education and related services. If a concern can be addressed without special education services, or if the concern is the result of limited English proficiency or the lack of appropriate instruction, a recommendation may be made for interventions other than a multi-disciplinary team evaluation.

Parents have the right to request a multi-disciplinary team evaluation at any time, regardless of the outcome of the screening process. Moreover, screening or pre-referral intervention activities may not serve as a bar to the right of a parent to request an evaluation, at any time, including prior to or during the conduct of screening or pre-referral intervention activities.

If parents need additional information regarding the purpose, time and location of screening activities, they should call or write the school director.

## **EVALUATION**

When a student is referred for a multi-disciplinary team evaluation, CCFA must obtain written consent from a parent before the evaluation can be conducted. Parental consent for an evaluation shall not be construed as consent for their child to receive special education and /or related services. In certain circumstances, a surrogate parent may be appointed. A surrogate parent must be appointed when no parent can be identified: a public agency, after reasonable efforts, cannot locate a parent; the child is a ward of the State under the laws of Pennsylvania, or the child is an unaccompanied homeless youth. The surrogate parent may represent the child in all matters relating to the identification, evaluation, and educational placement of the child. Reasonable efforts must be made to ensure the assignment of surrogate parents not be more than 30 days after it is determined that the child needs a surrogate parent.

Under IDEIA 2004, an evaluation involves the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent that may assist in determining whether the child is a child with a disability and assist in determining the content of the child's IEP. This process is conducted by a Multi-Disciplinary Team (MDT) which includes a teacher, other qualified professionals who work with the child, the parents and other members as required by law. The multi-disciplinary team evaluation process must be conducted in accordance with specific timelines and must include protection-in-evaluation procedures. For example, tests and procedures used as part of the Multi-Disciplinary Evaluation may not be racially or culturally biased. CCFA does not use any single measure or assessments as a sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child. Technically sound instruments are used to assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors.

The MDE process results in a written report called an Evaluation Report (ER). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction. If the student's Multi-Disciplinary Team determines that the student is eligible for special education and related services, then the student's IEP Team writes a detailed plan for supporting the student in his/her area(s) of need over the coming year so that he/she can be successful in school – and later in life.

## **PROGRAMS AND SERVICES FOR CHILDREN WITH DISABILITIES**

The Chester County Family Academy, in conjunction with the parents, determines the type and intensity of special education and related services that a particular child needs based exclusively on the unique program of special education and related services that the school develops for that child. This program is called an Individual Education Plan – the IEP- and is different for each student. An IEP Team consists of educators, parents, and other persons with special expertise or familiarity with the child. The participants in the IEP Team are dictated by IDEIA (2004).

The parents of the child have the right to be notified of and to be offered participation in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant but reviewed at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational benefit to the student. In accordance with IDEIA (2004), there may be situations in which the school may hold an IEP team meeting if the parents refuse or fail to attend the IEP team meeting.

IEP's generally contain: (1) a statement of present levels of academic achievement and functional performance; (2) a statement of measurable annual goals established for the child; (3) a statement of how the child's progress toward meeting the annual goals will be measured and when periodic reports will be provided; (4) a statement of the special education and related services and supplementary aids and services and a statement of the program modifications or supports for school personnel that will be provided, if any; (5) an explanation of the extent, if any, to which the child

will not participate with non-disabled children in the regular class and in activities; (6) a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and school assessments; and (7) the projected date for the beginning of the services and modifications and anticipated frequency, location and duration of those services or modifications.

Special education services are provided according to the educational needs of the child, not the category of disability. Types of service that may be available, depending upon the child's disability and needs include, but are not limited to: (1) learning support; (2) life skills support; (3) emotional support; (4) deaf or hearing impaired support; (5) blind or visually impaired support; (6) physical support; (7) autistic support; and (8) multiple-disabilities support.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of related services that a child may require include but are not limited to: speech and language therapy, transportation, occupational therapy, physical therapy, school nursing services, audiologist services, counseling, or training.

Chester County Family Academy ensures that children with disabilities are educated to the maximum extent possible in the regular education environment or "least restrictive environment". To the maximum extent appropriate, students with disabilities are educated with students who are not disabled. Special classes, separate schooling or other removal of students with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily. Programs and services available to students with disabilities, might include: (1) regular class placement with supplementary aides and services provided as needed in that environment; (2) regular class placement for most of the school day with itinerant service by a special education teacher either in or out of the regular classroom; (3) regular class placement for most of the school day with instruction provided by a special education teacher in a resource room; (4) part-time special education class placement in a regular public school or alternative setting; (5) special education class placement or special education services provided outside the regular class for most or all of the school day, either in a regular public school or alternative setting, such as an approved private school or other private facility licensed to serve children with disabilities.

Some students may also be eligible for extended school year services if determined needed by their IEP teams in accordance with Chapter 711 regulations contained in Title 22 of the PA Code.

## **SECTION 504 PLANS**

Under Section 504 of the Federal Rehabilitation Act of 1973, some school age children with disabilities who do not meet the eligibility criteria outlined above might nevertheless be eligible for special protections and for adaptations and

accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program and other wise qualify under the applicable laws.

Chester County Family Academy will ensure that qualified handicapped students have equal opportunity to participate in the school program and activities to the maximum extent appropriate for each individual student. In compliance with applicable state and federal laws, CCFA provides to each qualifying protected handicapped student without discrimination or cost to the family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities and to the extent required by the laws.

These services and protections for "protected handicapped students" may be distinct from those applicable to eligible or thought to be eligible students. Chester County Family Academy or the parent may initiate an evaluation if they believe a student is a protected handicapped student. For further information on the evaluation procedures and provisions of services to protected handicapped students, parents should contact the school's Director.

#### **POLICIES AND PROCEDURES REGARDING STUDENT EDUCATION RECORDS AND THE RIGHTS OF PARENTS AND STUDENTS UNDER FEDERAL LAW CONCERNING CONFIDENTIALITY**

Chester County Family Academy (CCFA) protects the confidentiality of personally identifiable information regarding its exceptional and protected handicapped students in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and other disability Federal and state laws.

Educational records mean those records that are directly related to the student that are maintained by CCFA.

For all students, CCFA requires educational records that include, but are not limited to:

- Personally Identifiable Information – confidential information that includes, but is not limited to, the student's name, name of parents and other family members, the address of the student or the student's family and other information or personal characteristics that would make the student's identity easily identifiable.

CCFA must obtain parent or student consent before disclosing identifiable information to anyone not entitled to it under law. Consent means the parent has been fully informed regarding the actual required consent, in their native language or normal mode of communication. They understand and agree in writing to the activity and they understand that consent is mandatory before CCFA may disclose identifiable information to anyone not entitled to it under law and may be revoked at any time.

Parents have the right to inspect and review the student's educational record. CCFA will comply with a request to inspect and review educational records without unnecessary delay regarding an IEP or any due process hearing, but in no case more than thirty days after the request has been made. Parents have the right to require copies of the records. While CCFA cannot charge a fee to search for the records, it may charge a copying fee as long as it does not effectively prevent the parents from exercising their right to inspect and review the records. Parents have the right to appoint a representative to inspect and review their child's records. If any educational record contains information on more than one child, parents have the right only to inspect and review information relating to their child.

If parents think information in an education record is inaccurate, misleading, or violates the privacy or other rights of their child, they may request amendment of the record. CCFA will decide whether or not to amend the record and will notify the parent in writing of the election. If CCFA refuses to amend the record, it will inform the parents of their right to a hearing to challenge the disputed information.

CCFA will inform the parent when generally identifiable information is no longer needed to provide educational services to a child. Such information must be destroyed at the request of the parents. Moreover, a permanent record of student's name, address and phone number, his or her grades, attendance records, classes attended, grade level completed and year completed, must be maintained without time limitations. "Destruction" of records means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

CCFA will provide, upon request, a listing of the types and locations of educational records maintained, the school officials responsible for these records, and the school personnel authorized to see personally identifiable information. Such personnel receive training and instruction regarding confidentiality. CCFA keeps a record of those obtaining access to educational records, including: the name of the party, the date access was given; and the purpose for which the party is authorized to use the records.

CCFA will provide a copy of its confidentiality policy upon request. Complaints may be filed with the Family and Educational Rights and Privacy Act Office, U.S. Department of Education, in Washington, D.C.