

APPENDIX A

§300.220

INTERMEDIATE UNIT 20:

POLICY FOR IDENTIFICATION, SCREENING AND EVALUATION

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POLICY FOR IDENTIFICATION, SCREENING AND EVALUATION

The identification process begins by locating those individuals who are experiencing difficulty and concludes with decisions being made relative to the type of disability the student may have, if any, and to the setting in which he can most appropriately be educated. Therefore, a comprehensive appraisal system accounts for referral, screening, in-depth assessment (if necessary), placement and review. Each of the thirteen districts served by the Colonial Northampton Intermediate Unit has developed a policy in conjunction with Intermediate Unit services, to receive referrals, collect appraisal data, call multidisciplinary team (MDT's) meetings, and be responsible for an annual review of all placements.

The policies established are in compliance with 22 PA Code, Sections 14.21 and 342.21. The districts have worked cooperatively with the Intermediate Unit to develop these policies to meet their individual pupil needs. The Intermediate Unit is considered a resource service to the school districts. Districts request the Intermediate Unit to help in the evaluation of difficult and/or unusual cases such as visually impaired, speech and language impaired, hearing impaired, and multiple disabled and preschool diagnostic services. The priority for the unserved and underserved is as follows: programs shall be provided for the more severely disabled before programs for the less severely disabled and the more gifted before the less gifted.

CHILD IDENTIFICATION

This Local Education Agency (LEA) adheres to the policies and procedures described herein to insure that all children residing within the jurisdiction of the LEA who are disabled, regardless of the severity of their disability, and who are in need of special education and related services are identified, located, and evaluated. The policies and procedures includes provision for a practical method of determining which children are currently receiving needed special education and related services and which children are not currently receiving needed special education and related services.

The primary responsibility in Colonial Northampton Intermediate Unit Number 20 for CHILD IDENTIFICATION, rests with each school district who takes actions consistent with regulations (22 PA Code 14) and standards (22 PA Code 342). The set of procedures followed by a school district are found as follows:

General Supervision.	14.8	and	342.21
Screening and Evaluation Process:			
Public Awareness	14.22	and	342.22
Comprehensive Screening	14.23	and	342.23
Instructional Support	14.24	and	342.24
Multidisciplinary evaluation	14.25	and	342.25

In instances when this LEA is requested or required to render CHILD IDENTIFICATION, these same procedures are followed as prescribed by regulations (22 PA Code, Chapter 14) and standards (22 PA Code, Chapter 342). Pertinent excerpts follow whereby the LEA adheres to the procedures.

CHILD IDENTIFICATION PROCEDURES

The comprehensive system for identification is broad in its attention to specificity and criteria as described in the following detail. The LEA adheres to these requirements described as follows:

The Commonwealth of Pennsylvania School Code (24 P.S. 13-1372) provides the legal basis for child identification activities in Pennsylvania. The School Code states:

The State Board of Education shall adopt and prescribe standards and regulations for the proper education and training of all exceptional children by school districts or counties singly or jointly... . Standards and regulations shall recognize such factors as numbers of exceptional children, types of handicaps, facility of transportation, adequacy of existing provisions for exceptional children, and availability of school plant facilities.

The policies and procedures contained within the regulations Chapter 14 and standards Chapter 342, apply to this LEA which provides special education and related services to children who are disabled. Excerpts from regulations and standards pertinent to the identification, location, and evaluation of all children who are disabled who need special education and related services are followed by this LEA as described herein:

SCREENING AND EVALUATION PROCESS

GENERAL POLICY

The LEA has adopted and uses a system to locate and identify all children thought to be eligible and students residing within the LEA's jurisdiction who are thought to be exceptional. This ongoing system meets the criteria specified in Chapter 342 relating to special education services and programs.

The LEA determines the student's or young child's needs through a screening and evaluation process which meets the requirements of Chapter 14 and Chapter 342.

PUBLIC AWARENESS POLICY

The LEA conducts awareness activities to inform the public of early intervention and special education services and programs and the manner by which to request these services and programs.

The LEA annually notifies the public of child identification activities and of procedures followed to ensure confidentiality of information pertaining to exceptional students or eligible young children in accordance with this Chapter 14 and Chapter 342 relating to special education services and programs.

Confidentiality of Student Records: In addition to the confidentiality requirements to notify and fully inform parents of confidentiality safeguards during annual public awareness (child find) campaign, the LEA policy is to maintain personally identifiable student educational records consistent with the requirements set forth by the State Board of Education regulations (22 PA Code 14.68) and Board approved standards (22 PA Code 342.68). The administrative document maintained by the LEA is identified as the Confidentiality Plan and describes the procedures regarding access rights, record of access, record on more than one child, list of types and locations of information, fees, amendment of records at parent's request, opportunity for a hearing, results of hearing, hearing procedures, consent, safeguards, and destruction of information. The LEA follows the procedures as heretofore identified under this subpart, at 22 PA Code 14.68 and 22 PA Code 342.68, as the LEA procedures.

The LEA assures that communications with parents or with exceptional students or eligible young children are in English and, if appropriate, in the native language or other mode of communication used by the parents.

GENERAL PROCEDURES

The ongoing system to locate, identify and evaluate students suspected of being exceptional students includes the following;

Collecting, maintaining and reporting current and accurate data on child identification activities.

Evaluating the overall success and effectiveness of the public awareness.

Modifying the components or procedures of the child identification system or developing new components or procedures, which are consistent with the results of the evaluation under paragraph (2).

Developing and disseminating materials to the public, organizations, agencies and individuals annually to implement the child identification system.

PUBLIC AWARENESS PROCEDURES

The LEA conducts public awareness activities to inform the public of available special education services and programs and how to request these services and programs.

The LEA provides annually public notification of child identification activities. The annual notice includes the following:

The purpose of identification activities.

A description of special education services and programs available and the needs of children served by these services and programs.

The purpose, time and location of screening activities to be held in the district.

A description of how to request that the LEA initiate screening or evaluation activities for a child.

An explanation of the protection of the confidentiality of information obtaining regarding a specific child.

The LEA provides for distribution of printed information regarding available special education services and programs and rights to due process. The printed material shall be provided, upon receipt of inquiry about special education, by the LEA administrator. The printed material shall include standard information provided by the Department for this purpose.

COMPREHENSIVE SCREENING POLICY

The LEA conducts comprehensive screening activities as set forth in Chapter 14 and Chapter 342 relating to special education services and programs, including instructional support as described in Section 14.24 relating to instructional support, to identify students who may need special education services and programs.

Screening for hearing and vision problems shall be conducted in accordance with Section 1402 of the Public School Code of 1949 (24 P.S. Section 14-1402).

COMPREHENSIVE SCREENING PROCEDURES

LEVEL I SCREENING: GROUP-BASED DATA. Screening information shall be collected on students from immediately available data sources. The data shall include the following sources: cumulative records, enrollment records, health records and report cards.

LEVEL II SCREENING: SENSORY, MOTOR, SPEECH AND LANGUAGE SCREENING DATA.

Hearing screening shall be conducted as provided for in 28 Pa. Code Sections 23.5 and 23.6 relating to hearing screening tests; and threshold hearing test.

Vision screening shall be conducted as provided in 28 Pa. Code Section 23.4, relating to vision screening test.

Motor screening shall be conducted for students about whom there is concern in motor skills. Motor screening is accomplished through the observation of the student's motor skills by the student's regular and physical education teacher.

Speech and language screening shall be conducted for students about whom there is concern in speech and language skills. Speech and language screening shall be accomplished by a speech correctionist.

MULTIDISCIPLINARY EVALUATION POLICY

The LEA shall perform multidisciplinary evaluations. Multidisciplinary evaluations for young children thought to be eligible shall conform to Section 14.53 relating to multidisciplinary evaluation and Chapter 342 relating to special education services and programs.

Parents who suspect that their child is exceptional may request a multidisciplinary evaluation of their child at any time. The request shall be in writing. If a parental request is made orally to LEA personnel, the personnel shall inform the parents that the request shall be made in writing and shall provide the parents with a form for that purpose.

A multidisciplinary evaluation shall be initiated if one of the following applies:

A request for evaluation has been made by the student's parents as described above.

The student has a sensory impairment or physical or mental disability so severe that supplementary aids and services available without the multidisciplinary evaluation will not sufficiently assist the student to receive an appropriate education.

The student attends a nonpublic school and is thought to be exceptional or the young child thought to be eligible is not yet of kindergarten age or not enrolled in a public school program.

A hearing officer or judicial decision orders a multidisciplinary evaluation.

Parental consent or, if consent is not obtained, the order of a hearing officer or court shall be obtained prior to the conduct of any part of an initial multidisciplinary evaluation consistent with Sections 14.61 thru 14.68 relating to procedural safeguards.

Multidisciplinary evaluations shall be conducted by MDTs. The MDT shall be formed in accordance with Chapter 342 on the basis of the student's needs and shall be comprised of the student's parents, persons familiar with the student's educational experience and performance, persons knowledgeable in each area of suspected exceptionality, persons trained in the appropriate evaluation techniques and, when

possible, persons familiar with the student's cultural background. A single member of the MDT may meet two or more of the qualifications specified in this subsection.

The multidisciplinary evaluation shall be sufficient in scope and depth to investigate information relevant to the student's suspected exceptionality, including academic functioning, adaptive behavior, social behavior, learning problems, learning strengths and educational needs and information obtained as a result of instructional support activities, if conducted, and shall be consistent with Chapter 342.

The multidisciplinary evaluation process shall include information from the parents.

The multidisciplinary evaluation shall make recommendations as to whether a student is exceptional. A single test or procedure may not be the sole factor in determining whether a student is exceptional.

The MDT shall prepare a comprehensive written report which brings together all of the information and findings from the evaluation or reevaluation concerning the student's educational needs and strengths based upon present performance levels, and which includes an interpretation of assessment results and information on observations in the classroom and other settings. The report shall make recommendations as to whether the student is exceptional; shall indicate the bases for those recommendations; and shall provide recommendations for the educational program of the student, regardless of whether the student is found to be exceptional. Each team member shall sign the report, indicating whether or not it reflects his conclusions. A team member may submit a separate statement presenting his conclusions if the report does not reflect his conclusions.

To recommend that a student who has been evaluated is an exceptional student, the MDT must conclude that the student needs special education and meets the criteria for eligibility as defined in Section 14.1 relating to definitions and as set forth in Chapter 342 relating to special education services and programs.

The LEA uses testing and evaluation materials and procedures in classifying exceptional students so as not to be racially or culturally biased. If the percentage of persons from an identifiable racial or ethnic group assigned to special education programs is significantly disproportionate to the distribution of that group in the LEA jurisdiction, the Department will notify the LEA and make recommendations for corrective action. The LEA shall take corrective action to remedy the over- or under-representation within a time period established by the Department if the Department concludes that the LEA cannot demonstrate that its test materials and evaluation procedures do not result in the over- or under-representation.

The following timeline applies to the completion of multidisciplinary evaluations:

The LEA established and implements procedures to complete a multidisciplinary evaluation for a student referred for such evaluation or reevaluation within 45 school days after receiving parental permission for an initial evaluation, after notifying the parents of a reevaluation or after receiving an order of a court or hearing officer to conduct a multidisciplinary evaluation.

An evaluation or reevaluation report shall be completed within 10 school days after completion of the multidisciplinary evaluation.

Within 5 school days after its completion, a copy of the evaluation or reevaluation report shall be delivered to the parents of the student, and a summary of the content of the report shall be effectively communicated to the parents.

Each exceptional student shall be reevaluated by an MDT for the purpose of making a recommendation of continued eligibility for special education and related services and developing an evaluation report in accordance with the requirements concerning evaluation in Chapter 14 and Chapter 342 relating to special education services and programs. Reevaluation shall occur at least once every 2 years. Additionally, reevaluation shall occur before a change in educational placement is recommended for the student, or prior to applying disciplinary action which would result in a change in the educational placement for an eligible student. In relation to disciplinary action, the MDT shall consider the following:

The relationship of the student's exceptionality to the behavior which has necessitated the disciplinary action and make a determination as to whether the behavior is attributable to the student's exceptionality.

Whether a change in placement or revision of the IEP would result in improved behavior.

MULTIDISCIPLINARY EVALUATION PROCEDURE

Referral for multidisciplinary evaluation shall be made when special education referral criteria have been met and are in accordance with Section 14.25 relating to multidisciplinary evaluation. Referral for multidisciplinary evaluation is indicated when the student is suspected of being exceptional and one or more of the following exist:

The instructional assessment of the student experiencing academic difficulty indicates a performance level which is not sufficient to demonstrate success in the regular class without the addition of supplementary aids or services, or both.

The life skills screening of the student who has not been able to benefit from an academic program indicates a performance level which is not sufficient to demonstrate success in the regular class without the addition of supplementary aids or services, or both, beyond those available in the regular class.

A student's instructional program shall be evaluated in terms of its ability to allow the student to reach certain minimum competency levels in performance by key points in the student's life. The following represent minimum levels for evaluating the appropriateness of a student's educational program:

The minimum level of competency to be achieved developmentally include the following:

(i) Self-help skills. (ii) Age-appropriate social and communications skills. (iii) Basic academic skills. (iv) Functional academic skills and vocational readiness skills. (v) Vocational skills.

The basic components of special education service and program delivery shall be based on the degree to which appropriate competency levels of these skills can be achieved within the time available for school attendance. This determination shall be made on the following scale:

Instruction in the self-help skills shall be provided for all ages of students until the skills are mastered, graduation or through the age of 21, whichever comes first.

Instruction in the age-appropriate social and communication skills shall be provided for all ages of students until the skills are mastered, graduation or through age 21, whichever comes first.

Instruction in the basic academic skills shall be provided for all ages of students until the skills are mastered or through age 21, whichever comes first.

Instruction in the basic academic skills shall be provided upon mastery of the basic academic skills or, if appropriate, simultaneous with basic academic skills. Instruction in the functional academic skills may not be provided instead of the basic academic skills when the basic academic skills have not yet been mastered.

Instruction in vocational readiness skills shall be available to eligible students who have reached the age of 12. The instruction may include elements of subparagraphs (i) thru (iv) as appropriate, but shall provide as a specific focus the degree to which instruction is preparing the student for adult life beyond secondary education.

Instruction in skills leading to adult living shall be available for eligible students who have reached the age of 14. This instruction may include elements of subparagraphs (i) thru (iv) as appropriate, but shall provide, as a specific focus, the degree to which instruction is preparing the student for adult life beyond secondary education.

Prior to conducting the multidisciplinary evaluation, the LEA provides to the parents in writing a notice informing them of the following:

(1) The student has been referred for evaluation. (2) The basis upon which the referral was made. (3) The parental right to inspect and review relevant school records. (4) The procedures and specific types of tests which will be used in the evaluation and the approximate dates of procedures. (5) The right of the parents to meet with a member of the multidisciplinary evaluation team to discuss the referral and proposed evaluation procedures. (6) The right of the parents to object to the evaluation and request a hearing under Section 14.63 relating to impartial due process hearing. (7) The right of the parents to give or withhold their consent to the evaluation.

The MDT shall include:

(1) One or more persons knowledgeable in each area of suspected exceptionality. (2) A certified school psychologist and, if appropriate, other persons specifically trained in the use of, and appropriately certified, licensed or registered by the Commonwealth to administer a test or other form of evaluation which is part of the multidisciplinary evaluation. (3) A person who is familiar with or understands the potential effects of the student's background on the results of the evaluation, if the district or parents of a student believe that the student's cultural background may have implications for the evaluation process or its results. (4) The student's parents. (5) The student's regular teacher or, if the student does not have a regular teacher, a regular classroom teacher qualified to teach a student of that age.

The chairperson of the team shall be assigned by the Chief School Administrator under whose jurisdiction the referral is being processed.

The evaluation shall include information from the parents or others who interact with the student on a regular basis.

The evaluation shall include direct observation of the student under classroom conditions by a member of the MDT in addition to the student's regular teacher.

The following protection-in-evaluation measures shall be considered when performing a comprehensive evaluation of students suspected of being exceptional:

(1) No one test or type of test may be used as the sole criterion for determining that a student is or is not exceptional. (2) Intelligence tests yielding an IQ score shall not be used as the only measure of aptitude for student of limited English proficiency, or for student of racial-, linguistic-, or ethnic- minority background. (3) No determination of mental retardation or serious emotional disturbance may be made until the student has the demonstrated skills necessary to render the evaluation and diagnosis valid. (4) Unless there are compelling and critical behavioral conditions which threaten person or property, or both, a student with limited English proficient shall not be determined to have serious emotional disturbance until the student has been assessed in terms of the degree to which instruction has been and is being provided at the instructional level.

Tests and similar evaluation materials used in the determination of exceptionality shall be:

(1) Selected and administered in a manner that is free from racial and cultural bias. (2) Administered in the native language or mode of communication of the child, unless it is clearly not feasible to do so. (3) Selected and administered so that the test results accurately reflect the student's aptitude, achievement level or whatever other factor the test purports to measure, rather than the student's impaired sensory, manual or speaking skills, except if those skills are the factors which the test purports to measure. (4) Professionally validated for the specific purpose for which they are used. (5) Administered by certified professional employees under instructions provided by the producer of the tests and sound professional practices. (6) Selected and administered to assess specific areas of educational need and ability and not merely a single general intelligence quotient (IQ).

Evaluation of students suspected of being exceptional and in need of special education services and programs that address academic skills shall include an instructional evaluation consisting of an assessment of the basic academic content that the student is expected to learn, shall yield the student's rate of acquisition and the student's rate of retention and shall result in a determination of the type and quantity of instructional

support that is required to maintain the student at the student's instructional level.

Evaluation of low-functioning students or students who are multiply disabled shall include an ecological/life-skills evaluation which determines how that student functions in the school, home and the community and what strengths and needs the student has in relation to basic skill areas. The assessment shall include but need not be limited to the following basic skill areas: communication, social motor, behavior, academic and work or vocational.

Reevaluation shall consist of activities and procedures which provide the MDT with sufficient information to indicate whether the student continues to be exceptional and to provide recommendations for the educational program of the student. Continued eligibility for special education services and programs is dependent upon whether or not a student continues to fulfill the basic requirements for eligibility as an exceptional student under in Section 14.1 relating to definitions.

- (1) Reevaluation shall occur at least once every 2 years and under Chapter 14 relating to special education services and programs.
- (2) Tests and similar evaluation materials used in reevaluation shall be in conformance with above subsection on protection-in-evaluation measures and above subsection on tests and similar evaluation materials.
- (3) Reevaluation of a student who receives a functional life skills curriculum shall include an ecological assessment of the student's functional life skills, as stated above.
- (4) Reevaluation shall include a review of the student's IEP, a determination of which instructional activities have been successful and recommendations for the revision of the IEP.

A comprehensive evaluation report shall be prepared for each student referred for multidisciplinary evaluation. The report shall be prepared by a member of the MDT as assigned by the chairperson of the MDT and shall include pertinent information from the multidisciplinary evaluation. The report shall be written in language that is clear for the parents and educators who will use it in implementing and evaluating the instructional services and programs specified. The comprehensive evaluation report shall contain the following:

- (1) Demographic data.
- (2) The reason for referral.
- (3) The student's educational, social and physical history.
- (4) A summary of findings.
- (5) Conclusions and recommendations regarding eligibility and programming.
- (6) The names of MDT members with signatures of agreement or disagreement with the conclusion.

A copy of the draft of the comprehensive evaluation report shall be circulated to all members of the MDT for signatures of agreement or disagreement. If a member of the MDT disagrees with the conclusions in

the comprehensive evaluation report, that person may submit within 5 school days after his receipt of the draft report a separate signed dissenting opinion stating the disagreement, giving supporting data and conclusions. All dissenting opinions shall be included as part of the comprehensive evaluation report.

Copies of the comprehensive evaluation report shall be disseminated in typewritten form to the LEA and to the parents at least 10 school days prior to the meeting of the IEP team.

The timeline for performing the comprehensive evaluation of the MDT shall be under Section 14.25 (l) relating to multidisciplinary evaluation. The comprehensive evaluation report shall be completed and disseminated within 60 school days after the date of receipt of parental permission to evaluate unless a justified extension of time is required as specified as follows:

An extension of time of no more than 30 school days is permitted when:

(i) An unusual circumstance, such as illness of the student or illness of a member of the student's family, interrupts the completion of the individual evaluation. (ii) The student has been evaluated by an MDT within the past 2 years, but the report has not yet been received by the LEA.

An extension of time of no more than 60 school days is permitted when specialized diagnostic assessment or medical assessment services, or both, are not available in the LEA are necessary for the completion of the multidisciplinary evaluation.

The maximum number of days of the extension described in paragraphs above shall not exceed the duration of the circumstances necessitating the extensions.

The extensions shall have prior approval from the Department.

The local school districts utilize ongoing screening procedures to determine if a child should be considered for further testing and possible special education identification. The only screening that is conducted by the Intermediate Unit is in the Preschool Diagnostic Program.

APPENDIX A

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PRIORITIES

The Colonial Northampton Intermediate Unit #20 hereby assures that all first and second priority children with disabilities who are within the jurisdiction of this LEA and who are in need of special education and related services have a free appropriate public education available.

For purposes of this application, first priority children means children with disabilities who need special education and related services, who are between the age of three years and twenty-one years that are not receiving any education. Procedures described herein result in first priority children to be found and a free appropriate public education made available. Second priority children means those children between the age of three years and twenty-one years, within each disability, with the most severely disabled who are receiving an inadequate education. Procedures described herein result in there being no second priority children with this LEA.