

Attachment C

WHITE PINE COUNTY SCHOOL DISTRICT

SPECIAL EDUCATION

ADMINISTRATIVE GUIDE

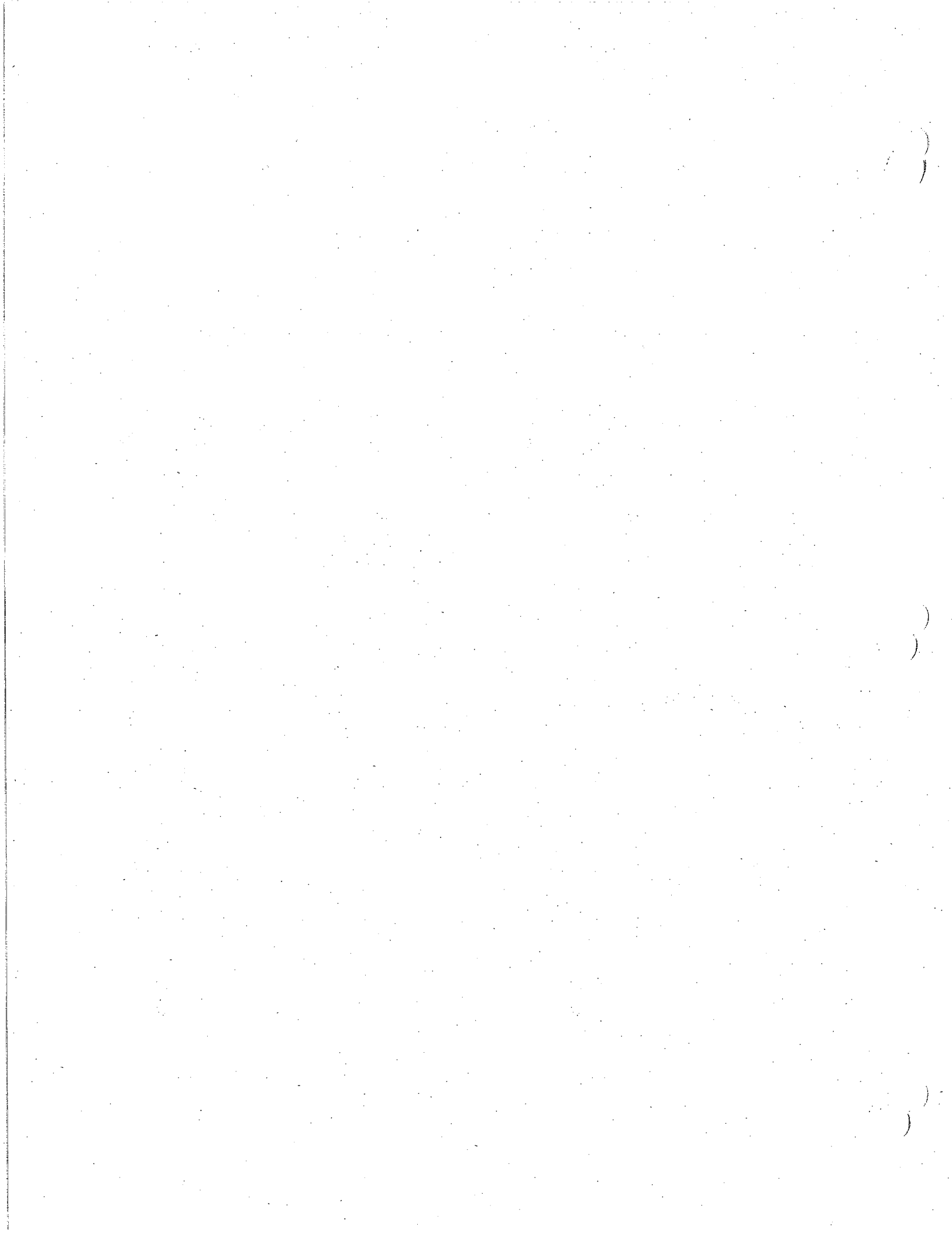


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WHITE PINE COUNTY SCHOOL DISTRICT

SPECIAL EDUCATION

ADMINISTRATIVE GUIDE

INTRODUCTION

The White Pine County School District has developed a Special Education Administrative Guide to acquaint administrators and special education staff of policies and procedures for students with disabilities. These policies and procedures concern the identification, qualification, development and implementation of individualized education programs for students with disabilities. The White Pine County School District Special Education Administrative Guide is divided into short sections under specific headings that will allow administrators and the Special Education Staff of the White Pine County School District to quickly find answers to questions concerning policy and the correct procedures to follow.

TRAINING

To insure understanding and implementation of the policies and procedures in this guide, training workshops will be offered to White Pine County School District principals, regular education teachers, and the special education staff.

REGULAR REVIEW AND UPDATING

A regular review and updating will be needed of these policies and procedures to reflect changes in laws and their legal interpretations. Reviews and revisions will be conducted by the White Pine County School District Special Education Department. The White Pine County School District Special Education Administrative Guide will be recorded on computer for easy update and will be available on computer disk on Microsoft Word.

WHILE USING THE ADMINISTRATIVE GUIDE

To the administrators and special education staff, and others, who use or review this Special Education Administrative Guide, it is hoped that notes, comments and suggestions will be written about any parts which may seem unclear or which may require amending. These notes, comments and suggestions will be useful in making future changes in this guide. Already, as a result of such comments, it has been reformatted several times. The latest revision date will be written on the bottom of the first page.

FORWARD

In order for the Special Education Administrative Guide to gain official acceptance, endorsement by the Board of Trustees is required. A required part of the endorsement must include statements that the board subscribes to a free and appropriate education for all students regardless of religion, gender, race, nationality or disability. The following policies are affirmed:

1. The Board of Trustees, along with the administration and staff of the White Pine County School District, are committed to providing all students with free appropriate educational opportunities regardless of their ability, race, color, nationality, religion or gender.
2. The Board of Trustees, along with the administration and staff of the White Pine County School District are concerned with the total needs of students, ages three through twenty-one. It is recognized that every student can learn, and as a result of individual differences, not all students learn the same way or at the same rate. Some students find it very difficult to make full use of their educational experience.
3. The Board of Trustees, along with the administration and staff of the White Pine County School District realizes the importance of the influence of the student's family and the community on the student's education, and invites parent and community involvement.
4. The Special Education Administrative Guide has been prepared to assist the staff of the White Pine County School District, parents and related service providers in meeting the needs of students with disabilities.
5. Programs for students who qualify for special education services are developed by a team of professional educators with the student's parents to integrate the student into the least restrictive learning environment.
6. The Special Education Administrative Guide is designed to help educational professionals and parents understand the range of services that are available to students with disabilities in the White Pine County School District, and understand the state and federal laws governing the provision of these services.
7. The White Pine County School Board of Trustees, as signed below, have reviewed and approved this guide on _____, 1997 in Ely, Nevada.

Signatures of Board of Trustees

RESPONSIBILITIES OF DISTRICT PERSONNEL

Classroom Teacher

The classroom teacher has the following responsibilities regarding the identification, evaluation, qualification, planning and placement for a student who may need special education services; and for modifications and implementation of accommodations in the classroom for all students. The teacher will:

1. Participate in the intervention, pre-referral, referral processes.
 - A. Attend and participate at conferences to discuss student problems, needs, and possible solutions.
 - B. Develop individualized modifications and intervention strategies for all students.
 - C. Initiate and participate in the intervention, pre-referral and referral processes.
 - D. Monitor the results of specific interventions and modifications on an individual student's attitude, behavior, and performance.
2. Contact and communicate with the student's parent: seeking parent support and cooperation, gathering information, providing opportunity for discussion with the student's parents/guardians, and suggesting solutions for problem resolution.
3. Provide observations through checklists and anecdotal records, and provide student progress reports.
4. Participate on the Multi-Disciplinary Team (MDT) following the completion of formal evaluations of a student in their classroom.
5. Participate on the Individualized Education Planning (IEP) committee for a student in their classroom.
6. Communicate with the principal, special education teacher and other support personnel concerning the needs of students in their classroom.
7. Implement special interventions, modifications and accommodations within the classroom.

Building Principal

The building principal has the following responsibilities regarding the identification, evaluation, qualification, planning, placement and services for students who may need special education services; and for modifications and accommodations in classrooms for all students. The principal will:

1. Participate in the intervention, pre-referral and referral processes.
 - A. Attend, participate and facilitate conferences to discuss student problems, needs, and possible solutions.
 - B. Develop individualized interventions and modifications for students.
 - C. Review assessment reports and evaluate the results of the individualized interventions.
 - D. Sign the referral form to indicate approval or acknowledgment of the referral, to indicate that several interventions were attempted, but were not successful, and to indicate that more extensive evaluation is needed.
2. Review Multi-Disciplinary Team (MDT) reports, psychological reports and other assessment reports.
3. Participate on the Individualized Educational Planning (IEP) committee meeting as the Local Education Agency (LEA) representative or designate an LEA representative.
4. Sign the appropriate documents as a participant in the Individualized Education Planning (IEP) Committee meeting; and commit, delay committing or refuse to commit personnel, district finances, and building resources.
5. Provide site-based administration of special education laws and services, supervise the development of appropriate IEP goals, objectives, and placement; and carry out corrective action plans concerning compliance issues.
6. Insure an IEP meeting is held when there is a proposed change in the student's placement, and when an MDT has determined a student is no longer eligible and special education services are no to be provided.
7. See that modifications, accommodations and services that are written in the IEP are carried out.
8. Consult with regular education teachers, special education staff and related service providers regarding the needs of students with disabilities.

9. Insure a free and appropriate education in the least restrictive environment after consideration of a continuum of placement options. Insure consideration of extended school year services, harmful effects and transition services (if appropriate).

Special Education Teacher

The special education teacher has the following responsibilities regarding the identification, evaluation, qualification, placement and planning for a student who may need special education services; and for modification and accommodations in the classroom for all students: The special education teacher will:

1. Consult with regular education teachers during the pre-referral, referral, MDT and IEP, modifications, accommodation and intervention processes.
2. Act as a case manager in facilitating the gathering of information for the referral packet, and sending the completed packet to the special education department.
3. Oversee the obtaining of a written parent permission for an initial evaluation and for an initial placement.
4. Observe students at tasks that are relevant to the reason they were referred, and assess students academic achievement skills.
5. Schedule, send out notices to all participants, and participate in, the Multi-Disciplinary Team (MDT) meeting after receiving written evaluations of the student referred.
6. Schedule, send out notices, and conduct and participate in, the Individualized Educational Planning (IEP) meeting following an MDT report of the qualification of a student.
7. Document attempts to invite parents/guardians participation in the IEP. Log dates of phone calls, home visits, and discussions.
8. Confer with the student's teacher(s), counselor, and parents/guardians (all required participants) in scheduling an IEP meeting, and in developing an IEP.
9. Provide a written copy of the rights of parents/guardians and explain the rights to them before obtaining written parental permission for an initial evaluation or placement. Include a copy of parental rights with all notices, and at IEP meetings.
10. Schedule annual IEP meetings making sure that they are within, and not beyond, 365 days of the previous IEP date. Review the student's progress toward accomplishing previous goals and objectives before determining new ones.

11. Oversee the completion of referral packets, and refer students for three year re-evaluations 45 school days before their last MDT date. Refer to page 28.
12. Schedule MDT meetings to review changes, and to again determine eligibility following significant changes in a student's abilities, achievement, behavior, social skill or emotional status.
13. Maintain confidential records. Train aides and tutors; introduce, demonstrate, and model effective teaching methods for students who learn differently. Suggest accommodations and learning intervention strategies.
14. Co-teach; consult, and parallel teach with classroom teachers. Team with other educators, and specialist to provide a support system for classroom teachers.

Diagnosticians

Diagnosticians have the following responsibilities regarding the identification, evaluation, qualification, planning and placement of a student who may need special education services. A diagnostician will:

1. Indicate the date the referral was received, and review the information provided for completeness.
2. Obtain, or request, additional information that may be essential in the assessment, evaluation and diagnosis, placement and recommendations of the student referred.
3. Contact the student's school, teacher, special education teacher, or the student's parent to schedule a date for an assessment.
4. Discuss the assessment with the parent/guardian, or provide an outline of the activities that are anticipated in the assessment.
5. Make the necessary assessments using appropriate standardized tests and practices.
6. Take notes of the impressions created by the student during assessments concerning performance, self-disclosures, attitudes, emotional qualities, learning potential and behaviors.
7. Score and interpret results, make a preliminary evaluation with a diagnosis of the student's strengths and deficiencies in the areas assessed, and determine if the student will qualify for services.
8. Convey preliminary findings to the student's parent/guardian - discuss the results, make recommendations and provide suggestions.
9. Indicate the student's performance, strengths and deficiencies.

10. Prepare a written report which includes comparison of the student's skills and abilities to others of the same age. Report test results in standard scores and standard deviations, and include observations, diagnosis, recommendations, and suggestions.
11. Provide copies of the report for the student's special education teacher and for the special education department.
12. Conduct or participate in a Multi-Disciplinary Team meeting to determine if the student met the criteria set forth in the Nevada Administrative Code for Special education.
13. Base determinations on assessment results and written evaluations made by Nevada licensed professionals who are certified in the areas they have assessed. Assessments and written reports made by private agencies suspected of a bogus diagnosis may be rejected.
14. A simple majority is required to establish eligibility and a minority report should be written by a dissenting member.

School Counselor

The school counselor has the following responsibilities regarding the identification, evaluation, qualification, planning and placement for a student who may need special education services. The counselor will:

1. Identify, and alert principals, teachers special educators and parents to students who may be disabled.
2. Participate in discussions of an individual student's problems, consult and counsel with the student's parent/guardian, teacher, principal, other special education staff and service providers.
3. Develop goals and objectives, timelines for expected completion, and measures for determining success in individualized Treatment Plans for student's who qualify and are in need of emotional, behavioral, transition or vocational guidance and counseling services.
4. Provide individual personal or group counseling services and vocational guidance to students who have IEP's which indicate eligibility due to emotional problems or need for counseling as related services to resolve a specific social, familial, behavioral or vocational problem.
5. Provide direct treatment or crisis intervention for students. Provide crisis intervention training for teachers, students, parents or guardians.
6. Adapt District education programs for prevention of drug and alcohol, sexual or physical abuse for student with special learning needs.
7. Serve on student action teams.

8. Assess social maturity, social behavior, and vocational interests.
9. Participate as a member of the IEP Committee.
10. Maintain case notes, and a log of all student, parent/guardian contacts, and services provided.
11. Provide training and support services to classroom teachers, special education classroom teachers, other counselors, other specialists, students, parents/guardians.
12. Contact other professions, outside the school district, to link services, to confer or consult, and to maintain high quality professional skills and services offered to students who have or may have disabilities.
13. Listen to, learn from, help, team with and lead, other counselors.
14. Provide written reports of assessments and evaluations, and progress notes concerning brief therapies conducted with students referred for assessment and counseling.

Special Education Administrator

The special education administrator has the following responsibilities regarding the identification, evaluation, qualification, planning and placement for students who may need special education services; and for modifications and implementation of accommodations in the classroom for all students. The special education administrator will:

1. Provide and update a special education administrative guide containing policy and procedures in accord with state and federal laws regarding students with disabilities.
2. Provide reports required by state and federal laws.
3. Write grant proposals for special education programs.
4. Oversee all individualized special education programs.
5. Provide for professional development of all special education staff.
6. Consult with Principals when he/she hires, trains and supervises special education staff.
7. Arbitrate and settle disputes between regular and special education staff members when requested by the site administrator.
8. Facilitate the provision of special education services throughout the district.

9. Insure a free and appropriate education in the least restrictive environment for each and every student who has a disability.
10. Coordinate, and facilitate the cooperation of special education personnel, activities and resources.
11. Insure the identification, evaluation, planning and placement; accommodations and modifications, and monitoring of services for students who qualify for special education services.

School Nurse

The school nurse has the following responsibilities regarding the identification, evaluation, qualification, planning and placement for students who may need special education services: The school nurse will:

1. Provide a health screening assessment for a student who may have a developmental delay or a disability.
2. Provide a vision and hearing screening for a student who may be developmentally delayed or who may have a disability.
3. Obtain and review medical records of a student who has a diagnosed medical condition, and make recommendations for special school and classroom modifications, accommodations and interventions.
4. Refer a student suspected of a medical condition which may require medical treatment or special school and classroom modifications, accommodations and interventions.
5. Educate teachers about special precautions that may be needed for a student who has seizures, limited physical energy, or some other special medical condition which may interfere with learning.
6. Participate on an MDT and IEP in which a student has a health impairment or orthopedic disability.

Communicative Disorders Specialist

The speech/language therapist has the following responsibilities regarding the identification, evaluation, qualification, planning and placement for a student who may need special education services. The therapist will:

1. Review referrals that indicate a student may have a speech, hearing or language deficit and follow policies and procedures outlined under the heading of responsibilities of diagnosticians.
2. Assess speech and language skills of a student who may have a speech/language delay or disability using standardized individualized tests and practices.

3. Assess hearing through screening tests of a student who may have a hearing impairment using a calibrated audiometer in a quiet room.
4. Administer, score and interpret the results of speech/language/hearing assessments. Provide an evaluation in a written report with observations, standard scores, diagnosis, recommendations based on standard deviations, and suggestions.
5. Explain the testing results and the evaluation to a principal, parent/guardian, teacher, and other specialists, and provide recommendations and suggestions.
6. Send out written notices to required participants, and schedule an MDT meeting. Determine eligibility for special education services in accord with the eligibility criteria indicated in the Nevada Administrative Code for Special Education Services. Provide a written report of the determination made by the MDT to parents/guardians and to the Special Education Department.
7. Send out written notices and schedule an IEP meeting with required participants. Develop placement, goals and objectives if a student is qualified to receive special education services.
8. Provide therapy for a student who has articulation, stuttering, or language problems who qualifies for special education services as a student with a speech/language disability, and who has an IEP.
9. Consult with parents, teachers, and specialists.
10. Provide recommendations and suggestions to a parent/guardian, teacher or other specialist for interventions for students who do not qualify as disabled.
11. Participate on Student Action Teams.

Special Education Teacher's Aide

The role of a special education teacher's aide will be determined by a certified regular education teacher, special education teacher or an administrator who is qualified to implement or supervise the implementation of a special education student's IEP. The special education teacher's aide is to receive training. Supervision is to be in line of sight and within close proximity to the certified teacher who is responsible for the implementation of the IEP. Close supervision may not be required when an aid is undertaking an established routine for which training has been provided and competency has been demonstrated. The special education teacher's aide will:

1. Work with an individual student or a group of students on tasks assigned by a certified teacher.
2. Carry out tasks assigned to them by an administrator or certified teacher.

GENERAL POLICIES REGARDING SPECIAL EDUCATION SERVICES

1. The general educational objective of the White Pine County School District is to develop each student's education program so that it is appropriate to each student's particular learning strengths and needs.
2. Adequate educational opportunities are to be provided to every student, regardless of disability, race, color, or gender.
3. Students with disabilities, ages three through twenty one, are to be admitted to a special education program only after all requirements for eligibility and placement have been met, and only after the written consent of a parent or guardian has been given for an initial evaluation and for the initial placement.
4. Before an effective solution can be found for a student with special problems, an accurate assessment of the basic problem(s) affecting a student's performance must be made and reported to a team.
5. A Student Action Team in each school will aid the classroom teacher in identifying and resolving a student's problems in learning and performance by developing intervention strategies, accommodations, and modifications in the classroom.
6. When interventions have failed to accomplish the resolution desired, and a more comprehensive evaluation has been recommended by the Student Action Team, a referral packet will be gathered and sent to the administrative office of Special Education for review.
7. Written parent/guardian permission for an initial evaluation must be obtained and parent rights explained and provided in writing before an evaluation may be undertaken.
8. Parents/guardians are to be notified of the results of an initial, or triennial evaluation; and must be given the opportunity to participate in the development of an Individualized Educational Plan if the Multi-Disciplinary Team has found the student eligible for special education services.
9. A Multi-Disciplinary Team (MDT) is to determine a student's eligibility for special education services in accordance with the Nevada Administrative Code, and based on the results of a comprehensive evaluation.
10. All the student's deficits and needs are to be considered in determining an appropriate Individual Education Program (IEP) and placement in the least restrictive environment in addition to the disability for which qualification for services was established.
11. Parent/guardian participation and signatures are required for an initial IEP and for initial placement. For subsequent IEP meetings, special education teachers must log contacts with the

parents/guardians who do not wish to attend before proceeding with the IEP Meeting as scheduled.

12. Referral to a physical or occupational therapist, physician or other professional specialist requires administrative review and coordination of scheduling through the special education department. Entering into a contract with a therapist or clinician for assessment or therapy is to be conducted by the special education department.
13. Review of the written justification for placement in an extended school year program, a self-contained special education class, homebound instruction, or a residential treatment facility must be made by the special education administrative staff, in accord with the White Pine County School District Special Education Administrative Guide, before an agreement for placement outside of the regular education classroom can be accepted by the White Pine County School District.
14. Accommodations for group achievement test taking and proficiency test taking as well as an adjusted diploma are other options that are to be considered by the IEP committee, and these considerations must be indicated in writing in the IEP.
15. To facilitate transition from school to work, individual career preparation and work-study programs are to be planned to assist the student who has disabilities in developing vocational competencies to locate, secure and retain employment; and to become a self sustaining citizen in community.

STUDENT ACTION TEAM

Rationale

A Student Action Team can assist and support classroom teachers to find and attempt a variety of solutions for special problems in the classroom. These solutions can be tried and documented by the classroom teacher. Successful classroom intervention strategies can then be recommended by the classroom teacher as she or he becomes a member of other Student Action Teams. Unsuccessful interventions form the basis for further assessments, and consideration of a need for special education services or placement outside the classroom.

The teacher may request and receive assistance with students who have academic, emotional and behavior problems. The Student Action Team generates ideas. The teacher decides which of the ideas to accept and try in the classroom. The team views the teacher as a peer: professionally trained, and capable and responsible for creating meaningful and appropriate educational activities and learning experiences for their students.

The Student Action Team consists of teachers helping and supporting other teachers. It capitalizes on pooling and sharing professional skills and years of practical experiences. A Student Action Team at each school can enhance teaching skills by generating a variety of strategies to improve each students' learning potential.

Program Description

A Student Action Team is a resource within each school building. The team works directly with a classroom teacher to provide assistance and support. The team reviews a presenting problem and with the classroom teacher looks for innovative solutions, strategies and accommodations within the classroom. The team looks at ways of modifying and adjusting curriculum and instruction within the classroom to provide a meaningful and appropriate education to students with varying emotional, social, and educational needs; and varying abilities. The interventions are based on tailoring instruction to each student to increase learning.

Through the Student Action Team (SAT), each school is provided with:

1. A professional peer problem-solving team approach for assisting and supporting every teacher in developing strategies to cope and interventions that are effective for students experiencing continued academic, learning, emotional, social, or behavior problems in the classroom.
2. An effective professional support system responsive to the immediate needs of an individual teacher, and an individual student.
3. A vehicle for providing in-service training for customized modification and adjustments in curriculum and instruction.
4. An identified network of an additional resource of specialists to facilitate better utilization of the experiences and talents of the professional staff within each school.

SAT Process

Assistance and support from the Student Action Team are provided when requested by a teacher. A time is scheduled each week to review specific problems and a notice is posted so that interested teachers may volunteer to participate on the Student Action Team.

Team membership is usually voluntary and may include from one to four regular classroom teachers from varying grade levels. It includes an administrator to facilitate the free flow of ideas and solutions. Participants may include a teacher from another school, another administrator, a special education teacher, a counselor, school nurse, speech pathologist, or school psychologist. Anyone may be invited to serve as a team consultant. A team member may be invited to serve as a model in demonstrating interventions.

Documentation should be kept including: a written statement of the identified problem, observations, anecdotal records, attempted strategies, interventions, modifications, successes and failures of the interventions attempted, communication log with parent, teacher, and team members, final outcomes and recommendations of the team.

THE TEAM PROCESS

1. When the classroom teacher encounters a student with a recurring academic, social, learning, or behavioral problem. The teacher:
 - A. Consults with the team and requests assistance.
 - B. Attempts previously learned successful strategies to handle the problem in class.
 - C. Attempts new strategies suggested by the team by modifying the student's instructional program.
 - D. Contacts the student's parent to explain the need for trying different strategies and invites the parent's help and cooperation to achieve success.
 - E. Provides observations and anecdotal reports to the team, and meets with them to review, evaluate and develop other intervention strategies.

2. Helps Identify and Clarify the Problem:

The team assists the teacher in clearly stating the problem. This may require a review of existing information about the student, such as work samples, group achievement test results, individual achievement or diagnostic test results, previous classroom performances in lower grades, previously attempted efforts at remediation, etc.

3. The team reviews the information provided by the teacher and may:
 - A. Arrange for the team or a team member to meet with the teacher to discuss the problem.
 - B. Seek or obtain additional information about the problem from the teacher or other teachers.
 - C. Observe the student.
 - D. Consult with one of the professional specialists within the school district i.e. counselor, special education teacher, nurse, etc.

4. Develops strategies for Planned Intervention:

The team assists the teacher in developing a plan. The plan could include the innovative use of an aide, a volunteer, or student as a tutor; the use of different instructional materials, preferential seating, or modification of teaching style.

After confirming the problem and exploring solutions, the team suggests interventions and monitors the results.

- A. A member may be assigned to model the proposed strategy, or observe the teacher's implementation of a proposed strategy, and monitor its effectiveness in resolving the presenting problem.
- B. A member and the classroom teacher may meet with the student and the student's parents/guardians to establish rapport, discuss the student's problem and interventions.
- C. A member may record the dates of their involvement, the identified problem, their observations, proposed interventions, contacts with the teacher, student, parent; consultations with specialists, the successes or failures of the interventions, and recommendations.
- D. Follow-up monitoring and evaluation meetings are held to see how the educational interventions are working and to determine if there is a need for additional assistance.

5. Assists the Teacher in Monitoring the Impact of the Intervention Plan:

The team meets to discuss the student's progress and possible adjustments to the plan.

- A. Follow-up monitoring and evaluation are held to see how the interventions are working, and to determine if there is a need for additional assistance.
- B. If modifications or interventions are not working, new strategies may be proposed for implementation or a referral may be made requesting assessments by specialists.

6. Helps Gather Further Assessment Data:

The team sometimes provides assistance to the classroom teacher in making informal assessments.

- A. In some circumstances, the team might find it necessary to have additional information before making recommendations. The team might request specific criterion referenced achievement testing, further observational data such as baselines of specific behaviors, to test the effectiveness of different behavior management strategies.

7. Refers for an Evaluation:

In cases where the team decides that an evaluation to determine qualification for special education services is the appropriate action, the team may initiate a referral.

- A. If modifications and/or interventions are not working, new strategies may be proposed for implementation or a referral may be made to the Special Education Department for a evaluation to determine if the student may qualify for special education services.
- B. The referral packet is to include the pre-referral intervention strategies, observations, contacts with parent, teacher and specialist, the success or failure of the interventions, and the recommendations of the intervention team.

THE REFERRAL PROCESS

If a student continues to experience learning, social, emotional or behavior problems in the classroom, and the student's parent, classroom teacher or the team - after documenting unsuccessful interventions - recommend a referral for assessment and evaluation to determine qualification for special education services, the following actions should be undertaken to complete a referral packet:

Procedures

1. The classroom teacher, parent or an intervention team member consults with the special education teacher and calls attention to the student with a learning, social, emotional or behavior problem, and makes a referral providing the information required to complete the referral form. The principal signs the referral.
2. The regular education teacher confers with the parent/guardian regarding the student's problem and strategies that were tried, and discusses the referral process and the need for the parent/guardian's written consent for an initial comprehensive evaluation, which includes an assessment of the student's educational, health, and developmental history as well as the parent/guardian's observations of the student and their concerns.
3. The classroom teacher or a team member completes the Pre Referral Checklist, the Differential Problem Sorter Checklist, an impartial classroom observation form, a list of intervention strategies attempted, and other documents as requested by the special education department.
4. The special education teacher explains - and provides a copy of - the rights of a parent/guardian of a student who may need special education services.
5. The special education teacher assesses the student's academic skills by administering a standardized achievement test after a parent/guardian has provided written consent for an initial evaluation.
6. Achievement assessments, developmental assessments, health screening information including vision and hearing screening tests, previous psychological, speech/language, physical/occupational therapist, or medical reports, should be included in the referral packet.
7. The referral packet is gathered together and reviewed by the team with the special education teacher. If a more comprehensive evaluation is needed, the referral packet is sent to the special education department, where it is reviewed for completeness. If no other information is needed, the student is scheduled for assessments.
8. Following assessments, written reports are prepared providing interpretations of the results, and recommendations.

REQUIREMENTS AND REASONS FOR ASSESSMENTS AND EVALUATIONS

Written Permission or a Written Notice

Written permission is required from a parent/guardian before an individually administered test may be given. Once written parental/guardian permission has been obtained, it is not required for subsequent assessments. However, for subsequent individually administered assessments, a written notice must be sent to the parents/guardians regarding an intention to reassess or to conduct a comprehensive evaluation.

Content of Written Notice

Before individually administered tests may be given, parents/guardians must be given a written notice containing the reasons retesting and reassessment are necessary, what other information will be gathered, the types of tests that are to be given, what they measure, and what can be anticipated during and following the assessment.

Qualified Administrators

Some individually administered tests may be given and scored with a minimum of training with some supervision. Other individually administered tests require, experience, and years of study and advanced professional training to administer, interpret and evaluate the results.

Reasons For Assessments and Evaluations

A. Establish Eligibility:

One of the reasons for assessments or for a comprehensive evaluation may be to establish, confirm, or reaffirm eligibility for special education services under one or more of the many different disability categories defined by the Nevada Administrative Code for Special Education Programs. Each disabling category has a specific eligibility criteria. Often the involvement of several professionals, and a variety of assessments, are required to establish eligibility.

B. Discover and Resolve Problems:

Another reason for assessments or a comprehensive evaluation is to discover students abilities, limitations and needs.

C. Uncover Deficits:

Another reason for assessments or for a comprehensive evaluation includes the need to uncover deficits or factors which prohibit or limit performance and success at school, or

inhibit the development of social skills, emotional stability, or the learning of appropriate social conduct.

D. Most Referrals For Assessment and Evaluation:

Teachers, parents/guardians and others requesting assessments or a comprehensive evaluation most frequently suspect one of the following conditions:

- (1) An Attention Deficit Disorder
- (2) An Attention Deficit Disorder With Hyperactivity
- (3) Dyslexia
- (4) Learning Disability

One of these conditions will not by themselves qualify a student.

REQUESTS FOR EVALUATION AND REFERRALS FOR SPECIAL EDUCATION STUDENTS

1. A parent/guardian, teacher or other person may initiate a referral for an evaluation of a student.
 - A. The referral process starts with a notice to the principal or other administrator - requesting an evaluation of a student.
 - B. The principal insures that the intervention team process is initiated and carried out.
 - C. If, after unsuccessful interventions, the intervention team recommends further evaluation, the special education teacher initiates the referral process.

2. Each special education student, currently enrolled in a special education program, must be formally re-evaluated before three years have lapsed from the student's last MDT date.
 - A. A special education teacher sends a referral packet to the special education department for each student requiring reassessment.
 - B. The referral packet must be sent - 45 school days - prior to the MDT expiration date which is three years from the last MDT date.
 - C. Written parental/guardian permission for an evaluation is required only for the initial evaluation. For a re-evaluation, written parental/guardian permission may be obtained again, or a notice must be sent. In the event the initial permission for evaluation is not in the student's file, a new written permission should be obtained.
 - D. Assessments, data gathering, eligibility and the IEP procedure is to be followed as outlined in the special education policy manual.

3. Special education students, who possibly no longer need special education services, require referral, reassessment, an MDT, and an IEP before exiting the special education program.
 - A. A request for evaluation should be initiated by the special education teacher or by parents/guardians. Procedures for referral, MDT, and an IEP, are outlined in this manual, and are to be followed when considering establishing that a student no longer needs special education services.
 - B. An MDT Team report should be completed stating reasons why student is no longer eligible for special education.
 - C. An IEP should reflect the decision of the IEP committee that special education services are no longer needed.

THREE YEAR REASSESSMENTS

Lists of Those Requiring Reassessments

For three year reassessments, the special education department will prepare a list of students, to be re-evaluated during the current school year. The list will be sent to the special education teachers with the names of those students who require reassessment and the dates they were last assessed, along with a request for a completed referral packet. The referral packet must include: academic testing, classroom observations, present intervention strategies, current and past history, and vision and hearing screening information.

Due Date

The completed referral packed is to be sent to the special education department at least forty five school days before three years have lapsed from the last MDT date.

Assessments Required Every Three Years

In accordance with state and federal regulations, each student qualified for special education services will be re-evaluated at least once every three years to determine continued eligibility.

- A. Written permission for evaluation is required for an initial assessment, but a written notice of an intention to re-assess is required for three year re-assessments unless a new permission for testing is obtained, which will accomplish the same thing.
- B. A previously obtained written permission may be used, but if it is used, a written notice, which includes a statement of parents rights must be sent to the parent to let them know that a re-assessment will be scheduled and the reasons why it is being scheduled.
- C. A complete referral packet is required for a reassessment.
- D. Purposes of Reassessment: Reassessments of students previously identified as disabled will be conducted to determine:
 - (1) Whether the student has or no longer has a disability.
 - (2) Whether the program designed for the student is appropriate to meet his or her unique needs, abilities, and limitations,
 - (3) Whether the student continues to meet the eligibility requirements for a disability category.

E. Results of Reassessment:

Following the completion of the reassessment, an evaluation report will be written and provided to the parents/guardians and the Multi-Disciplinary Team. The report will include:

- (1) The names of the tests administered
- (2) The resulting scores and interpretations
- (3) Observations of parents, teachers, assessors
- (4) Conclusions, diagnosis and recommendations

F. The MDT:

Based on the results of the assessments, and the Nevada Administrative Code (NAC) for Special Education Programs, the Multi-Disciplinary Team (MDT) will:

- (1) Determine if the student does or does not meet the criteria for eligibility.
- (2) Decide if the student has a disabling condition that requires special education services.
- (3) Write a report of the decisions reached
- (4) Provide the report to the student's parents/guardians, teacher, and the special education department.

G. Referral Packets for Reassessment:

- (1) The special education teacher must act to insure that special education students are reassessed every three years well in advance (45 school days) of the expiration date of the MDT.
- (2) Completed referrals are to be presented to the principal or an administrative designee for signature.
- (3) The packet must include: a referral with a principal's signature, a recently written parent/guardian permission for testing or a copy of the notice that was sent to the parents/guardians of the proposed reassessment, the student's: history, interventions, health, vision and hearing; observations from parents and teachers, evaluations from other institutions or specialists, and other information if requested.

H. Changes In the student's IEP:

- (1) Following reassessment, no changes should be made in the student's IEP before an MDT and an IEP meeting are conducted.

- (2) Following reassessment, an MDT must be held as well as an IEP - if the student continues to qualify for special education services.
- (3) The IEP should not precede the reassessment or the MDT.

I. Discontinuation of Special Education Services

- (1) May be initiated by:
 - a. Special education teacher
 - b. Parent
 - c. Teacher
- (2) May follow written documentation of refusal of placement or services by parents/guardians.
- (3) May follow an MDT report stating reasons a student is no longer eligible for special education services.
- (4) Teachers, parents/guardians and others should consider the long range consequences of discontinuance of special education services such as:
 - a. Inability to succeed without help
 - b. Failure to pass competency exams
- (5) An IEP Meeting Must be Held before discontinuance:
 - a. An IEP form must be held and the members agree that the student is no longer in need of special education services.
 - b. The parents/guardians may indicate that they no longer want or refuse services for their child.
 - c. Annual goals in the IEP must be evaluated before discontinuance.
 - d. Statements should be written on the IEP concerning levels of functioning and rationale for discontinuing special education services.
 - e. Parents/guardians are not required to sign an IEP to exit a student from a special education program; they are only required to sign the initial placement. However, they should be present at an IEP meeting, which the determination to discontinue the student is made.

(6) If parents/guardians disagree with discontinuance of services,

a. Review parents/guardians rights, mediation and due process hearings.

b. See procedural safeguards.

DISCONTINUANCE OF SPECIAL EDUCATION SERVICES

1. A student may completely discontinue receiving special education services after:
 - A. The student has demonstrated ability to function adequately during a full-time trial placement in the regular education program - without special education services for more than nine weeks, but not more than eighteen (18) weeks.
 - B. The IEP committee has written an IEP which states that the student has been placed in the regular program on a full-time basis without special education help.
 - C. The student has been monitored in regular education classes, and has not required special education services to achieve success and passing grades.
 - D. Parents/guardians have refused special education services, and put the refusal of services in writing.
 - E. The MDT Team concludes that minors no longer meet the criteria within the disabling condition.

2. Storage of Inactive Confidential Records
 - A. Following discontinuance, inactive special education records will remain at the school for two academic years.
 - B. After two years, the inactive special education file will be sent to the special education department.

THE MDT PROCESS

The MDT

A Multi-Disciplinary Team (MDT) is composed of professionals who are qualified to provide, or who have provided, individualized assessments, observations, evaluations, diagnoses, and recommendations for a student who may be disabled and who may be in need of special education services.

Criteria for Eligibility

It is the responsibility of the Multi-Disciplinary Team (MDT) to determine the eligibility or ineligibility of a student, using the results of their assessments and evaluations, based on the criteria for eligibility for designated disability as prescribed by State and Federal mandates (laws).

When Eligibility Criteria is not Met

When the MDT, after examining the findings of the assessments and reviewing the criteria for eligibility, determine the student did not meet the criteria, the MDT must provide a written document indicating that the student did not qualify for special education services. The document is made in triplicate. One of the triplication must be provided to the student's parents/guardians. One must be placed in the student's file, and the remaining one must be maintained in the White Pine County School District's files.

Additional Assessment

The MDT may require additional information, or additional assessments before the criteria for eligibility is satisfied. However, the MDT must provide a report indicating that the criteria was not met and the student did not qualify. The MDT may recommend further assessment, seek and gather additional information, and reconvene the MDT.

Questionable Evaluations and Practices

The MDT is not required to perform repeated assessments until the student qualifies, and may reject the findings of a clinician, diagnostician or therapist who may have developed conclusions that are not supported in the report provided, or are not supported by the results of the assessments, observations, history, or circumstances. No single test, nor unsupported opinions, or unsupported statements by professionals are to be accepted.

When the Criteria Are Met

When the MDT determines that the student meets the criteria, the MDT must provide a written document indicating that the student qualifies for special education services under a specific disabling condition. The document must be provided to the student's parents/guardians, and must be placed in the student's file, and in the district special education files.

ORGANIZING AND WRITING AN IEP

1. The special education teacher is to organize and conduct an IEP:
 - A. The special education teacher is to send out a notice of an IEP meeting with the time, place and date proposed for the meeting as well as the names and positions of all who are to attend if the student has qualified or is no longer qualified for special education services.
 - B. IEP committee should include:
 - (1) a parent/guardian or a surrogate parent
 - (2) a special education teacher
 - (3) a person capable of interpretation of the assessment results
 - (4) an administrator, or designee, authorized to commit personnel and resources.
2. Parent Participation
 - A. A notice should be sent to a parent/guardian about ten days before the date of the IEP meeting, unless there is a confirmation, noted in writing in the student's file, indicating that the parent/guardian has agreed to meet sooner.
 - B. If parent/guardian does not respond to the notice, does not convey an intention to attend, or does not attend at an agreed upon time, two more contacts are to be made, and documented to set up an IEP meeting at a mutually agreed upon time and date.
 - C. If the parent/guardian is unable to attend the IEP committee meeting in person, efforts to secure the parent/guardian's participation in developing an IEP for the student the meeting should be accomplished through writing, telephone or a personal visit. Records of telephone calls, correspondence or visits are to be kept and logged into the student's file.
 - D. Written parent/guardian permission is required for an initial placement in a special education program through it is not required for subsequent placement. However, for an initial IEP and all other IEP's planning and placement should not to be made without parent participation.
 - E. When a notice is sent to the parent/guardian, rights pertaining to meeting or action proposed or refused should also be provided.
3. All referral information, assessment results, interpretations and diagnosis, recommendations and qualifying statements should be available for review before the IEP meeting is held, and at the IEP meeting.

4. Current levels of performance and skill in the following areas should be indicated based on the results of assessments:

A. Readiness Skills

- (1) Pre-reading: Indicate ability to recognize and name letters. Ability in recitation of the alphabet may also be indicated.
- (2) Pre-math: Indicate ability to count, identify numbers, and count objects.
- (3) Pre-writing: Indicate ability to copy or form lines and shapes, letters and numbers. Drawing skill might also be indicated.

B. Academic Skills

- (1) Reading: Indicate ability to translate visual symbols into the sounds and words they represent and to derive meaning from them. Sight recognition, structural analysis, word attack, oral reading, silent reading skill, listening comprehension, and reading comprehension skills may be included.
- (2) Mathematics: Indicate ability to compute, to understand concepts related to numbers, and ability to solve problems requiring calculation, reasoning, and application.
- (3) Spelling: Indicate the ability to translate sounds and words into the visual symbols of language in order to communicate in writing. Phonetic and non-phonetic approaches to spelling may also be indicated.
- (4) Written Language: Indicate the ability to express thoughts in writing. Skill in punctuation, capitalization and structure syntax, and grammar may also be indicated.
- (5) Handwriting: Indicate the legibility and the level of competency in manuscript or cursive writing.

C. Social Skills

- (1) Relationships with adults: Indicate social ease in interactions with adults.
- (2) Relationships with peers: Indicate social ease in interactions with peers.

D. Psychomotor skills

- (1) Indicate ability to execute patterns effectively and efficiency.
- (2) Indicate fine motor skill levels in coloring, writing, drawing, cutting, tying.
- (3) Indicate gross motor skill levels in walking, running, throwing, catching etc.
- (4) Indicate perceptual skill levels in copying lines, shapes, letters, numbers accurately.

E. Language Skills

- (1) Indicate the clarity of articulation in speech
- (2) Indicate the level of usage of language.
- (3) Indicate the way the student communicates needs and desires.

F. Self-Help Skills

- (1) Indicate independent or dependent disposition.
- (2) Indicate ability in age appropriate self help skills.

G. Pre-Occupational/Occupational Skills

- (1) Indicate interests, hobbies, work skills.

H. Health Status - Provide appropriate information regarding vision, hearing, physical health, and other significant medical concerns.

I. Strengths - Indicate areas in which the student demonstrates skill or talent.

IMPORTANT CONSIDERATIONS IN COMPLETING AN IEP

1. An IEP is an Important Agreement Between Parents/Guardians and the School

The Individual Educational Plan (IEP) is the most important document in the files of a Special Education student. It is the document which must clearly indicate parental/guardian involvement and agreement with the program in which the student is placed; and must, therefore, be written in clearly understandable language. Even though explanations are given at the IEP meeting, the wording in each area must be such that there is no question about the meaning of what is written.

2. IEP Committee Members Should Come Prepared to Participate

The IEP meeting must be a mutual sharing of information about the student and a cooperative planning of appropriate educational solutions. The parents/guardians should be encouraged to bring written ideas of their own to the meeting as should other members of the committee.

3. Some of the Following Considerations Must be Indicated on the IEP

The IEP must indicate the type of IEP being developed (an initial IEP, an interim IEP, an exit IEP or an annual IEP). Areas of disability indicated in the multi-disciplinary report (MDT) and the psychological report should be reflected in the goals and objectives of the IEP. The IEP must indicate that consideration was given to related services, transition, extended school year, and assistive technology. Modifications in the classroom and justification for placement and percentage of time spent outside of the regular education classroom must be written on the IEP.

4. Written Goals and Objectives

Areas of deficiency and disability (auditory, memory, visual perceptual, math, reading, etc.) part of the first page of the IEP, must be reflected in the long term goals and the short term objectives.

5. First Page

To complete the first page of the IEP, refer to the assessment reports, as well as including any additional information (in a narrative) about the student.

6. Accentuate the Positive

Positive statements and comments are important to include on the first page of the IEP. Positive statements convey that a fair and balanced perspective is maintained toward the student, and suggest that talents and skills outside of academics are not overlooked.

7. Description Versus Opinion

Opinions should follow descriptions. Presenting information that is negative, is more palatable and less offensive, and less arguable if it is presented by describing the student's behaviors, attitudes, and performance traits. Opinions imply judgments, rather than conclusions, unless the basis for the opinion is presented first.

8. Conducting and Individual Education Plan Meeting

1. The special education teacher conducting the IEP should insure:
 - A. An introduction of all participants.
 - B. An overview of the purpose of the IEP meeting.
 - C. A presentation and explanation of the parents' rights.
 - D. An indication of the amount of time for the meeting generally an hour.
2. The school psychologist reviews the results of the psychological evaluation unless previously discussed with the parent/guardian, and a written report has been previously provided for all the committee members.
3. The special education teacher conducting the IEP ensures that:
 - A. All the information on the first page of the IEP is discussed, amended or supplemented during the meeting.
 - B. All participants have had the opportunity to provide input regarding the student's present levels of performance.
 - C. The rights of a parent/guardian are presented, reviewed and discussed.
 - D. That goals and objectives are presented and discussed, and that all participants have had the opportunity to add, amend, or delete any part of the plan.
 - E. The goals and objectives, annual review date, and all other considerations are written on the IEP.
4. A statement of Justification for Placement is required when regular class placement with aides and services, has been tried, and documented as unsuccessful, or when interventions needed are determined to be detrimental to the student due to the nature of the intervention, the harm or disruption it may incur.
5. Parents/guardians must be involved in all considerations and determinations regarding placement. An informal meeting

between the parent/guardian, teacher or special education teacher is suggested prior to the IEP meeting to explore the parents/guardians views and concerns, and to invite participation and discussion of IEP options.

SIMULATED ENTRIES

Present Levels of Educational Performance

Wechsler:

Verbal subtests	high average	Verbal -	112
Performance subtests	above average	Performance -	115
Overall performance	above average	Full Scale -	115

Woodcock Johnson Achievement Test results:

Academics: Reading decoding (phonics)	Beginning first grade level
Reading comprehension	Mid-first grade level
Spelling	Mid-first grade level
Math	Beginning third grade level

It is suggested that grade scores should be written such as in the case of a student scoring at a 3.1 grade level being written as beginning first grade or first month of the beginning of 3rd grade or with a 7.5 grade level being written as middle 7th grade or 5 month of the 7th grade. Include the name of the test used in the assessment.

Include Narrative Comments Such as:

In Writing, difficulties with letter formation, size and positioning on lined paper are apparent.

In social studies and science, motivation, attentiveness and responsiveness are observed. Correct responses are given in group discussions.

Reading: Sixth grade reading skills displayed on a group achievement test. Difficulty in vocabulary, recognition and comprehension were reflected in the scores.

Math: Fifth grade level skill displayed; knowledge of addition and subtraction facts exhibited; with skill in multiplication with regrouping and division by one digit. Difficulty problem solving with fractions.

Social Studies: Sixth grade level performance in a regular class without special support.

Expressive Language: 2 - 3 years below chronological age, grammatical errors, negatives and past tense verbs; syntax difficulty - incorrect word order; omission of words while speaking; difficulty completing sentences; incorrect word usage; knowledge of facts, but can't sequence a story so that it is told in the order each event occurred.

Receptive Language: Better than average ability understanding single words on Peabody Picture Vocabulary Test.

Speech: Difficulty articulating "s", "th", "l", "z"; sounds substituting or distorting some words; speech patterns are immature, no discrimination between "s" and "z"; cannot monitor speech errors.

Reading: Guesses at words; omits consonants and vowels; poor word recognition; omits words while reading second grade reading comprehension level; oral reading errors are similar to language and speech errors; limited phonetic skills; second grade sight vocabulary has been mastered.

Written Work: Written thoughts and ideas are not presented in a logical or sequential order but contains a few complete sentences - with many words substitution and omissions.

Learning Characteristics

Difficulties in remembering and relating facts and concepts, understanding what has been read, and turning in homework assignments. Organizes time well for completing independent work contracts, and completes contracts on a weekly basis, working independently. Difficulty in starting and completing independent work tasks unless contracted. Restless and distractible during independent work assignments. Can't follow directions given to the whole class. Difficulty discriminating between sounds, and displays poor auditory memory for sounds. Has learning difficulties in memory and visual perception and difficulties in reading which affects all independent work assignments. Use of concrete materials assists in solving math problems.

Social-Emotional Behaviors

Adequate peer relations. Reluctant to seek teacher help. Lacks motivation in academic situations. Feels pressured to do well. Has feeling of low self-esteem. Gets along well with peers. Attends after school activities. Is motivated to be in the classroom. Rarely volunteers to speak in class even when answering correctly. Is courteous with adults and enjoys helping. Has difficulty attending and remaining on task. Is cheerful, and cooperative; is liked by other children. Gets along well with teachers.

Sensory-Motor Skills

Visual and auditory acuity are normal. Has difficulty with visual-motor integration - can perform both gross and fine motor tasks well. Enjoys and does fairly well in art. Sensory and motor skills are adequate. Hearing and vision seem normal; and no motor problems.

Annual Goals

The student will increase word recognition, fluency, and comprehension in reading, from his Present Level of Functioning" regardless of the class in which the student may be placed to one grade level. The student will be taught using a multi-modality approach emphasizing his strength is usual learning and his need for a personalized approach.

Short-Term Objectives

Reading improvement will be promoted through reading to younger students in lower grades, providing high interest, lower reading skill level books, recorded reading materials required for classroom subjects, and flash card and phonics drill with peer and adult volunteer tutors. Word recognition, fluency, and comprehension will be improved by one grade level within one school year as measured by a standardized achievement test administered individually.

Related Services

Speech therapy will be provided once a week in thirty minute sessions. Individual personal counseling will be provide twice a week in 15 minute sessions.

Annual Review Date

The annual IEP review date will be one year from the date of the present IEP committee meeting.

Parent/Guardian Signatures

Parent/guardian signatures are on the initial placement and on the initial permission for an evaluation. Their signature was not on the completed IEP which was sent home for their approval because they expressed a desire not to attend the meeting which was scheduled at a mutually convenient agreed upon time and date, but the parents expressed the desire not to attend.

Parent/Guardian Participation

There is documentation that there was parent/guardian participation in the development of the IEP, though the parent/guardian failed to attend the IEP meeting in person. They were contacted by phone during the meeting and had the opportunity to comment and input into developing the goals and objectives for their child. This was accomplished although at least three attempts were made to invite their personal attendants to the IEP meeting.

Committee Signatures

There is a list of the committee members that were present at the IEP. The list is part of the special education student's IEP. Committee members were encouraged to sign the IEP, but their signatures were not required. Their signature is an indication of their participation. Some members listed participated via tele-conference.

THE ANNUAL IEP

At least once a year there will be a review and revision of the goals and objectives of the Individual Educational Plan (IEP). The purpose of the review and revision is to evaluate progress in long term goals and short term objectives, and to revise and develop an IEP for the next one year period.

The annual IEP may be completed earlier, but no later than the actual date of the previous year's IEP, and the special education teacher is responsible for scheduling the IEP to meet those requirements, and conducting the annual IEP. The special education teacher is to:

1. Schedule the meeting and notify the appropriate IEP committee members.
2. Send a written notice to parents/guardians requesting their presence and participation in the IEP meeting, attempting personal contact and following reasonable efforts to insure the parents attendance and participation.
 - A. If the parent/guardian agrees in writing to attend the meeting, but does not attend after the meeting has been rescheduled three times, the IEP meeting may be convened as planned. However, the committee must document attempts to arrange a mutually convenient meeting time, and document previous contact and parent participation.
 - B. If a parent/guardian signs and dates a form to indicate that they will not attend an IEP, the form must be attached to the IEP. The date it was received should be indicated.
 - C. If the parent/guardian fails to respond to at least three attempts to contact them, the special education teacher must document the contacts attempted by phone, letter, or visits to the home; and place the documentation in the student's file.
 - D. The classroom teacher or special education teacher must contact the parent/guardian to ensure all efforts have been made for participation in the development of the IEP.
3. A proposed IEP may be developed before the actual IEP meeting by a parent/guardian, special education teacher or other committee members.
 - A. The first page of the actual IEP form listing evaluation results, etc. may be completed prior to the IEP committee meeting.
 - B. Long range goals and short term objectives may be proposed, but must be developed with the parent/guardian and other committee members at the time of the IEP committee meeting and must reflect the needs of the child as established through evaluation.

C. Reasons for progress or lack of progress should be sought.

Placement, Goals and Objectives

Placement, goals and objectives that are determined through the IEP process and written in a student(s)'s IEP(s) - are not to be changed without a corresponding change in the special education student(s)'s IEP(s). These changes can be made by an addendum to the original IEP, but cannot be made without convening the IEP team.

Call for Changes in the IEP

The parent(s), teacher(s), special education teacher, principal and others may see a need for a change in the student(s)'s IEP(s), and any one of them may ask for an IEP meeting to pursue changes. But, the IEP process must be followed before making any changes in the student(s)'s Individualized Education Program.

Exceptions

Documented emergencies, dangerous conditions or situations that are extremely disruptive to learning in which there is danger to the student or other students or which are completely disruptive of the education of other students, are the exceptions that may require immediate action and a temporary departure from the student's IEP. When these exceptions occur, immediately, they are to be made known to the building principal, the special education director or coordinator, and the student's parents. An IEP meeting must be convened as soon as possible.

Changes in Placement

Changing the placement of the students with disabilities from the regular education environment will be in accord with the specifications written on their IEP's, and the WPCSD Special Education Administrative Guide. To insure the implementation of these policies and procedures, a training program will be offered to WPCSD principals and special education staff, and a review of any contrary practices will be conducted by the WPCSD Special Education Coordinator or Director, and the necessary corrections made.

Placement

Placement of the student(s) who has/have a disability must be based on current assessment and present educational performance. It must minimize the amount of time the student(s) must be excluded from association with peers in a regular education class. Written justification must be made, by the IEP team, in cases where exclusion is considered necessary. In situations of threat, danger or major disruption, quick, reasonable and prudent action must be taken and then documented fully.

INTERIM IEP

1. An Interim IEP may be developed for a child ONLY under the following circumstances and following the procedures in the IEP development section of this document.
2. Upon enrollment, the parent/guardian must provide documentary evidence that the student has been enrolled in a special education program in another school district or in another state. This documentary evidence must consist of the current IEP, MDT report, and a current psychological evaluation.
3. If upon enrollment, the parent/guardian indicates that the child was enrolled in a special education program in another school district or state; but does not presently have documentary evidence of such enrollment, a signed parent release of information must be obtained:
 - A. School personnel (principal, special education teacher, or counselor) should then contact the school where the student was last enrolled. Before an Interim IEP may be written:
 1. Verification must be obtained that special education services were provided and the disability that qualified the student for them.
 2. Verification must be obtained with the dates of existing documentation establishing qualification for special education services (current MDT, IEP, and psychological evaluation).
4. The Interim IEP may not be extended beyond thirty days. Thirty days are provided to obtain documented proof from a student's former school of qualification for special education services. It does not provide sufficient time for a comprehensive evaluation.
5. At the end of the 30 day period, an IEP must be developed in accordance with the procedures listed in this manual.
6. A special education administrator must approve all proposed Interim IEP's. A proposal for an Interim IEP must be made/sent to the special education administrator before an Interim IEP is developed.
7. The special education administrator must maintain a log of all Interim IEP's, oversee and facilitate the obtaining of documented proof within the thirty day limit.
8. Parent participation is required in the development of an interim IEP. Rights must be explained and a copy of rights provided the same as is required for an initial or annual IEP.

GUIDE FOR PARENT CONFERENCES

Suggest a Partnership of Equals

The initial conference with a parent/guardian is especially important in establishing a partnership. The initial conference often sets the tone with the persons who will have the greatest influence on any intervention effort. Special care should be taken to convey respect for parents' feelings, and to avoid any suggestion that they are to blame for their child's difficulties.

Personalize

Emphasize constructive and helpful approaches from personal experiences with what has often worked for you rather than judging these parent/guardian's practices as harmful, destructive or inadequate. Enlist cooperation, encourage dialogue, invite trust, and provide information, observations, and recommendations calmly and pleasantly.

Golden Rule

Treat parents/guardians as you would hope others would treat you in the same circumstances. Look at them in the best light possible, and talk to them in the kindest, nicest way you know how.

Successful Conferences

Initial conferences should be made by appointment and sufficient time should be allowed for parent/guardian and staff member to discuss their interests, concerns and problems. Casual conferences such as telephone calls and quick informal talks with a parents/guardians are of less value and should be avoided until the staff member and the parents or guardians have established trust and a working relationship.

Allay Fears

To allay fears, it might be a good idea to speak or write in such a way that the message imparts a feeling of warmth, friendliness, care and welcome. The messages should immediately convey a focus and interest in the student, acknowledgment of past communications, and the intent of the present communication.

Personal Qualities

Display an ability to speak in a cordial, relaxed and open manner. Exhibit integrity, honesty and ethical conduct. Be attentive and minimize distractions. Communicate interest, concern and a willingness to serve.

Cognitive Qualities

State basic disagreements in the most positive way possible. Participants should respond constructively and act as problem solvers to formulate options and realistic solutions.

Positive Communication Skills

Actively listen while a person talks. It's okay to take notes. It shows your listening. Ask for clarification when a statement seems to imply something not stated. Allow time for questions and allow yourself enough time to understand the information provided. Ask questions about how the disabling condition affects relationships and family life.

Try to Find the Answers

Become knowledgeable about the disabling condition, and ask about some of the things you don't know. Admit when you don't have the answer, but indicate that you will try to find the answer when a question is difficult and complex.

Talk the Same Language

Adapt the information you give to the person's ability to understand. Be receptive to non-verbal communications, and facilitate discussion by asking questions and giving examples. Anticipate feelings and needs. Try to help the person to whom you are speaking gain a sense of ease.

Knowledge Base

Have a general knowledge of the characteristics of a disability. Be familiar with State and Federal statutes and regulations and the everyday duties and responsibilities of other staff members.

Doubts or Concerns

If parents/guardians express some doubts or concern regarding the IEP, the committee should suggest that the plan should be taken home where it can be discussed, and questions and concerns can be brought back to the IEP meeting at a later date. Indicate that placement changes cannot be initiated until the IEP is complete.

Understanding Frustrations and Hostility

It is important to recognize that by the time a student is referred for evaluation, parents/guardians may have already experienced frustration and anguish. They may have seen other professionals, but still may be seeking the right solution. They may know that there is a problem, and may feel that they are to blame, or that they are blamed by others. Suppressed anger and hostility, developed from prior encounters with medical and mental health professionals may be difficult for them to continue to hold back - particularly when they are less intimidated by school personnel, but are still driven to irrationality by their fears.

Attack

In some cases, they may deny that there is a problem and may react angrily about a problem that they do not wish to hear or recognize. They may blame the teacher, or attack the messenger in order to ignore the message. Emotional control is appreciated and is the best policy.

Withdrawal

In other cases, they may remain extremely quiet and passive, keeping their feelings and opinions locked inside. It may help to assume that feelings of anxiety, fear, guilt, anger, frustration and hostility are present.

IMPORTANCE OF PARENTAL PARTICIPATION

Signature

The signature of the parents/guardians is required only on an initial placement even when the parents/guardians have declined to attend the IEP meeting. The parents/guardian's input are to be sought, and to the extent that it is reasonable and prudent, parent or guardian involvement is to be reflected in the goals and objectives of the IEP. Signatures on the IEP's is not a legal requirement, but should be encouraged.

Required IEP Participants

If some of the required members of the IEP team, such as the principal, parents/guardians, occupational therapist, nurse, etc. is not physically present at the IEP meeting, but participate via telephone, the IEP documents may list that person as a participant via tele-conference.

Missing Participant

If a member of the IEP team is not present to address one of the areas of the student's disability, and a qualified substitute or designee is not present, a reconvening of the IEP to address that area will be necessary.

Parental Rights Cannot be Waived

Parents/guardians should not be asked to sign a waiver of their right to attend or participate in an IEP meeting. They may indicate that they do not wish to attend, but do not relinquish their rights to participate in the IEP even though they consistently do not keep appointments to attend the scheduled IEP meetings.

Parent Input

Parental rights to participate in the development of an IEP are not to be bypassed or overlooked though the parents/guardians may not agree to attend an IEP meeting or may not show up for it though they have agreed to come. In such cases, alternative and innovative methods of parental involvement are required though they need not necessarily be formal. These methods must be documented, signed and dated.

Examples of Innovations

By way of example, parental involvement might be accomplished through parent - teacher discussions, or by conversations with a member of the IEP committee - at school, at the parent's home, by telephone or through any other contact. An IEP might be conducted by conference phone to include one or more of the required participants who cannot be physically present. The parent's/guardian's wishes might be recorded and presented to the other IEP committee members.

PROCEDURAL SAFEGUARDS

The White Pine County School District has implemented procedural safeguards to conform to the Nevada Department of Education Administrative Code for Special Education and to Federal laws.

Written Prior Notice

Written prior notice shall be given to the parents/guardians of a child whenever the White Pine County School District proposes or refuses to (1) initiate or change the identification or educational program or placement of the child, (2) or evaluate. The proposed action shall be based upon criteria established by Nevada Revised Statutes, Nevada Administrative Code for Special Education, and federal regulations. The written notice will conform with Regulations implementing IDEA 34 C.F.R. Part 300 and will include:

- A. A full explanation of all the procedural safeguards available to parents/guardians.
- B. A description of the action proposed or refused by the District, an explanation of why the District proposes or refuses to take action, and a description of any options the District considered and the reasons why those options were rejected.
- C. A description of the evaluation procedures, tests, records, or reports upon which the action is based. Testing and evaluation materials and procedures used for the evaluation and placement of disabled children shall be selected and administered so as not to be racially or culturally discriminatory and shall be validated for the specific purpose for which they are used.
- D. A statement informing parents of their right to challenge a proposed action and of their right to obtain an independent evaluation of the child in accordance with IDEA 34 C.F.R. Part 300.
- E. The notice must be written in understandable language and be in the native language of the parents/guardians unless clearly not feasible. If the native language of the home is not written, the District will take steps to assure that:
 - (1) The notice is translated into the native language.
 - (2) The parents/guardians understand the notice, and there is written evidence to this effect.

Parental/Guardian Consent

Parental/Guardian consent shall be obtained prior to:

- A. An initial evaluation procedures.
- B. Initial placement of a disabled child in a program providing special education and related services.
- C. The disclosure of confidential information to anyone other than employees of participating agencies who have a legitimate educational interest.
- D. The use of information for purposes other than those previously specified to the parents/guardians.
- E. State law requires written consent for pre-placement evaluations and parent/guardian consultation prior to placement. If consent is refused, no pre-placement evaluation shall be made. Nevada Revised Statute 388.460 states, "... A student shall not be required to take advantage of the special education provisions for the education of students with disabilities... if the parent or guardian of the student files a statement with the board of trustees of the school district showing that the student is receiving adequate educational advantages." Thus, parents/guardians have the right to withhold consent for initial placement.

Opportunity to Examine All Relevant Records

Parents/Guardians will have the opportunity to examine all relevant records on their children. Parents/guardians have:

- A. The right to a response from the District to reasonable requests, and for explanations and interpretations of the records.
- B. The right to request that the District provide copies of the records, and the right to inspect and review the records.
- C. The right to have a representative of the parents/guardians inspect and review the records.
- D. The right to have their requests for access honored without unnecessary delay no later than 45 days after their request has been made, and prior to any hearing regarding identification, qualification, placement, or evaluation of their child.
- E. The right to review a log of persons obtaining access to their child's file. The log will display: the name of the person, and the date and purpose for, viewing the file.
- F. The right if requested to be provided with a list of the types of data collected and the location of the data.

Hearings

A. Due Process Hearing

- (1) The Department of Education regulations for the administration of special education programs guarantee the rights of parents/guardians to a due process hearing if they disagree with the White Pine County School District's proposal or refusal to initiate or change the identification or educational placement of the student, evaluate, or provide a free appropriate public education.
- (2) A parent/guardian may challenge any of these actions. If the school does not comply with their requests, they are to be advised in their native language of their right to request a Due Process Hearing or mediation to invoke the District's grievance hearing procedures.

(3) Steps to a Due Process Hearing

- a. The parents/guardians shall submit, in writing, to the White Pine County School District Superintendent, a request for a due process hearing, stating the specific reasons for the request.
- b. The White Pine School District Superintendent shall ask the State Superintendent of Public Instruction to appoint an impartial hearing officer within five working days of receiving the request.
- c. The Nevada State Superintendent of Public Instruction will officially appoint, in writing, an impartial hearing officer.
- d. The White Pine County School District shall adopt the following procedures upon receipt of the name of the hearing officer:
 - I Notify the parents/guardians, by certified mail (within twenty working days), of the hearing officer's name, and the time and the place of the hearing;
 - II Include the reasons for the District's recommended action by referring to the specific NAC requirements and indicate the parents/guardians rights;
 - III Parent/guardian Rights: the right to be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of disabled children; the right to present evidence and confront, cross-examine.

IV The right to compel the attendance of witnesses; the right to prohibit the introduction of any evidence at the hearing that has not been disclosed at least five working days before the hearing; the right to receive a written or electronic verbatim report of the hearing; the right to receive written findings of fact and decisions; the right to determine whether the child shall be present during the hearing; the right to open the hearing to the public; the right to examine all pertinent school records prior to any hearings, the right to a list of free or low-cost legal services and the right to appeal decision of hearing officer.

V The District shall insure that the parents or guardians understand the written notice and the proceedings at a meeting, including arranging for an interpreter.

- e. The hearing shall be at a time and place mutually convenient to the parents/guardians and the WPCSD.
- f. The student's current placement will be maintained until a decision is rendered unless the hearing involves an application for initial admission to public school. If this is the case, with the consent of the parents or guardians, the student will be placed in the public school program until completion of all proceedings.
- g. The White Pine County School District shall pay the expenses of the hearing.

B. District Grievance Hearing Procedures

- (1) A grievance hearing with appropriate personnel may be requested, conducted, and a decision rendered by the school principal in accordance with White Pine County School District grievance procedures.
- (2) If the parents/guardians find the school-level decision unacceptable, they may appeal the decision to the superintendent or request arbitration or a due-process hearing.

C. Nevada Mediation System

- (1) Mediation services are administered by the Nevada Departments of Education and Human Resources who appoint trained mediators to resolve differences of opinion about regulations, procedures and statutes.

- (2) Mediation is voluntary and both persons in a dispute must request and agree to it before the services can be provided. Mediation brings together persons in a dispute with an impartial third person (a mediator) who attempts to resolve the disagreement.
- (3) The disputing persons are asked to consider alternatives but are not required to abandon their basic beliefs, nor are they compelled to accept any decisions reached by the mediator.
- (4) No more than three persons may be represented on either side of the dispute, and the mediator may terminate if no resolution is forthcoming.

Surrogate Parents

The White Pine County School District is responsible to insure protection of the rights of the child when the parents are not known or are unavailable or when the child is a ward of the State. In the case of a child that is a ward of the State, the child's case worker cannot be the surrogate parent. The White Pine County School District will appoint a surrogate parent who has been trained to provide the service.

A surrogate parent will be appointed by the White Pine County School District to act as a parent to a child when: The child is a ward of the State, or when the child's parent cannot be found after reasonable effort has been made.

The surrogate parent will be expected to act as a child's parent to protect the child's interests and rights. The surrogate parent will be required to put the child's interests and rights and the child's parents' interests and rights about their own, or other interests. The surrogate parent will be appointed who has the knowledge and skills needed to insure adequate representation for a child.

The surrogate parent will not be an employee of the White Pine County School District, who is regularly employed to provide educational services to children, but may be compensated by the White Pine County School District for services as a surrogate parent. Volunteer surrogate parent services will be sought, but if compensation is given for surrogate parent services, the surrogate parent will not be considered an employee nor be obligated to represent the rights and interests of the White Pine County School District.

State and Local Access to Data

Statistical data will be compiled and filed with the Nevada Department of Education by the White Pine County School District, by related agencies, and the child identification diagnostic

teams. All data compiled in this way will not be personally identifiable, and will be stored in each respective school. Release of information that is personally identifiable will be provided according to FERPA guidelines.

Confidentiality and Record Access

A. Information Provided to Parents/Guardians

- (1) Parents/Guardians will be informed of the content of their child's records and of the evaluation information contained therein.
- (2) Parent/guardian's rights regarding records of special education students shall be reviewed with parents/guardians at least annually, and presented in writing.

B. Record Access Rights

- (1) Parents/guardians will be permitted to inspect and review any education records relating to their child which are written, collected, maintained, or used by the WPCSD.
- (2) The White Pine County School District shall provide a copy of a comprehensive evaluation report and a copy of a report of decisions regarding qualifications for special education services on or before meetings are held relating to the educational planning placement of a student.
- (3) The right to inspect and review education records includes:
 - a. The right to a response from the special education staff within the White Pine County School District to reasonable requests for explanations and interpretations of evaluations;
 - b. The right to copies of information contained within their child's records.
 - c. The right to have a representative inspect and review the records.
- (4) The White Pine County School District will presume that the parent/guardian has authority to inspect and review the records relating to their child unless advised that a parent/guardian does not have the authority under State law governing such matters as guardianship, separation, and divorce.

C. Records on More than One Child

If any education record includes information on more than one child, the parents/guardians of those children will have the right to inspect and review only the information relating to their child or to be informed of that specific information.

D. List of Types and Locations of Information

The White Pine County School District will provide to parents/guardians, on request, a list of the types and locations of education records collected, maintained, or used by the District.

E. Amendment of Records at Parent's/Guardian's Request

A parent/guardian who believes that information in education records collected, maintained, or used is inaccurate or misleading or violates the privacy or other rights of their child may request that the District amend the information.

The District will decide whether to amend the information in accordance with the request within a reasonable time period following receipt of the request.

F. Confidentiality and Storage Safeguards

- (1) The White Pine County School District will protect the confidentiality of personally identifiable information.
- (2) The White Pine County School District will provide training regarding Federal, State and District policies and procedures to persons using or storing personally identifiable information.
- (3) The White Pine County School District will require members of the special education staff to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- (4) The District will maintain a current listing of the names and positions of employees who may have access to personally identifiable information.

Contents of Special Education Student's Records

The student folders used by special education teachers for special education students shall contain the following:

Section I

- A. Current IEP
- B. A chronological list of major events such as assessments, MDT, IEP during each school year

Section II

- A. A White Pine County School District Record of Access log
- B. Current Assessments
- C. Reports
- D. Observations & Recommendations
- E. MDT Notification

Section III

- A. Previous IEP's (with the most recent first)
- B. Past Parental Notices

Section IV

- A. Past Assessments & Reports
- B. Past Observations & Recommendations
- C. Past MDT Notices

Section V

- A. Interagency Release Forms
- B. Non-District Generated Reports

Section VI

- A. SAT & Referral Package
- B. Parental Rights
- C. Consent to Test
- D. MDT Report

- E. Consent to Place
- F. Collaborative Consult Log
- G. Individual Transition Plan
- H. Extended School Year Justification

Only the persons whose positions appear on the list posted on the outside of the locked file cabinet where special education student's records are kept are to have access to special education student's records. A student's classroom teacher may have access to the records of a special education student as long as the record is removed only briefly, and confidentiality can be assured. All those who are authorized to use the records must maintain the confidentiality of the records. The records are not to be left unattended where they may be viewed by students, teachers, parents, or others.

SPEECH AND LANGUAGE SERVICES

Speech Screening

Screening is a rapid, brief assessment given to everyone in a class to identify who might have a disability. Screening does not qualify a student, but a low score may signal a need for a more formal, comprehensive, individualized assessment.

Sometimes kindergarten and first grade students are screened for speech and/or language disorders during the first few months of the school year. Other students may be seen on a referral basis.

Referral Forms

Referral forms and information related to the screening should be distributed to the schools at the beginning of school in the Fall.

Schedule of Screening

Several school personnel may work together in the screening process at the beginning of each school year. Speech/language therapists - communicative disorders specialists will be responsible for scheduling and supervising screening at each school.

Principals and teachers should be notified, in writing, of the schedule for the screening, and after the screening has been completed, the results should be provided to teachers and parents/guardians.

Evaluation

Prior to any evaluation beyond screening, written parental permission is required. Evaluation begins when any student is assessed for a specific speech/language problem. As a part of the evaluation, a developmental history will be requested from the student's parent/guardian.

- A. A standardized articulation test will be used as the basic instrument for the evaluation of articulation.
- B. One or more standardized language tests will be used in the assessment of receptive and expressive language skills.
- C. For verification of a voice disorder, an evaluation by an ENT (ears, nose, and throat) specialist will be needed, with recommendations for speech/language services.
- D. The dysfluency is assessed by observation through parent/teacher/student interviews, and from language samples.

Certification/Decertification

Criteria for qualification for speech/language therapy or discontinuance of services for those who no longer qualify are provided in the Nevada Administrative Code for Special Education. An Multi-Disciplinary Team (MDT) meeting is held to determine eligibility issues. IEP membership includes the student's classroom teacher, a speech/language therapist and a Local Education Agency representative.

Priority in the Severity of Dysfunction

The type and level, the frequency and nature of the intervention services are determined through an IEP committee. Students with severe communicative disorders for whom intensive program is indicated.

- A. They display severe Language problems:
 - (1) Severe delay in language acquisition
 - (2) Severe disability in reception, integration, or expression of language.
- B. Organically based articulatory disorders:
 - (1) Dysarthria, oral dyspraxia
 - (2) Developmental anomalies
- C. Severe articulation disorders of unspecified etiology resulting in unintelligible speech.
- D. Severe Dysfluency.
- E. Voice disorders, particularly at the initial stages of vocational rehabilitation.
- F. Speech and language problems related to moderate-to-severe loss of hearing.
- G. Hypernasality.
- H. Multiple speech and language problems.

Less Severe Speech Language Disorders

Students with moderate speech and language disabilities or deviations may require less frequent intervention services.

- A. Students with moderate problems with language:
 - (1) Moderate-to-mild delay in language acquisition
 - (2) Moderate-to-mild deficit in reception, integration, or expression of language

(3) Residual problems for students previously enrolled under first priority

B. Moderate articulation problems

(1) Students with moderately disabling articulatory defects - but fair intelligibility

(2) Former first priority cases who require less intense therapy

C. Moderate Dysfluency

D. Moderate Voice deviations

E. Speech and language problems related to mild to moderate loss of hearing.

Mild Speech Language Disorder

Students with mild speech or language disabilities or mild deviations may require less intensive therapy:

A. Students who are approaching stabilization of appropriate or optimum speech patterns.

B. Students with poor motivation or for whom the likelihood of significant progress is highly questionable.

C. Students previously dismissed or at the consultative level who could benefit from supportive work.

D. Those not previously enrolled who demonstrate developmental articulatory errors or mild speech or language deviations.

SUSPENSION OR EXPULSION OF STUDENTS WITH DISABILITIES

1. Suspension (beyond ten days) or expulsion of a student, receiving special education services cannot be effected unless or until an MDT meeting is held to determine that the student's inappropriate conduct was or was not the result of the student's disability, and an IEP committee meeting held to change the student's placement.
 - A. The MDT shall review the student's comprehensive psychological report, and all other pertinent information pertaining to the student's disability to determine if there is a relationship between the student's inappropriate conduct and the student's disability.
 - B. If it is determined by the MDT that a student's inappropriate conduct is a manifestation of the student's disability, an IEP committee must determine if the current special education plan, placement and related services are appropriate, and if placement outside the regular classroom is justified. The meeting may occur in conjunction with the MDT meeting or as a separate meeting based upon recommendations by the MDT committee. The following must be considered:
 - (1) Additional related services;
 - (2) A change in disciplinary procedures;
 - (3) Increased time in the current special program;
 - (4) A change in the goals and objectives;
 - (5) Provision of a special program in another setting, including, but not limited to placement with an aide outside the regular classroom but within the school, a special school, homebound, or twenty-four hour care in foster placement, a hospital and some other institutions.
 - (6) Involvement with programs funded by other agencies such as White Pine Mental Health, Division of Mental Retardation, Community College, the Department of Vocational Rehabilitation, or others.
 - (7) It is important to ensure that any proposed change in the educational program meets the individual needs of the student and allows for placement in the least restrictive environment, when appropriate.
 - C. If the MDT determines that no relationship exists between a student's disability and his misconduct, the White Pine County School District may wish to follow School Board procedures for suspension or expulsion when a student's behavior is disruptive to the education of others.

When this is the case, special education services are still required and are best provided through homebound teaching services.

TIME OUT FOR INAPPROPRIATE BEHAVIOR

Routine Removal From the Classroom

A special education student may not be routinely removed from a regular education classroom unless the removal is specified by the student's IEP goals and objectives. The IEP must reflect goals related to behavior control, indicate the consequences for violations of student rules, and state the justification for removal.

Removal to a Place of Safety

A special education student may be temporarily removed immediately from a place or a situation that poses an imminent and immediate threat of physical harm by others, or poses a threat of physical harm to self or others.

Emergency Removal From Class

The special education student may be removed from a combative situation to restore order, maintain safety and prevent harm. The student should be provided with a place to regain composure without an audience, and receive instruction concerning acceptable social behavior, and experience predetermined consequences for inappropriate socially aggressive behavior.

Method of Removal

The special education student may report to another room, to a school staff member, or be escorted by a school staff member who has been sent to the classroom for that purpose. The classroom teacher may designate someone to inform an administrator or school staff member when removal is needed.

Time Out

A special education student may need help and instruction in an isolated environment. When the student needs to be immediately removed from the regular education classroom due to disruptive, aggressive, or violent behavior, the special education student may be sent or escorted to a neutral place such as the library, or another room, to regain composure, and reconsider choices. The time out period, the time out place, and the behaviors that lead to the consequence of a time out need to be specified on the IEP before a special education student may be removed from the regular education classroom.

Indiscriminate Use

Time out is to be used as an effective means of gaining goals and objectives as described in an IEP, and is not to be used indiscriminately. When used to isolate and to help shape behavior, a behavior management program should be developed which is supported by a special education student's parents.

Try Other Methods First

Before a time out is prescribed by an IEP, other methods should have been tried, documented, and proven ineffectual and unsuccessful, before time out is used. ISOLATION AND TIME OUT ARE NOT TO BE USED WITH A SPECIAL EDUCATION STUDENT UNLESS THE STUDENT IS SUPERVISED DURING THE TIME OUT PERIOD.

Continual, Close Supervision

Very close supervision of the special education student may be written into the IEP, at recesses, lunch time, before the beginning, at the end and in between, classes to monitor appropriate social behavior and to insure safety and freedom from abuse. Close supervision may help the special education student and others to feel safer, less threatened and less in need of self defensive behavior, provocation, attack or abuse.

Social Skills Training

Teach the special education student appropriate social skills, and privately indicate how specific remarks or behaviors are unacceptable and provocative. Teach consequences and alternatives to aggression and disruptive behavior. Contract for, teach and reward acceptable behavior.

Rehearsal of Appropriate Social Behavior

Provide opportunities for rehearsal and practice of appropriate social behaviors with close supervision. Teach the special education student how to interact with peers after rehearsing appropriate ways of responding in made up conflict ridden situations. Assign problem solving of realistic social conflicts, and teach the student to respond appropriately to resolve conflicts in real social situations.

Behavior Modification Techniques

Behavior can be influenced by rewards and by restricting privileges.

Earn Unsupervised Time

Allow the special education student to earn the privilege of gradually longer periods of unsupervised peer interaction. Permit the student to earn the right to interact with peers without supervision for short trial periods following demonstrated self control, compliance to teacher requests, and appropriate conflict resolution skills.

Forfeit Privileges

Provide means for the special education student to respect the rights and property of others. Insist the student forfeit privileges, work to regain the esteem of others who have been mistreated, and pay for damages. Teach the student to feel loved, cared for, and protected to decrease the need for aggressive social behavior for self protection or attention.

Provide Rewards

Provide rewards, privileges, praise and recognition when anger, aggression or retribution are not attempted in provocative situations, and when appropriate social behavior and conflict resolution are displayed. Reward appropriate effort and achievement.

Behavioral Goals and Objectives

Behavioral goals on an IEP might include: improve coping skills, develop better conflict resolution skills, improve social behavior, improve self control. Objectives on an IEP to accomplish these goals might include: conditions or circumstances under which a special education student is removed from, or voluntarily leaves, the classroom, and for reinstatement.

EXTENDED SCHOOL YEAR

Extended school year services for special education students are reviewed annually and determined by an IEP committee based on the needs of each special education student.

Regression and the speed of regaining past learned skills are factors for the IEP committee to consider. Regression refers to learned academic skills that were lost during the summer. After summer vacation, teachers review the skills learned the preceding school year for several weeks at the beginning of the next school year. But, if it takes a special education student several months to regain skills lost during summer vacation, the IEP committee may want to consider extended school year because of the special education student's loss of previously learned academic skills and slowness in regaining them.

The severity of the student's disability, lack of progress over time, physical condition, social and emotional needs, as well as a need for continuity are reasons for the IEP committee to consider extended school year services.

A prerequisite for extended school year services is that the special education student is capable of achieving higher levels of functioning and deriving educational benefit from the service.

TRANSITION

By the time a student is 16 years old, an Individualized Transition Plan (ITP) must be included with the IEP to aid the student's transition from school to an adult life and work. The ITP must include consideration of any needed instruction, vocational training, adult living, or community and adult services. The ITP links the student with other public agencies such as vocational rehabilitation that may be necessary to implement the transition plan.

Mandate

Federal legislators have put regulations into law requiring the development of individualized transition planning as part of the IEP process. Attendance and participation by the student is required also.

Based on Individual Needs

The activities developed as a part of the transition plan must be based on an individual student's needs, and take the student's interests and preferences into account.

Transition Goals and Activities

Individual needs related to instruction, community experience, employment, daily living skills and vocational evaluation, must be considered in developing an ITP.

- A. **Post-Secondary Instruction:** An ITP with the goal of vocational training might begin with an activity such as exploring training opportunities. It might begin with studying the financing and the programs offered at a technical college, filling out applications and financial aid forms, or checking out on-the-job training opportunities.
- B. **Community Participation:** An ITP with the goal of expanding participation in the community might begin with exploring recreational interests and opportunities, hobbies, and community organizations, clubs and activities.
- C. **Employment Goals and Activities:** An ITP with the goal of getting a job might begin with researching opportunities for employment, gaining work experience, exploring vocational interests, assessing job skills, and learning how to fill out applications and develop interviewing skills.
- D. **Daily Living Skills Goals and Activities:** An ITP with the goal of living independent of others might begin with exploring the cost of renting an apartment, buying food and clothing, paying utilities, and providing for recreation and transportation.

- E. Vocational Evaluation: Vocational counseling, assessments and evaluations may be needed to help discover a student's interests and skills, abilities and needs, wishes and preferences, in order to develop an ITP.

Participants

Participation in a ITP should include the student, parent or guardian, and a representative from any other agency that is likely to be responsible for providing or paying for transition services.

- A. The participants should be invited to attend the ITP meeting. A notice should be sent indicating time, place, the names or job titles of the participants and the purpose of the ITP meeting. The notice should be sent a week to 10 days prior to the meeting. In addition, an invitation might also be made by phone or in person.
- B. To insure participation of the student, a survey of the student's interests and preferences should be made prior to the ITP meeting.
- C. To insure participation of the student's parent or guardian, an interview should be conducted prior to the ITP meeting.
- D. To insure participation of any other agency, a discussion should be held with a representative of the agency prior to the ITP meeting.

Student's Needs, Preferences and Interests

A student's needs, interests and preferences should be considered in the development of a ITP.

- A. Needs, interests and preferences should be obtained through interviews with the student and the student's parent or guardian,
- B. Needs, interests and preferences should be obtained through observations, informal and formal inventories.
- C. Skills should be also be assessed.

Instruction and Employment

Instruction, needed to learn an employable skill, vocation, trade or profession, should be considered in the ITP.

- A. Instruction in completing applications, interviewing techniques, and job exploration should be considered in the ITP.

- B. Job sampling and part time work experience should also be considered in developing an ITP.

Services and Providers

The ITP will note the transition services that will be provided and the agent responsible for each service.

ASSISTIVE TECHNOLOGY

Assistive technology refers to any and all special equipment needed by a student with a disability to receive a free and appropriate education. The special equipment may be a tape recorder, pre-recorded lessons, earphones, a special pencil grip, a wheel chair, a computer or a specially built switch to operate a light, a radio, television or a record player. The need for special equipment must be considered on every IEP for each student identified as disabled.

SPECIAL EDUCATION DEFINITIONS

Academic Achievement

The position of basic reading skills and skills relating to oral expression, listening comprehension, written expression, reading comprehension, mathematics calculation and mathematics reasoning. In the case of a pupil under the age of 6, the term means academic readiness and the mastery of language concepts.

Academic Skills

Academic skills refer to reading, arithmetic, spelling, and written language expression skills.

Accommodations and Modifications

A statement in the IEP of alterations to curriculum, teaching methods, and the learning environment that are necessary, due to the student's disabilities, for educational benefit.

Adapted Physical Education

Adapted physical education includes a diversified program of developmental physical activities suited to the needs, capacities, interest and limitations of eligible students. Eligibility is determined by an IEP Team for students whose needs cannot be met through a modification of the regular physical education program - as indicated by a medical doctor or physical therapist.

Adaptive Behavior

Gross and fine motor skills, communication, self-help, socialization, academic ability, daily living skills, vocational skills, leisure activities, recreational activities and community utilization.

Annual Goals

Annual goals refer to broad and ongoing goals that should be pursued steadily over an extended period; in this case, for a period of one year.

Assistive Technology Device

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 children with disabilities.

Assistive Technology Service

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. The term includes: (a) the evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment; (b) purchasing, leasing or otherwise providing for the acquisition of assistive technology devices by children with disabilities; (c) selecting, designing, fitting, customizing, adapting, applying, retaining, repairing or replacing assistive technology devices; (d) coordinating and using other therapies, interventions or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs; (e) training or technical assistance for a child with a disability or, if appropriate, that child's family; and (f) training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of children with disabilities.

Attention Deficit Disorder

For the last several years, one of the most frequent reasons for desiring assessment and evaluation is a condition known as an Attention Deficit Disorder (ADD). ADD is a neurological based impairment which is often genetically linked. It is often first diagnosed in school age children, but is usually present from birth. It becomes more easily identified in children at school because, at school, children are required to remain quiet, attentive, and sit for long periods focused on teacher directed tasks.

Attention Deficit Disorder With Hyperactivity

A student may have an attention deficit disorder with hyperactivity (ADHD). Other characteristics such as oppositional or defiant behavior traits, irritability, or emotional mood swing may also be present, but each feature is listed along with as diagnosis of Attention Deficit Hyperactive Disorder.

Autism

Autism means a disability which: (a) significantly affects the verbal and nonverbal communication and social skills of a person and is often characterized by repetitive activities and stereotyped movements, resistance to changes in environment or daily routine and responding to sensory experiences in an unusual manner; (b) is usually apparent before the age of 3 years; and (c) adversely affects the educational performance of a pupil causing significant delays or irregular patterns in learning, or both.

Cognitive Abilities

Those abilities involving the processes of thinking, reasoning and problem solving.

Collaborative or Consulting Services

The assistance provided by special education personnel to regular teachers regarding the assessment, teaching and evaluation of a pupil with a disability in a regular educational environment.

Corrective Action Plan

A Corrective Action Plan (CAP) is a written plan required to correct policies, practices or procedures which are not in compliance with the law.

Corrective Action Plan Process

A corrective action plan (CAP) will be developed when an incorrect policy, practice or procedure has been discovered. The CAP will be sent to the resource teacher responsible for implementing it. Copies of the CAP will also be sent to a Special Education Coordinator's Assistant and to the building principal.

The Special Education Coordinator or an assistant will provide clarification concerning policies and procedures if needed to the Special Education Teacher responsible or to the building principal. If the CAP has not been implemented within a reasonable length of time, a copy of the CAP will be sent to the Special Education Director for further action. The Special Education Director will meet with the building principal to review the CAP.

Developmental Functioning

Developmental functioning means cognitive abilities, gross and fine motor skills, self-help, social and emotional condition and skill in the use of receptive and expressive language.

Dyslexia

Another frequent reason an assessment or evaluation is requested is Dyslexia. Dyslexia is a Latin term - Latin is the language often used by physicians to describe medical problems - meant to convey, in medical terminology, that a patient has a reading problem. This term sometimes creates misunderstanding because, after a reading problem has been diagnosed and remediation recommended by a school psychologist, some parents/guardians feel that their child's dyslexia was overlooked. Because they were told that their child has a reading disability or a learning disability instead of being told the child has dyslexia (a reading problem), parents/guardians sometimes think their child was improperly diagnosed.

Evaluation Criteria

Refer to the criteria for determining if the short term objectives have been met. They include names of a specific test, observable criteria, or the amount of time or a level of achievement reached.

Extended School Year

Extended school year refers to educational services provided beyond the time which the public school normally serves students in regular education.

Gifted and Talented

Gifted and talented means a person who possesses or demonstrates outstanding ability in one or more of the following: (a) general intelligence; (b) academic aptitude in a specific area; (c) creative thinking; (d) productive thinking; (e) leadership; (f) the visual arts; or (g) the performing arts.

Health

Health means the general physical condition of a person.

Health and Medical Information

Significant health and medical information that could affect the child's learning, i.e., vision, hearing, allergies, medication, chronic health conditions, etc.

Hearing Impairment

An impairment of the hearing mechanism which affects sound integration and prevents or delays the normal development of speech and language.

Impartial Observations

Observations by someone other than the student's parent or teacher.

Individualized Education Plan Committee

An IEP is developed at least annually by the IEP Committee. This Committee is comprised of the student's parents/guardians, a school administrator or designee, the student's teacher and the student. Students younger than 16 may be involved at the discretion of the IEP Committee.

Individualized Education Program (IEP)

An IEP is a document that provides a formal written record of decisions made about a student's goals and objectives, placement, and the modifications made to accommodate the student in all school settings. An IEP sets forth a written document that ensures the student receives services that have been determined by the IEP Committee, sets forth a written commitment of resources that guarantee a free appropriate public education for the student and serves as an evaluation device to determine if the student has reached the goals and objectives developed by the IEP Committee.

Individualized Transition Plan (ITP)

At least by the time a student is 16 years old, an ITP must be included with the IEP to aid the student's transition from school to an adult life and work. The ITP must include consideration of any needed instruction, vocational training, adult living, and community and adult services. The ITP identifies responsibilities and linkages with other public agencies such as vocational rehabilitation necessary to implement the transition plan.

Interim Individualized Education Plan (IEP)

An Interim IEP is a temporary IEP, written for a thirty calendar day period, after the student's former school has confirmed that documented proof exists that the student is currently eligible to receive special education services. Thirty days are allowed for the documentation to be received.

Justification Statement

A statement in the IEP of the educational placement determined appropriate by the IEP committee when the placement decision requires removal from the regular education classroom. If the placement decision will not remove the student from regular or typical school setting (i.e., a setting where students who do not have disabilities are educated), no justification statement is required. If, on the other hand, placement is made outside a typical school setting i.e. in a resource room, the IEP must show why the programs and services could not be provided in the regular setting. The IEP committee must consider the use of supplementary aids and services in the regular school setting (e.g., classroom, playground, lunchroom, etc.) before considering removal of the student from the regular education classroom.

Language Development

Language development refers to the process by which information is exchanged, a common system of producing sounds, symbols, signs and/or behavior. Language includes writing, oral and non-verbal expression.

Learning Disability

One of the most frequent reasons an evaluation is requested is to determine if learning disabilities are the cause of a student's inability to perform academic tasks in the classroom. A learning disability is defined by law, and is determined by comparison of a student's learning abilities with achievement skills in reading, written language expression and math. Processing deficits must also be discerned, and the need for special education services, is met.

Least Restrictive Environment

The regular education classroom is often the least restrictive environment in all but a few cases. Harmful effects should be considered in determining the least restrictive environments. Excessive embarrassment, excessive disruption, or a need for privacy to carry out instructions or therapy should be considered when deciding to what extent a student should be removed from the regular education classroom.

Mental Retardation

A condition characterized by the possession of cognitive abilities which are significantly below average, with deficits in adaptive behavior and academic or developmental achievement,

Methods and Materials

Refers to those methods and materials utilized to accomplish the short-term objectives.

Multi-Disciplinary Team (MDT)

An MDT is a Multi-Disciplinary Team which determines eligibility.

Multiple Impairments

The occurrence of mental retardation with another disability, the combination of which causes severe educational problems for the pupil.

Orthopedic Impairment

An impairment which adversely affects the ability of a person to benefit from or participate in an educational program without special education.

Parent

A parent, an adoptive parent, a guardian or a person who is performing the duties of a parent or a surrogate parent appointed pursuant to NAC 388.283.

Participating Agency

Any institution, entity or person that is likely to provide transition services to a pupil because it will have an impact on the pupil in his adult life.

Performance in the Current Educational Setting

The behavioral and academic functioning of a pupil in the environment in which the majority of his education occurs.

Placement

Placement in or outside of a regular education classroom is determined by an IEP committee. Placement decisions are made based on consideration of an individual student's needs, harmful effects and the least restrictive among a continuum of options. Harmful effects must be considered to the student and the student's classmates. Good faith effort is required to educate a student in their regular education classroom. Documentation is required to support and justify placement.

Placement Continuum

Consideration of placement in the least restrictive environment, requires reviewing a range of options for the delivery of services. Placement options, on a continuum, from the least restrictive placement to progressively more restrictive placements are as follows:

1. regular classroom, with no accommodations, aides or services,
2. regular classroom with accommodations and intervention strategies
3. regular classroom with aides and services
4. regular classroom with pull out for less than 21 percent of the day.
5. Resource room more than 21 percent of the day but less than 60%.
6. Resource room/classroom with an aide greater than 60%.
7. Part day attendance in either regular or resource classroom.
8. Home bound with visiting teacher services.
9. Residential treatment facility.

Pre-Academic Skills

Pre-academic skills refer to those activities related to recognition and verbalization of developmental language concepts, body parts, colors, shapes, relative size, and the ability to sort, classify and match. Pre-academic skills are skills pre-requisite to academic learning.

Pre-Occupational and Occupational Skills

Pre-occupational and occupational skills refer to those activities that enable a student to gain an awareness of the world of work, to choose

and prepare for an occupation, and obtain work experience related to an occupational choice.

Pre-referral Intervention

The services provided to a pupil before he is referred for special education. Such services may include, without limitation, providing alternative programs and methods of instruction to determine whether a referral is necessary.

Present Levels of Performance

Present levels of performance are the current scores resulting from individually administered standardized tests and professional judgment as determined by a comprehensive evaluation. Areas of deficiency and competencies are identified in learning ability, academic skill, social relationships, perception and motor skill, disposition, learning ability, physical health, and adaptive skills.

Previous educational intervention

Previous educational intervention means a strategy, developed on the basis of individual need, designed to have a remediate effect upon any academic or behavioral difficulties of a pupil. The term does not include disciplinary procedures applied to a group of pupils unless, giving consideration to the individual needs of a pupil, such procedures are demonstrably more appropriate than other strategies.

Primary Disability Condition

The student's primary disability condition is indicated on a Multi-Disciplinary Team (MDT) report.

Program of Instruction

A program of related or other educational services provided to a pupil with a disability.

Public Agency

Any school district or other governmental entity responsible for providing education to a pupil with a disability.

Pupil with a Disability

Pupil with a disability has the meaning ascribed to it in NRS 388.440, but the term does not include pupils who are gifted and talented.

Regular Classroom Teacher

A teacher having knowledge of the developmental and curricular needs of pupils at the grade level which he teaches.

Related Services

Related services means the transportation and other supportive services required to assist a student with a disability to benefit from special education, and includes speech pathology and audiology, psychological services; physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling and medical services for diagnostic or evaluation purposes. The term also includes school health services, social work services in schools and parent counseling and training.

Serious Emotional Disturbance

A severe emotional disorder that is exhibited by a person for at least 3 months; adversely affects academic performance; and includes one or more of the following: (a) An inability to learn which is not caused by an intellectual, sensory or health factor; (b) an inability to engage in or to maintain interpersonal relationships with peers and teachers; (c) inappropriate behavior or feelings; (d) a general and pervasive mood of unhappiness or depression; (e) a physical symptom associated with a personal or academic problem; or (f) the expression of fears regarding personal or academic problems.

Self-Help Skills

Self-help skills refer to self care activities that enable a student to gain a measure of independence and self sufficiency. These include skills, at a pre-school age, of dressing, undressing, eating, toileting, and grooming.

Short-Term Objectives

Short-term objectives are specific steps toward reaching a long range - annual-goal accomplished as the school year moves along. Short-term objectives must be measured and evaluated throughout the school year.

Social Adaptations

Social adaptations refer to the capacity of the pupil to respond to the rules which hold for a given situation. Can the student take turns, wait a reasonable length of time, do what is asked? Or does the student resist compliance? Does the student participate in games and other school events?

Social and Emotional Condition

Social and emotional condition means the present thoughts, feelings and interactive behavior of a person.

Social Relationships

Social relationships refer to behaviors and attitudes involving interactions with others. It is the student's ability to comfortably in various social situations with peers and adults remain comfortable, calm, self assertive and at ease.

Special Education

Special education means a specifically designed instruction program at no cost to the parent, to meet the unique needs of a disabled child. Includes, without limitation, instruction conducted in a classroom, at the pupil's home or in a hospital, institution or other place. The term includes instruction in physical education.

Specific Learning Disability

A chronic condition, characterized by a deficit in essential learning processes and a severe discrepancy between predicted and actual academic achievement, which is not primarily the result of a visual, hearing or motor impairment, mental retardation, serious emotional disturbance or an environmental, cultural or economic disadvantage.

Speech and Language

Skill relating to articulation, phonology, receptive language, expressive language, syntax, semantics, morphology, fluency and the use of the voice.

Speech and Language Impairment

A disorder relating to language, articulation, fluency or the use of the voice which is outside the range of acceptable variation in a given environment; is inconsistent with the chronological or mental age of the person with the disability; or affects the emotional, social or educational adjustment of the person with the disability.

Timeline for an Individualized Education Plan

The amount of time required to complete an Individualized Educational Plan is 30 calendar days from the date the student is qualified as disabled.

Timeline for Evaluation

The amount of time required to complete an initial evaluation is 45 school days from the time a parent/guardian gives permission in writing for the evaluation.

Timelines

Timelines have been legally established for a comprehensive evaluation, and for the Individualized Education Program to be implemented.

Transition Services

A coordinated set of activities for a student, designed within an outcome-oriented process, that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation.

The coordinated set of activities must be based on the individual student's needs, taking into account the student's preferences and interests; and include: instruction; community experiences; the development of employment and other post-school adult living objectives; and if appropriate, acquisition of daily living skills and functional vocational evaluation.

Traumatic Brain Injury

An injury to the brain caused by an external force that results in the total or partial functional disability or psychosocial impairment of a person, or both. Except as otherwise provided in this section, the term applies to any injury to the brain which adversely affects educational performance including, without limitation, injuries affecting the: cognitive abilities; speech; language; information processing; memory; attention; reasoning; abstract thinking; judgment; problem solving abilities; sensory, perceptual and motor skill abilities; psychosocial behavior; and physical functions, of a person.

The term does not include injuries to the brain that are congenital or degenerative or which are induced by trauma during birth.

Visual Impairment

An impairment which, despite correction, adversely affects or will adversely affect the ability of a pupil to benefit from or participate in an educational program without the assistance of special education.

Visual Perception and Gross Motor Skills

Perceptual-motor and gross motor skills include, but are not limited to, spatial awareness, eye-hand and foot coordination, laterality, gross and fine motor coordination, a sense of directionality, and quality of coordinated eye, hand, and body movement. Some of the activities included are hopping, skipping, ball catching, writing, and constructing designs or simple patterns.