

**Marion Center Area School District  
Special Education Services and Programs  
Annual Public Notice**

**SERVICES FOR SCHOOL AGE CHILDREN WITH DISABILITIES**

It is the responsibility of the Pennsylvania Department of Education to insure that all children residing in the Commonwealth, who are in need of special education or related services are identified, located, and evaluated. Included in this are children with disabilities attending private schools, regardless of the severity of their disabilities. A federal law called the **Individuals with Disabilities Education Act** Amendment of 2004 (IDEA '04) requires this responsibility.

IDEA '04 requires each state educational agency to publish a notice to parents in newspapers or other media before any major identification, location, or evaluation activity. IDEA '04 requires this notice to contain certain information. Another federal law, The **Family Educational Rights and Privacy Act** of 1974 (FERPA), which protects confidentiality, requires educational agencies to notify parents annually of their confidentially rights (FERPA Regulations were amended in 1996). Pennsylvania Special Education Regulations require each school district to fulfill the IDEA '04 notice requirement by providing an annual public notice.

Marion Center Area School District provides a **Free Appropriate Public Education** (FAPE) to children with disabilities, who need special education and related services. Students may receive related services such as vision and hearing support, speech or language therapy, occupational therapy, physical therapy, and/or special transportation. Special education programs and services are provided to students who are in need of specially designed instruction and who meet eligibility criteria for one or more of the following disabilities as defined by Pennsylvania State Regulations (Chapter 14):

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

The District also provides related services such as special transportation, speech and language therapy, vision and hearing support, physical therapy,

and occupational therapy as needed to enable the student to benefit from their special education program. Additional information regarding special education services and programs and parental due process rights may be obtained by contacting your child's school principal or the Special Education office at (724) 397-5551.

## **EARLY INTERVENTION**

The IDEA '97 requires the provision of a Free Appropriate Public Education to children with disabilities between three years of age and the school district's age of beginners. In Pennsylvania, a child between three years of age and the school district's age of beginners who has a developmental delay or one or more of the physical or mental disabilities listed above may be identified as an "eligible young child." Eligible young children are afforded the rights of school-age children with a disability, including screening, evaluation, individualized education program planning, and provision of appropriate programs and services. The Pennsylvania Department of Education is responsible for providing programs and services to eligible young children under Act 212 of 1990, The Early Intervention Services System Act. The ARIN Intermediate Unit provides programs and services to eligible young children on behalf of the Pennsylvania Department of Education. For more information, contact the ARIN Early Intervention Services Coordinator at (724)-463-5300.

## **SCREENING**

Marion Center Area School District has established and implemented procedures to locate, identify, and evaluate any student suspected of having disabilities. These procedures include screening activities which include but are not limited to: annual review of group-based data; hearing screening (kindergarten, special ungraded classes, first, second, third, seventh, and eleventh grade); vision screening (every grade level); motor screening and, also speech and language screening in kindergarten or at any grade level when requested. In schools, which have **I**nstructional **S**upport **T**eams (IST), the above screening activities may lead to consideration by the IST as another level of screening. Except as indicated above or otherwise announced publicly, screening activities take place in an on-going fashion throughout the school year. Screening is conducted in the student's home school unless other arrangements are necessary. These screening and evaluation procedures emphasize intervening early and often identify students who may

The Marion Center School District utilizes the Response to Intervention and Instruction (RtII) multi-tier models of service delivery in grades Kindergarten through six that ensures that all students receive high-quality instruction and interventions with increasing intensity of services matched to the current level of student need.

At Tier I, grade-level teams of teachers systematically review data from all students such as grades, end of unit reading assessments, and the results of the Dynamic Indicators of Basic Early Literacy Skills (DIBELS), 4Sight Benchmark and Pennsylvania System of School Assessment (PSSA) test results to make educational decisions about changes in instruction or goals.

Some students may be referred to the Tier II Child Study Team which is a problem-solving team that uses academic assessments to identify why students are not mastering the required skills at the same pace as their peers. The Child Study Team identifies specific skills that need developed and then select research-based, scientifically validated interventions to address the need. At this level, targeted instruction and additional practice time aim to accelerate learning. Students are monitored for progress frequently to measure their response to intervention so that instruction and interventions may be adjusted when necessary.

Students whose needs extend beyond what may be successfully provided for within the general education core curriculum with supplemental programs may be referred by the Child Study Team for a multidisciplinary evaluation for consideration of special education services and more intensive interventions including specially designed instruction.

## **EVALUATION**

When screening indicates that a student may be a child with a disability, Marion Center Area School District will seek parental consent to conduct an evaluation.

"Evaluation" means procedures, used selectively with an individual child, in the determination of whether a child has a disability and the nature and extent of the special education and related services the child needs. The term does not mean basic tests administered to or procedures used with all children. In Pennsylvania, this evaluation is conducted by a group of qualified professionals and the parents. The group of qualified professionals shall include a certified school psychologist when evaluating a child for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairments, or traumatic brain injury. The evaluation process must be completed no later than sixty calendar days after the district receives written parental consent and must include "protection-in-evaluation-procedures" (for example, tests and procedures used as part of the multidisciplinary evaluation may not be racially or culturally biased). Upon completion of the evaluation, a group of qualified professionals and the parent(s) of the child will review information obtained from a variety of sources. The information will include aptitude and achievement tests, parent input, teacher observations and recommendations, physical condition, social or cultural background, and adaptive behavior. This information will be reviewed carefully and used to determine whether the child is a student with a disability and in need of specially designed instruction. If the determination is made that the student has a disability and needs special education and related services, an **I**ndividualized **E**ducation **P**rogram (IEP) must be developed for the student.

Parents who think their child may have a disability are able to request, at any time, that the school district conduct a multidisciplinary evaluation. This request should be made in writing to building principals or to the Office of Special Education. If a person makes an oral request for a multidisciplinary evaluation, the school district shall provide the parent with a form for that purpose.

Parents also have the right to obtain an **I**ndependent **E**ducational **E**valuation (IEE), if they disagree with the school district's evaluation. Marion Center School District will provide to parents, on request, information about where an independent educational evaluation may be obtained.

## **EDUCATIONAL PLACEMENT**

An **I**ndividualized **E**ducation **P**rogram (IEP) describes a student's current levels of educational performance, including how the student's disability affects involvement and progress in the general education curriculum; a statement of measurable annual goals, including short-term objectives, to enable the student to be involved and progress in the general education curriculum; a statement of special education related services and supplementary services to be provided to the student; an explanation of the extent to which the student will not participate with non-disabled students in the regular education class; any modifications in the administration of assessments; and, how progress toward the annual goals will be measured. For each student with a disability, beginning at age fourteen a statement of transition service needs will be included and as appropriate a statement of interagency responsibilities or needed linkages.

In determining student placement, consideration will be given to ensure that, to the maximum extent appropriate, students with disabilities are educated with children who are non-disabled. The extent of special education services (Itinerant: 20 percent or less, Supplemental: less than 80 percent but more than 20 percent, and Full Time: more than 80 percent) and the location for the delivery of such services are determined by the IEP team and are based on the student's needs. Classes and services that involve removal of students with disabilities from the regular environment will occur only if the nature and severity of the disability is such that education in regular classes, with the use of supplementary aids and services, cannot be achieved satisfactorily.

Parents are encouraged to contribute during the evaluation and individual planning of their child's educational program. There are signs of developmental delays and other risk factors that parents can look for that could indicate their child has a disability. More importantly, there are also strategies and resources that can help. To learn more about the early signs of developmental delays and learning disabilities, please contact the Office of Special Education at 724-397-5551.

## **SERVICES FOR PROTECTED HANDICAPPED STUDENTS**

Students who are not eligible to receive special education programs and services may qualify as protected handicapped students and, therefore, be protected by other federal and state laws intended to prevent discrimination. The school district must insure that protected handicapped students have equal opportunity to participate in the school program and extracurricular activities to the maximum extent appropriate for each individual student. In compliance with state and federal law, the school district will provide to each protected handicapped student without discrimination or cost to the student

or family, those related aids, services, or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities. In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability that substantially limits or prohibits participation in or access to an aspect of the school program. These services and protections for "protected handicapped students" may be distinct from those applicable to disabled or thought-to-be disabled students. The school district or the parent may initiate an evaluation, if it is believed that a student is a protected handicapped student.

For further information on the evaluation procedures and provision of services for protected handicapped students, parents should call Amy Gaston, Chapter 15/Section 504 Coordinator. (Please note that this is a regular education service and not required by IDEA or Chapter 14).

### **SERVICES FOR STUDENTS WHO ARE GIFTED**

Marion Center Area School District utilizes a system to locate and identify all students within the district who are thought to be gifted and in need of specially designed instruction. Teachers and parents may request that students who are thought to be gifted be evaluated or screened by the building guidance counselors and/or evaluated by the school psychologist to determine eligibility for a gifted program. For further information please contact the guidance counselors in the building the student attends or the Office of Special Education at (724) 397-5551.

### **CONFIDENTIALITY**

Each school district protects the confidentiality of personally identifiable information regarding students with disabilities, students thought-to-be disabled, protected handicapped students (if not protected by IDEA '04 or Pennsylvania's Special Education Regulations – Chapter 14) and students who are gifted, in accordance with the **F**amily **E**ducational **R**ights and **P**rivacy **A**ct of 1974 (FERPA) and other applicable federal and state laws, policies, and regulations.

*Education records* means those records that are directly related to the student, including on computer, through media, and on videotape, which are maintained by an educational agency or a party acting for the agency.

*Educational Agency*, for purposes of this notice means the local school district, and/or the ARIN Intermediate Unit. For all students, the educational agency maintains education records, which include but are not limited to:

- *Personally Identifiable Information* - Confidential information that includes, but is not limited to the student's name, name of parents and other family members, the address of the student or student's family, and personal information or personal characteristics which would make the student's identity easily traceable.
- *Directory Information* - Information contained in an education record of a student which would not generally be considered harmful or an

invasion of privacy, if disclosed. It includes, but is not limited to, the student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most previous educational agency or institution attended.

The **F**amily **E**ducation **R**ights and **P**rivacy **A**ct (FERPA) affords to parents and to students over 18 years of age, certain rights with respect to the students' education records. They are:

1. Parents (or students over 18 years of age) have the right to inspect and review a child's education record. The school district will comply with the request to inspect and review education records without necessary delay and before any meeting regarding an IEP or due process hearing, but in no case more than 45 days after the request has been made. Requests should be submitted in writing (indicating the records the parents wish to inspect) to the school principal or other appropriate school official. Parents have the right to a response from the school district to a reasonable request for explanations and interpretations of the records. Parents have the right to request copies of the records. While the district cannot charge a fee to search for or to retrieve information, it may charge a copying fee, as long as it does not effectively prevent parents from exercising their right to inspect and review the records. Parents have the right to appoint a representative to inspect and review their child's records. If any education record contains information on more than one child, parents have the right only to inspect and review the information relating to their child.
2. If parents (or student over 18 years of age) think(s) information in an education record is inaccurate, misleading, or violates the privacy or other rights of their child, they may request amendment of the record. Request should be made in writing and clearly identify the part of the record they want to have changed, and specify why it is inaccurate or misleading. The school district will decide whether or not to amend the record; it will notify the parents (or student over 18 years of age) of their right to a hearing to challenge the disputed information. Additional information regarding the hearing procedures will be provided to the parents or student (if 18 or older) when notified of the right to a hearing. The school district will inform parents (or students over 18) when personally identifiable information is no longer needed to provide educational services to a student. Such information must be destroyed at the request of the parents (or student over 18). Parents (or students over 18) have a right to receive a copy of the material to be destroyed; however, a permanent record of the student's name, address, and telephone number, his/her grades, attendance records, classes attended, grade level completed, and year completed may be maintained without time limitation. "Destruction" of records means physical destruction or removal of personal identifiers from information, so that the information is no longer personally identifiable. The school district will provide, upon request, a listing of the types and locations of education records maintained, the school officials responsible for these records, and the school personnel authorized to see personally identifiable information.

Such personnel receive training and instruction regarding confidentiality. The school district keeps a record of parties obtaining access to education records, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

3. Parents (or students over 18) have the right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorized disclosure without consent. "Consent" means: the parent(s) (or student over 18) have (has) been fully informed regarding the activity requiring consent, in their native language or other mode of communication; they understand and agree in writing to the activities; and, they understand that the consent is voluntary and may be revoked at any time. Information may be disclosed without consent to school officials with legitimate educational interest. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); person or company with whom the district has contracted to perform a special tasks (such as an attorney, auditor, medical consultant, or therapist); or, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Directory information may be released without parent consent. Parents have the right to refuse to let an agency designate any or all of the above information as directory information. Upon request, the district discloses education records to officials of another school district, in which a student seeks or intends to enroll.
4. Parent(s) have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. Complaints may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W. , Washington, DC 20202-4605

### **MODE OF COMMUNICATION**

The content of this notice had been written in straightforward simple language. If a person does not understand any of this notice, he or she should contact Mrs. Amy Gaston, Coordinator of Special Education, and request an explanation.

The school district will arrange for an interpreter for parents with limited English proficiency. If a parent is deaf or blind or has no written language, the school district will arrange for communication of this notice in the mode normally used by the parent (e.g., sign language, Braille, or oral communication).