

## Martinsville City Schools Special Education Procedures and Protocols

**Referrals:** In general, special education referrals come from one of several sources. Students may be referred by their teachers, parents, or even by self-referral. Additionally, certain agencies may refer students. In all cases, the following procedures will be followed.

**Direct Referral:** Students who do not currently attend public school may be directly referred by their parents or another outside agency. This would include students who are preschool age and/or home-schooled.

A direct referral is initiated when the referring source contacts any representative of Martinsville City Schools. This representative will direct the referring source to contact Karen Adams, Special Education Coordinator, at 403-5837 for assistance with completing the referral process.

**All** other students (including those attending Clearview Early Learning Center) will go through the School Based Intervention Team (SBIT) process. SBIT replaces the Child Study Team (CST).

Parents who wish to refer their child for a special education evaluation should be encouraged to work through the SBIT. This multi-disciplinary team will develop and monitor academic and behavioral interventions for students having difficulty. In the event that parents are unwilling to proceed with the SBIT process, they should be directed to the Executive Director of Special Education and Student Services.

**Evaluation Referral:** The special education process begins with a referral for evaluation. There are several ways for students to go through the referral process. Members of the SBIT will determine if, and when, a referral to Eligibility is necessary.

- Students with an obvious physical disability may be referred directly for Eligibility without going through the SBIT.
- Students who are already receiving special education services (i.e. Speech/Language) and are being considered for additional services may be referred directly by the IEP team without going through the complete SBIT process. (It is incumbent upon the IEP team to make a sincere effort to solve the problem prior to a referral for additional evaluation and services. Documentation of this effort, along with progress monitoring is required). **Students can receive speech/language services and be referred to SBIT for academic or behavioral interventions prior to referral for further evaluation from the IEP team.**
- Students who have failed a state required screening (i.e. Speech/Language screening) may be referred directly for an evaluation without going through the SBIT process.

- Students who transfer into Martinsville City Schools and are already in the Child Study process in another division may be referred directly to the SBIT.
- In rare circumstances, other scenarios may be considered, on a case-by-case basis as approved by the Director/Coordinator of Special Education.

The SBIT must meet within 10 days of receiving a referral. At the conclusion of this meeting, **the team must provide parents with Prior Written Notice (PWN)** to document one of the following decisions:

- refer the student on for evaluation
- refer the student to the 504 committee
- implement further interventions
- determine that no further action is necessary

When referring a student to the SBIT, the referring source should document all interventions put in place and documentation of progress. Students who are having academic or behavioral difficulties should be referred to the SBIT for further intervention the Virginia IEP system.

### **Eligibility:**

In order to be found eligible for special education services, the student must meet three criteria as established by the state:

1. The student must have a disability. (The specific criterion for each disability is listed in the state guidelines; worksheets to determine a disability are part of the eligibility process.)
2. The disability must have an educational impact.
3. The student must require specialized instruction.

Specific information regarding the composition and governance of the Eligibility Committee are detailed in the special education regulations. These regulations include information regarding the mandatory members of the Eligibility Committee. These members include:

- LEA personnel representing the disciplines providing assessments (i.e. psychologist, educational diagnostician, school social worker;/counselor, speech/language pathologist, etc.). At least one member of this group must have directly assessed or observed the child.
- Special Education administrator or designee
- Parent(s)
- A Special Education teacher
- The child's general education teacher. (If the child does not have a general education teacher, then a teacher qualified to teach a student of the child's age)

Additional people are welcome and may include:

- The student
- School administrators
- Other staff members as requested
- Parental invitees
- Members of outside agencies
- Others as indicated

The active input of a multi-disciplinary team is valued and appreciated as it lends further insight into the unique characteristics of each student. It is important to remember that eligibility decisions must be made based on state and federal regulations. Eligibility Committee members disagreeing with the final consensus of the committee are given an opportunity to note their dissent on the eligibility meeting minutes.

Eligibility meeting minutes are directly transcribed on our computer-based forms and are reviewed orally during the meeting. At the conclusion of the meeting, the eligibility committee chair will provide a brief written summary of the meeting. Formal minutes will be sent to the parent(s) and schools within ten business days.

**Triennial/Reevaluation Referral:** Students who are already receiving special education services (including Speech/Language services), are to be considered for reevaluation at the following times:

- At least every three years (triennial)
- Prior to their sixth birthday for students currently being served under the category of Developmentally Delayed
- When considering a change in special education classification.
- When considering exiting a student from special education (other than for graduation)
- Under other circumstances as approved by the Director of Special Education.

Although the general eligibility of all students must be reviewed at least once every three years, current state regulations no longer require a formal evaluation to be conducted. The IEP team will make decision about the need for current assessment and/or formal eligibility determination at the time of each student's triennial on a case-by-case basis

At the triennial review meeting, the IEP team may review exiting data and recommend:

- A full reevaluation to determine continued eligibility for services
- A partial reevaluation to determine continued eligibility for services
- No additional information is required to determine continued eligibility for services

These recommendations will be based on the student's disability category, age, length of time in special education, consistency of previous evaluation, and other factors as determined by the eligibility team.

Triennial reviews will be scheduled by the Special Education Coordinator in August, and as needed throughout the school year. Case managers should allow ample time prior to the due date to contact parents and invite them to the scheduled meeting. Parental participation (in person, by phone, etc.) is required.

**Speech/Language Exits:** When considering exiting a student from speech/language services:

- Students who are receiving speech/language services **in addition** to other special education services (i.e. a student who is both Developmentally Delayed (DD) and Speech Language Impaired (SLI) may be exited from SLI services at an IEP meeting.
- Students whose only special education classification is SLI, must return to the eligibility committee prior being exited from special education (except in the case of graduation). Submitting an Exit form at the time of graduation is required.

All students will be evaluated for speech/language concerns as part of the Virginia Screening Initiative. All initially enrolling kindergarteners will be screened by a trained staff member. Additionally, all students, grades K-3, who transfer to Martinsville City Schools and have not previously been enrolled in a Virginia school district will be screened.

Students who fail this initial screening will have a follow-up screening conducted by a SLP. Based on the results of these screenings, the student may be referred for additional evaluation. Teachers or parents with specific speech/language concerns should contact the speech therapist at their school for instructions on how to complete additional screening.

**Occupational Therapy (OT)/ Physical Therapy (PT) Referral:** Occupational and Physical Therapy services are only available to students who with an existing IEP or a Section 504 Plan. They cannot be provided as “stand alone” services. Students may be referred for a PT or OT evaluation in one of two ways.

- Students may be referred directly for an OT/PT evaluation by the eligibility committee.
- Students may be referred for an OT/PT evaluation by the IEP team. It is preferred that such requests occur only after classroom-based interventions have been attempted. The Director/Coordinator of Special Education services should be contacted prior to requesting an OT/PT evaluation as part of an initial referral.
- Generally, students are not evaluated for OT/PT as part of an initial eligibility unless there are extenuating circumstances.
- Under no circumstances can decisions about services be made unilaterally by a single individual.

The OT/PT will have 30 days to complete the evaluation and submit the results to the special education office and student case manager. Once the OT/PT evaluation has been

conducted, the IEP team will need to meet to review the results and determine what services, if any, will be necessary.

**Assistive Technology (AT) Referral:** AT services and equipment are available for students who are already eligible for special education services. (In certain instances, AT may also be available on a limited basis for students going through SBIT). State and federal regulations require that the AT needs of all identified special education students be considered at least annually at the IEP meeting.

Many students will benefit from “lo-tech” and “no-tech” solutions readily available within the classroom. If the IEP team determines that a student may benefit from more sophisticated AT services, the case manager should fill out the referral form on the MCPS website and sent to Denise Williams, Special Education Coordinator. If specific equipment is approved, the case manager will be responsible for signing out the equipment. In order to maximize our budget and the utility of our AT items, all AT items should be purchased and inventoried through the Special Education Coordinator.

**Transfer Students:** When a student with an IEP transfers into MCPS, an IEP must be generated within 30 days. During this time, the student is served based on the transfer IEP (with parental permission).

The person in each building who is responsible for enrolling new students should specifically ask the parent(s) if the child is in a special education program. If so, they need to make sure that the parent fills out and signs a special education (blue) Entry/Transfer Form. This form should be sent immediately to the special education office.

If the student records are not yet available, the parent may enroll the student, but support services will not be provided until the documentation is received. In these cases, the parent should be contacted as soon as the records arrive and are found to contain active eligibility information.

If we are unable to serve the child as indicated on the IEP, this must be noted on the entry form and signed by the parent. Reevaluation (if needed) should be requested and will be scheduled as soon as possible. Otherwise a new IEP should be written within 30 days.

When a special education student leaves MCPS, a (yellow) Student Exit Form will be filled out and submitted to Reva Jackson.

Additionally, a Notification of Change of Placement form should be completed for students who continue as MCPS students but experience a change in placement. (This might include alternative education, regional programs, homebound instruction, jail, or parental placement in a private school). This form should be sent to the Special Education Coordinator.

**Discipline:** Federal and state regulations require the implementation of positive behavior supports for all students. When students have significant behavioral difficulties, a Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP) should be completed.

**Manifestation Determination Review (MDR):** Students whose behavior continues to violate school rules may be considered for school wide discipline including suspension. Federal and state regulations require that an MDR be completed within 10 school days of any decision to change a student's placement due to misconduct, including cumulative suspensions totaling 10 or more days.

MDRs must be held any time a student's placement is changed in response to misconduct. **This would include placement in alternative education and/or homebound placement.** MCPS requires that an MDR be held **prior** to a student receiving his/her eleventh day of suspension and for all subsequent suspensions for misconduct if the behavior is not considered a pattern. Please note the following:

- Procedural safeguards must be given to the parents at the time that the student is suspended and must also be given at the time of the MDR.
- Parents must participate in the MDR meeting. This may include a home visit, assisting with transportation, and/or a conference call.

The case manager is responsible for scheduling an MDR meeting. As this is a type of IEP, the case manager will need to schedule the MDR meeting, generate a letter of invitation, and document all attempts to ensure parental participation. The following people must be invited to this meeting:

Parent/Guardian/Surrogate  
Student (as appropriate)  
Special Education Director/ Coordinator and/or Student Services Director  
General Education Teacher  
Special Education Case Manager  
School Administrator  
School Psychologist  
School Counselor

The purpose of the MDR is to determine how to best handle misconduct by students with disabilities. (This would include all students with IEPs or 504 plans as well as other students who may be going through the evaluation process).

In general, students who are exhibiting behaviors that are caused by, or have a direct and substantial relationship to their disabilities may not be expelled or given long-term (greater than 10 day) suspensions. Additionally, if the misbehavior is a direct result of our failure to implement the IEP, the student may not be expelled or given a long-term (greater than 10 day) suspension.

If, however, the student's behavior is not substantially related or caused by his/her disability and is not caused by MCPS's failure to implement the IEP, then the student may be disciplined in the same manner as a student without a disability. The division must continue to provide a free and appropriate public education.

In certain cases, students may receive up to 45 days of removal to an interim setting regardless of whether the misconduct is a manifestation of a disability. These include weapon and/or drug possession and inflicting serious bodily harm (as defined by federal statute).

The MDR team may also consider additional changes to the IEP (including placement decisions). These changes do not constitute an expulsion or suspension and may be carried out as a way of providing more appropriate services for students with behavioral difficulties whether or not the team determines that the behavior is a manifestation of the student's disability. ***An MDR must still be held in such cases.***

\*Please note:

- In School Suspension (ISS) may count toward the 10 day total if it constitutes a change in placement. One way to avoid this would be to ensure that the student continues to receive the special education services as outlined in his/her IEP.
- Bus Suspension counts toward the 10 day total unless alternative arrangements are made to ensure that the student continues to receive the special education services as outlined in his/her IEP.

Special Education case managers are encouraged to work closely with building level administrators when examining options for the discipline of students with disabilities.

### **Requisitions:**

When materials and supplies are needed for instruction, follow the procedure listed below:

1. See the building administrator in charge of Special Education
2. Determine which school account will be used to fund the request
3. Secure a Requisition form from the appropriate person in the building
4. Complete the Requisition form and make sure shipping and handling, as well as the total cost, is listed.
5. Give the completed Requisition form to the building administrator in charge of Special Education for a signature and account number
6. The building administrator in charge of Special Education will send it to the Central Office for approval.
7. Upon approval, the Requisition form is returned to the requestor who is responsible for placing the order.
8. When the order arrives, inventory contents to determine if all items were received.
9. If the order is complete, sign, date, and return the packing slip with the green copy of the Requisition form to the Finance Department.