

## **ANNUAL PUBLIC NOTICE OF SPECIAL EDUCATION & EARLY INTERVENTION SERVICES AND PROGRAMS**

It is the responsibility of the Pennsylvania Department of Education to ensure that all children with disabilities residing in the Commonwealth, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated. This responsibility is required by a federal law called the Individual with Disabilities Education Act (IDEA).

The IDEA requires each state educational agency to publish a notice to parents in newspapers or other media before any major identification location or evaluation activity. The IDEA requires this notice to contain certain information. Pennsylvania law requires each school district to fulfill this notice requirement by providing an annual public notice.

The school district is required by the IDEA to provide a free appropriate public education to children with disabilities who need special education and related services. Pennsylvania has adopted state laws which conform with the IDEA and which school districts must follow. In Pennsylvania a school age child with disabilities who needs special education and related services is identified as a child with a disability. Students are exceptional if they need specially designed instruction and have one or more of the following physical or mental disabilities:

Autism/Pervasive Development Disorder  
Orthopedic Impairment  
Deaf-Blindness  
Other Health Impairment  
Deafness  
Specific Learning Disability  
Emotional Disturbance  
Speech or Language Impairment  
Hearing Impairment  
Traumatic Brain Injury  
Mental Retardation  
Visual Impairment Including Blindness  
Multiple Disabilities

In Pennsylvania, students also qualify as exceptional if they require specially designed instruction and are determined to be mentally gifted. Also, school districts are required to conduct child find activities for children who may be eligible for gifted services via 22 PA Code Chapter 16. For additional information regarding gifted services, the parent may refer to 22 PA Code Chapter 16. If a student is both gifted and eligible for Special Education, the procedures in IDEA and Chapter 14 shall take precedence.

### Early Intervention

IDEA requires the provisions of a free appropriate public education (FAPE) to children with disabilities between 3 years of age and the school district's age of beginners. In Pennsylvania, a child between 3 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 is identified as a child with a disability. Developmental delay is defined as a child who is less than the age of beginners and at least three years of age and is

considered to have a developmental delay when one of the following exists: (i) the child's score, on a developmental assessment device, an assessment instrument which yields a score in months, indicates that the child is delayed by 25% of the child's chronological age in one or more developmental areas, or (ii) the child is delayed in one or more of the developmental area, as documented by test performance of 1.5 standard deviations below the mean on standardized tests. Developmental areas include cognitive, communicative, physical, social/emotional and self-help. For additional information you may contact the Early Intervention Program Supervisor at Midwestern Intermediate Unit IV, 453 Maple Street, Grove City, PA 16127 or (724) 458-6700. These children are afforded the rights of school age exceptional children, including screening, evaluation, individualized education program planning, and provisions of appropriate programs and services. The Pennsylvania Department of Education is responsible for providing programs and services to these children under Act 212 of 1990, the Early Intervention Services System Act.

### Screening

Each school district must establish and implement procedures to locate, identify, and evaluate students suspected of being exceptional. These procedures include screening activities, which include but are not limited to: review of group-based data (cumulative record, enrollment records, health records, and report cards); hearing screening (at a minimum of kindergarten, special ungraded class, first, second, third, seventh, and eleventh grades); vision screening (every grade level); motor screening; and speech and language screening.

In schools which have an Instructional Support Team (IST) or child study team or Response to Instruction and Intervention (RtII), the above screening activities may be a consideration used by these teams as another level of screening. Parents and members of the professional staff of the student's school have the right to request screening by the IST or child study team.

Except as indicated above or otherwise announced publicly, screening activities take place in an ongoing fashion throughout the school year. Screening is conducted in the student's home school unless other arrangements are necessary. Telephone numbers and addresses can be found at the end of this notice for more information.

### Evaluation

When screening indicates that a student may be exceptional, the school district will seek parental consent to conduct an evaluation. "Evaluation" means procedures used to determine whether a child has a disability and the nature and extent of the special education and related services that meet the child's needs. The term means procedures used selectively with an individual child and does not mean basic tests administered to or procedures used with all children.

In Pennsylvania, this evaluation is called a multidisciplinary evaluation (MDE). It is conducted by a multidisciplinary team (MDT), which must include a school psychologist, a teacher and the parents. The MDE process must be conducted in accordance with

specific timelines and use procedural safeguard procedures. For example, tests and procedures used as part of the multidisciplinary evaluation may not be racially and culturally biased.

The MDE process results in a written evaluation report called an (ER). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction. The evaluation report also makes recommendations for educational programming regardless of whether or not the team recommends that the student is exceptional. Once parental consent for an evaluation is obtained, the school district has timelines and procedures specified by law, which it must follow.

Parents who think their child is a child with a disability may request, at any time that the school district conduct a multidisciplinary evaluation. This request should be made in writing to the Coordinator of Special Education Office. If a parent makes an oral request for a multidisciplinary evaluation the school district shall provide the parent with a form for written permission. Instructional Support (IS) activities or RtII do not serve as a bar to the right of a parent to request, at any time, including prior to or during the provision of instructional support activities, a multidisciplinary evaluation. For information about procedures applicable to your child, contact the school which your child attends.

Telephone numbers and addresses can be found at the end of this notice. Parents of preschool age children three through five may request an evaluation in writing by addressing a letter to the Early Intervention Program Supervisor at Midwestern Intermediate Unit IV, 453 Maple Street, Grove City, PA 16127 or by contacting the Preschool Connection at 1-800-345-0033.

Parents also have the right to obtain an independent educational evaluation. The school district must provide to parents, on request, information about where an independent educational evaluation may be obtained.

The Laurel School District uses the following procedures for screening; identifying and evaluating specified needs of school-age students thought to be in need of special programs or services. Eligible students participating in the Midwestern Intermediate Unit IV Early Intervention Program are transitioned into school age programs according to PDE Guidelines. The District, as prescribed by Section 1402 of the School Code routinely conducts screening of a child's hearing acuity in the following grades: Kindergarten 1, 2, 3, 7, 11, and all identified special needs students. Visual acuity is screened in every grade. Height and weight are checked yearly. Dentals are conducted in kindergarten, 3 and 7. Physicals are conducted in Kindergarten, 6 and 11. Scoliosis screening is conducted in grades 6 and 7. Tuberculosis testing is conducted as mandated.

Speech and Language skills are screened in Kindergarten, 1st, 2nd, and on a referral basis. Gross and fine motor skills, academic skills and social-emotional development skills are assessed on an on-going basis as needed.

District wide screening takes place yearly to identify students in need of educational assistance. A Child Study Team (Instructional Support Program ISP) within the student's school meets on a regular basis to determine if a student is in need of classroom accommodations, educational assistance, or a Multi-Disciplinary Evaluation to determine the need for special education services. Specified needs from the screening sources are noted. School records are always open and available to parents, and only to school officials who have a legitimate "need to know" of information about the child. Information from the records is released to other persons or agencies only with appropriate authorization that involves written, signed per-mission by parents and age appropriate students.

The Laurel School District has a comprehensive testing program including achievement tests. Mental Ability tests and Pennsylvania Assessments in Mathematics, Language Arts and Science are all administered. Benchmark Assessments in Math and Language Arts are administered three times a year.

Parents with concerns regarding their student may contact their child's teacher, Building Principals, School Psychologist, or the Special Education Administrator at any time to request a screening or evaluation of their child in writing. Communication with parents and exceptional students shall be in English or the native language of parents.

At both the elementary and the secondary levels, screening information will be reviewed by the ISP Team with the mini-mum of a School Counselor, Building Principal, and the Teacher to determine if a child needs additional services. If it is determined that a child needs additional services, the ISP Team will make recommendations relative to the child's learning style, behavior, physical inabilities and speech concerns to be more in keeping with traditional classroom experiences. If the student does not make progress, parents will be asked to give written permission for further individual professional evaluations.

If a Multi-Disciplinary Evaluation is conducted an Evaluation Report will be compiled summarizing data collected with parent input and will include specific recommendations for the types of intervention necessary to accommodate the child's specific needs. Parents are then invited to participate in a meeting where the results of the Multi-Disciplinary Team Evaluations are discussed.

### Consent

School entities cannot proceed with an evaluation, or with the initial provision of special education and related services, without the written consent of the parents. For additional information related to consent, please refer to the Procedural Safeguards Notice which can be found at the PaTTAN website at [www.pattan.net](http://www.pattan.net). Once written parental consent is obtained, the school district, intermediate unit or charter school will proceed with the evaluation process. If the parent dis-agrees with the evaluation, the parent can request an independent education evaluation at public expense.

Parents have the right to obtain an Independent Educational Evaluation of their child. An Independent Evaluation is an evaluation by a qualified professional who is not an employee of the school district responsible for the child. The parents may request an independent evaluation at Laurel School District's expense if they disagree with an educational evaluation completed by the district. Laurel School District must respond to the request within a reasonable time. However, Laurel School District can initiate a due process hearing to show that its evaluation is appropriate. Parents may get an Independent Evaluation at their own expense and the results must be considered by Laurel School District.

### Program Development

Once the evaluation process is completed, a team of qualified professionals and the parents determine whether the child is eligible. If the child is eligible, the individualized education program (IEP) team meets, develops the program, and determines the educational placement. Once the IEP team develops the program, and determines the educational placement, school district staff, intermediate unit staff, or charter school staff will issue a notice of recommended educational placement/prior written notice. Your written consent is required before initial services can be provided. The parent has the right to revoke consent after initial placement.

Parents are an integral part of the I.E.P. Team and are encouraged to be physically present at the IEP meeting. The District makes every effort to insure parent participation. The District notifies the parent in writing and makes documented phone calls and makes home visits if necessary to make parents aware of the IEP conference and the need for parental participation. Parents are then presented a Notice of Recommended Educational Placement (NOREP) with which they may agree or disagree. If the parents agree, the program is implemented. If parents disagree with the program being recommended, the issue may be taken to a Pre-Hearing Conference, Mediation or a Due Process Hearing.

### Educational Placement

A single test or procedure may not be the sole factor in determining that a child is exceptional. The IEP team must include a district representative, the student's teacher, special education teacher and the parents. If the student is determined to be exceptional an IEP will be developed.

An IEP describes a student's current educational levels, goals, and objectives, and the individual programs and services, which the student will receive. IEP's are reviewed on an annual basis. The IEP team will make decisions about the type of services, the level of intervention and the location of intervention.

Placement must be made in the least restrictive environment in which the student's needs can be met with special education and related services. All students with disabilities must be educated to the maximum extent appropriate with children who are not disabled.

The District contracts with Midwestern Intermediate Unit IV for services to those students included in low incident populations. Itinerant Vision Support, Hearing Support, Occupational and Physical Therapy Services, and Audiological Services are provided if deemed necessary. Program offerings are listed below:

Special Education Programs Operated Within the District: Special Education Programs Operated Outside the District  
Learning Support Life Skills Support  
Speech/Language Support Multi-Disabilities Support  
Gifted Support (Chapter 16) Hearing Support  
Emotional Support Vision Support  
Itinerant Vision Support Autistic Support  
Itinerant Hearing Support Emotional Support  
Life Skills Support Residential Treatment Facility  
Approved Private School

#### Services for Students in the Non-Public Schools

Special Education services are accessible to eligible, resident students attending nonpublic schools by dual enrollment in the public and nonpublic school systems. Parents of a nonpublic school student who suspect their child may be disabled and in need of special education services may request a Multidisciplinary Team Evaluation of their child to determine the child's eligibility and need for special education services. This parental request may be submitted in writing to the nonpublic school system. The nonpublic school may then contact the Laurel School District Special Education Administrator, Mr. David Spalding at 724-658-8048, Ext. 2940, to provide the evaluation.

#### Services for Protected Handicapped Students (Chapter 15)

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 ensure that protected handicapped students have equal opportunity to participate in the school program and extra-curricular activities to the maximum extent appropriate for the 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 aides, 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, which substantially limits or prohibits participation in or access to an aspect of the school program.

These services and protections for protected handicapped students are distinct from those applicable to all eligible or exceptional students enrolled (or seeking enrollment) in special education programs.

The school district or parent may initiate an evaluation of a student under the laws, which protect handicapped students. Parents who wish to have a child evaluated should contact the building principal or the Office of Special Education.

For further information on the evaluation procedures and provision of services to protected handicapped students contact: Mrs. Jessica Neofotistos, School Psychologist, Laurel School District. (724) 658-8940 Ext. 2303.

### Confidentiality

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the school receives a re-quest for access.

Parents or eligible students should submit to the school principal or administrator a written request that identifies the re-cords they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the school to amend a record should write the school principal or administrator, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would

otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer 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.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

**Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202**

Please see the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))

To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))

- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal-or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))

- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as “directory information” under §99.37. (§99.31(a)(11))

The school district maintains its education records in compliance with the guidelines for the collection, maintenance and dissemination of pupil records. Category “A” data which includes the minimal personal data necessary for operation of the school district will be maintained for a minimum time period of 100 years. Category “B” data which includes verified information of clear importance, but not absolutely necessary to the school, over time, in helping the child or in protecting others will be maintained until the child leaves school. Category “C” data which includes potentially useful information, but not yet verified or clearly needed beyond the immediate present, will be reviewed at least once a year and destroyed as soon as its usefulness has ended.

In addition, the school district may release “directory information” without parental consent unless a prior written objection to the release of such information is provided to the school district by the parent(s). “Directory information” includes the following: student’s name, address, telephone listing, date and place of birth, photographs, videotapes, major fields of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, duties of attendance, honors and awards received. If you object to the disclosure of this information, you must submit a written letter of objection to the school district. Written objections for students 3-5 years old should be mailed to Midwestern Intermediate Unit IV at 453 Maple Street, Grove City, PA 16127.

For additional information related to student records, the parent can refer to the FERPA at the following url: <http://www.ed.gov/policy/gen/quid/fpc/ferpa/index.html>

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### Procedural Safeguards

Procedural safeguards protect the rights of parents and students. These safeguards include the following:

Parent’s consent is always required prior to:

Conducting an initial (for the first time) evaluation or a reevaluation,

Initially placing a child with a disability in a special education program,  
Disclosing to unauthorized persons personally identifiable information.  
The school district must notify parents in writing whenever it wants to begin, change, or discontinue special education and related services. Along with this notification, the school district will provide the parents with a comprehensive, written description of their rights.

Parents who disagree with such actions proposed or refused by the school district have the right to request a hearing by an impartial third party using a procedure called due process.

Before a due process hearing will take place, the district must convene a preliminary meeting with the parent and the relevant member(s) of the IEP team in an attempt to resolve issues without the need for a due process hearing.

Pennsylvania has also made mediation services available throughout the Commonwealth at Commonwealth expense. Mediation services help parents and agencies involved in a dispute over special education to attempt to reach a mutually agreeable settlement with the assistance of an impartial mediator. Mediation is completely voluntary. Mediation does not deny or delay a party's right to a due process hearing.

School districts also have the right to initiate due process in certain situations. During a due process procedure, a student must remain in the last agreed upon educational placement (a status called pendency). Due process procedures are governed by timelines and procedures in Pennsylvania law. Throughout due process, an attorney may represent parents.

Due process hearings are oral personal hearings and are open to the public, unless the parents request a closed hearing.

The decision of the hearing officer shall include finding of fact, a discussion, and conclusions of law. The decision of the hearing officer may be appealed to the appropriate court.

Each school district must make available, upon request, printed information regarding special education programs and services and parent due process rights. This printed information is available from each building principal and/or the Office of Special Education.

#### No Child Left Behind

The No Child Left Behind Act of 2001 (NCLB) mandates that schools give parents information regarding:

- The achievement of their children
- The choices that they can make about their children's education
- The performance of their schools

The Laurel School District has revised their Policies and Procedures to ensure compliance with NCLB (No Child Left Behind). All of Laurel School District's teachers are properly certified for their teaching assignments and meet the NCLB Definition of highly qualified. Parents have the right to request certain information about the background and qualifications of their children's classroom teachers as required by NCLB, Section 1111(h)(6)(A). If you would like to receive this information, contact the District Office at 724-658-8940.

### Local Report Card

In order to inform parents and the public of the School's and the District's academic progress, the Laurel School District has its Local Report Card on the District Website. You may view the Laurel School District Report Card by accessing the District Web Page at [www.laurel.k12.pa.us](http://www.laurel.k12.pa.us). Anyone not able to access the Web may contact the Assistant to the Superintendent's Office at 724-658-8940 ext. 3948 to review the Local Report Card. The Laurel School District website contains other updates and links.

### Mode of Communication

The content of this notice has been written in straight forward, simple language. If a person does not understand any of this notice, he or she should contact the school district or IU and request an explanation.

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

For further information, contact:

Laurel School District  
2497 Harlansburg Road  
New Castle, PA 16101  
(724) 658-8940

The school district, intermediate unit or charter school will not discriminate in its educational programs, activities, or employment practices, based on race, color, national origin, sex, disability, age, religion, ancestry, or any other legally protected classification. Announcements of this policy are in accordance with the state and federal laws, including Title VI of the Civil Rights Act of 1966, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and the Americans with Disabilities Act of 1990. For information regarding grievance procedures, services, activities, programs and facilities that are accessible to and usable by handicapped persons or, for inquiries regarding compliance with the above nondiscriminatory policies, please contact the Laurel District Office at 724-658-8940, or Midwestern Intermediate Unit IV, 453 Maple Street, Grove City, PA 16127 (724-458-6700).

The school district will make reasonable accommodations to its programs and services to assure access to all persons. If, because of a disability, you require an accommodation please contact the Superintendent of Schools, Americans with Disabilities Act Coordinator at the school district in which you reside listed above or the Director of Special Education at Midwestern Intermediate Unit IV at (724) 458-6700.

