

Nye County School District

SPECIAL EDUCATION SUPPORT SERVICES

**Guidance Manual
(GM V2.4)**



Duckwater

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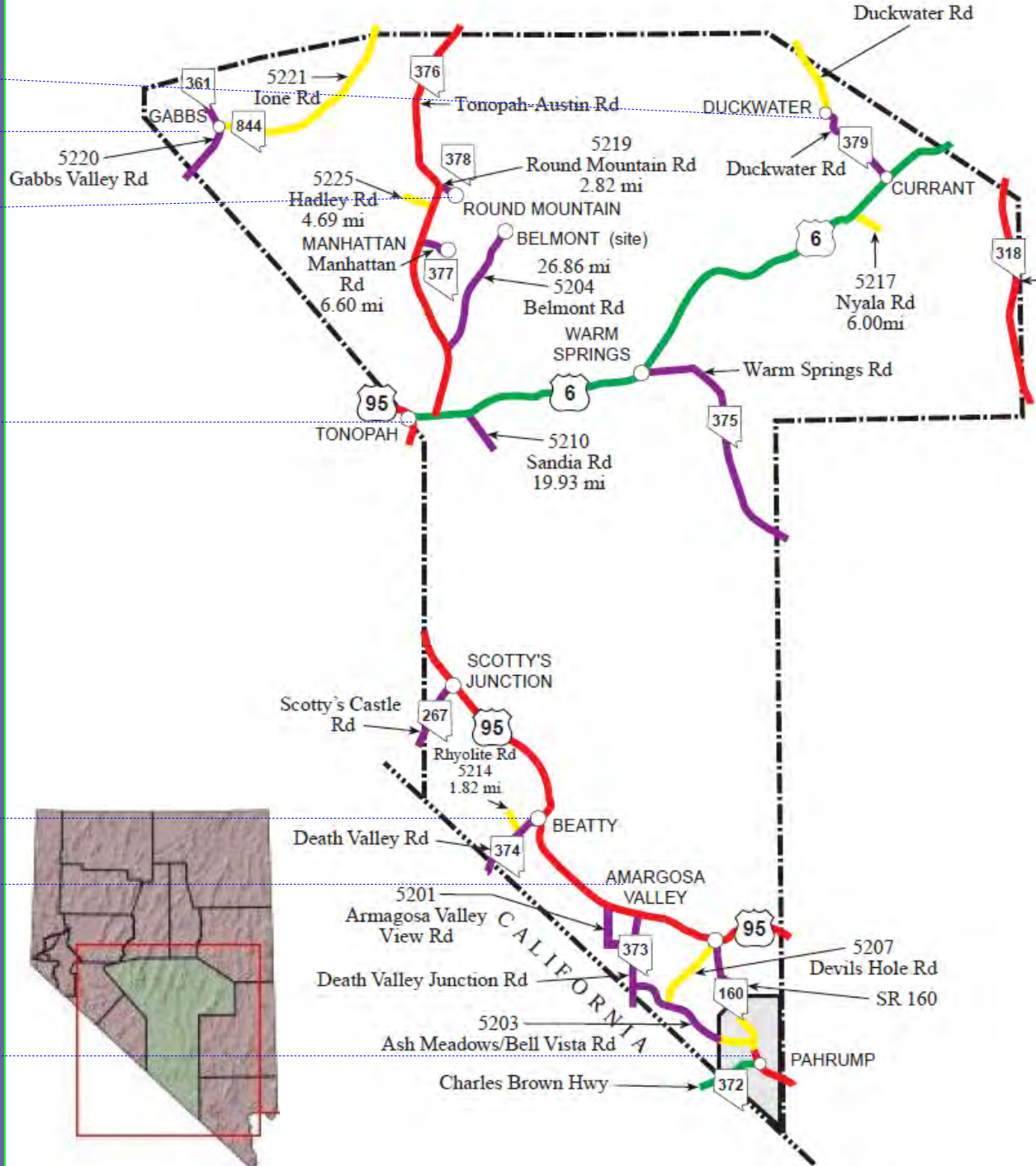
Round Mountain

Tonopah

Beatty

Amargosa

Pahrump



SpEd Document Locator

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|---|---|
| Accommodations Form | GM App K-4 |
| Assistive Technology Referral | GM pg 85 |
| Behavior Intervention Plan | GM App M-8 |
| Contact Log | www.nye.k12.nv.us >Departments>Special Education>Forms |
| Chronological List of Events | GM App D |
| Confidential File Location | GM App A-1 |
| Education Record Access Log | www.nye.k12.nv.us >Departments>Special Education>Forms |
| ESY Extended School Year Packet | GM App M-1 – M-5 |
| Initial Consent | www.nye.k12.nv.us >Departments>Special Education>Forms |
| Intervention Letter to Parents | GM App I-1 |
| MDR Manifestation Determination Review | GM App N / |
| Nevada Alternate Assessment (NAA) Form | GM App R NAA Form |
| Parental Rights | GM App C-1 |
| Permission To Test | School Psych |
| Prior Written Notice of Meeting | www.nye.k12.nv.us >Departments>Special Education>Forms |
| Related Service Excusal Form | www.nye.k12.nv.us >Departments>Special Education>Forms |
| Release of Information | GM App P / |
| Summary of Performance for graduating Seniors | GM App O |
| SpEd Transportation Request | www.nye.k12.nv.us >Departments>Special Education>Forms |
| Transfer of Confidential File Form | GM App A-4 |
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INTRODUCTION

Under the Individuals with Disabilities Education Act (IDEA 2004 became law Aug 2006), Section 504 of the Rehabilitation Act of 1973, and Nevada Statutes and Administrative Codes (NAC), all students with disabilities ages 3 through 21 have a right to receive a free appropriate public education (FAPE). These legal requirements provide procedural safeguards regarding the identification, evaluation, and provision of services and placement of students with disabilities. The historical and legal reference for IDEA is as follows:

- In 1975 Congress passed Public Law 94-142 (PL 94-142), the Education for All Handicapped Children Act, which entitled children with disabilities to receive a free appropriate public education (FAPE). The Act was amended under PL 99-457 to mandate the provision of FAPE to children beginning at age three. In 1990 the Act was amended as the Individuals with Disabilities Education Act (PL 101-476). The IDEA was extensively revised in 1997 (PL 105-17), and federal regulations to implement the statute were published in March 1999. In 2004, the Act was again amended under PL 108-446.
- Nevada Revised Statute Chapter 388 (NAC) sets forth the framework for the provision of FAPE to students with disabilities in Nevada. The Nevada Administrative Code, Chapter 388, contains state regulations implementing state and federal law.

The Special Education Support Service's Policies and Procedures Manual is designed for use by school personnel who are involved with students under consideration for or presently receiving special education services. Procedures that provide a consistent method of referral, identification, and delivery of services will ensure that all considerations in serving students with disabilities are being met. The use of this manual will further assist district personnel in meeting the mandates of Federal and State laws, as well as District policies.

This manual was designed to satisfy a number of needs, among them:

1. The need for a consistent standard to guide special education practices in the schools;
2. The need to provide an easily understood set of instructions for use by administrators, teachers and other school personnel;
3. The need to provide a comprehensive and accessible document that pertains to day-to-day operations of special education programs; and
4. The need to provide clear guidelines pertaining to the roles and responsibilities of school personnel in special education processes and services.

PHILOSOPHY

It is the goal of Nye County School District Special Education Support Services to ensure the educational, intellectual, social/emotional and vocational development of students with disabilities to enable them to participate in and be productive members of society.

All students can learn and all students have a right to an appropriate education, making it possible for them to benefit from their school experiences.

An appropriate education for students with disabilities is best achieved through a team effort that includes parents, students, school personnel, and, when appropriate, representatives from other agencies and organizations with interests in the student's welfare.

CONFIDENTIALITY

The observance of confidentiality in regard to information about any student in the school district is of utmost importance, and is especially essential in the case of special education students. The Nye County School District (NCSD) is governed by the district's policy on Confidentiality/School Records, but also by the Family Education Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA 2004), and the Nevada Administrative Code (NAC).

What is the purpose of confidentiality requirements in special education?

Through the process of determining eligibility and placement, designing an Individualized Educational Program (IEP) and providing that program, very personal and sensitive information about students and families is created, collected, and shared. This often includes information about the social, emotional, and educational status of the student. Such information must be held confidential and must only be shared with individuals who need the information to provide services to the student or who have a legitimate educational need for the information.

This policy is not intended to inhibit professional communication, but rather, to ensure that confidential information about students and their families is treated appropriately.

The purpose of this section is to outline the procedures that should be followed to ensure that confidential special education records are handled in a secure and sensitive manner.

WHAT FERPA DEFINITIONS APPLY?

Confidential Information – Personally identifiable: Information about a student or a student's family which is not made publicly available because it is private in nature and has the potential of causing harm or violating the privacy rights of the student or the student's family. This includes the student's name, name of parents and family, student's address, social security number or student number, and any personal characteristics that would make it possible to identify the student.

Legitimate Educational Interest – 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. School officials with compelling legitimate educational interests include any teacher, school principal, administrator, school psychologist and related service provider working with the student, substitute, assigned student teacher, teacher's aide, school board member, or other professional employed or contracted by the Nye County School District to provide education or educationally related services for the student. The superintendent is the school official in charge of education records, and he shall determine whether a school official is seeking information to carry out his or her official duties and whether the specific information sought is necessary in carrying out those duties.

Directory Information – Information contained in the education records 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 listing, 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, photographs, and the most recent previous educational agency or institution attended.

Eligible Student – A student who has attained the age of 18 years or is attending an institution of post-secondary education. When a student with a disability reaches the age of 18, all rights accorded to parents transfer to the student unless the student has been determined to be incompetent under Nevada law.

Parent – A parent of a student includes a child's birth or adoptive parent, a foster parent, a legally appointed guardian, an individual performing the duties of a parent, or a surrogate parent.

GENERAL CONFIDENTIALITY POLICIES AND PROCEDURES

What are the training requirements for school personnel who handle confidential information?

Personnel in the school district who routinely handle or manage confidential special education files or other documents must first receive training to understand how such information is to be treated. The school district Superintendent is responsible to assure that all such personnel receive this training.

What security requirements apply to special education records?

All confidential special education records and documents must be kept in a secure location to prevent access by unauthorized persons. File cabinets and other storage containers that are used to store such records and documents must be locked and remain locked except for access by authorized personnel. The school principal is responsible for security of special education records and management of confidential information at each school site, although he or she may designate a staff person to assist with this responsibility.

What types of documents must be secured and kept confidential?

- all personally identifiable information kept on a student for special education purposes.
- Written assessment, diagnostic findings, and other documentation (medical, sociological, psychological, or academic) which are used to determine eligibility for special education or to determine an appropriate program. This includes test protocols used during the assessment process.
- Official correspondence which includes sensitive information about the student or the student's family.
- Written education, transition, or other treatment or rehabilitation plans, including the student's IEP, and revisions of such plans.
- Confidential documents provided by other agencies or programs that were provided through a written release of information by the parents or guardian or specifically identified as confidential information.
- Written information provided by the parents or guardian which is included in the student's confidential special education records at the request of the parents or guardian.

This is not an exhaustive list and other types of information may also qualify. The principal or his or her representative is responsible for this file. This **does not** include instructional records. It also **does not include personal or professional notes that are kept by the maker and are not accessible or revealed to others.**

Where should confidential files be kept?

All confidential special education files at school sites are to be kept in a locked desk or cabinet. It is the responsibility of the special education case manager to communicate the location of the locked file to their building administrator. If confidential special education records are kept in more than one location, upon request, parents must be provided with a list of the types and locations of educational records collected, used, or maintained by the Nye County School District. In addition, the location of the locked cabinet and how it can be accessed during school breaks must be communicated to Special Education Support Services on a yearly basis on the Confidential Folder Location Form. (Appendix A-1)

Confidential special education files must not be mixed with other types of student records (e.g., cumulative school records, files maintained by teachers of student's school work, etc.).

Who has the authority to access confidential records without the written consent of the parent or eligible student?

With the exception of suspected child abuse or neglect reporting (which must follow the established procedures) and authorized persons, there is to be no contact with any person or outside agency regarding any special education student without first obtaining written, dated consent from parent or eligible student. This permission will be good for one year only. If continued contact is necessary new permission must be obtained.

It is important to remember that these contacts should be for legitimate educational purposes only and that they should only be used to help in enabling the student to reach his or her educational goals.

There are several situations where the school district may disclose education records of a student without written consent of the parent or eligible student. The most common situations affecting special education students are explained below:

- To school officials with a legitimate educational interest, including:
 - The student's teachers including special education, classroom teachers, substitutes, assigned student teachers;
 - The school principal;
 - The school counselor or social worker;
 - The Director of Special Education, Coordinator of Special Education and other school district administrators;
 - School Board members;
 - School psychologists and related service providers working with the student;
 - Contract services providers, consultants, and others who are hired by the school district to provide services for the student;
 - School clerical staff (for file management purposes only); and
 - Teacher's aides under the direction and supervision of licensed school personnel.

The LEA representative will ensure that the student's IEP is accessible to each regular education teacher, special education teacher, and related service provider who is responsible for its implementation. These personnel must be informed of specific responsibilities, accommodations, modifications, and supports provided under the IEP.

- To authorize personnel of a school, school district, community college or institution of higher learning in which a student seeks or intends to enroll. (Consult Special Education Support Services for additional notification requirements.)

- To comply with a judicial order or lawfully issued subpoena. If the education records of a student are subpoenaed, the school district must make a reasonable effort to notify the parent or student (if 18 years of age or older) before complying with the subpoena. This is intended to allow the parents/student the opportunity to quash or challenge the subpoena.
- To authorized representatives of federal or state agencies who are engaged in audit or compliance activities. In such a case, the representatives must sign a record of access stating the purpose of their need to access the education record.
- The school may disclose personally identifiable information about a student from confidential records in an emergency if the information is necessary for the health or safety of the student or other individuals. This will be strictly construed.
- Other entities specified in FERPA Sec. 99.31.

An Access to Confidential Special Education Records form must be posted in every location where confidential records are kept. (Appendix A-2)

Who must record access to the education records of students?

Except for the parent and eligible student, school officials with a legitimate educational interest, a party with written consent from the parent or eligible student, or a party seeking directory information, each request or disclosure must be maintained in the educational record of the student as long as the records are maintained. This record must include:

- Name of the person;
- Date access was given; and
- Legitimate purpose for which the person is authorized to use the records.

Use the “Record of Access” form (Appendix A-3) to record authorized access to or disclosure of information contained in education records.

Can the school release confidential information to agencies or persons other than described above?

Before confidential information may be released to agencies or persons other than those described in FERPA 99.31, the school must secure a written release from the parent, guardian, or eligible student. The school will maintain a record of confidential information which has been released to other agencies or programs by maintaining a copy of the “Parent Consent to Release or Exchange Confidential Information” form (Appendix A-4) in the confidential special education file.

Under what circumstances may directory information be disclosed?

The school may disclose directory information without written consent if a notice has been given to parent or eligible student of the types of information that will be disclosed and of their right to refuse to let the school disclose any or all information the school considers directory information. Although such directory information may be disclosed without consent, great care should be taken as to the method of disclosure. For example, listing the names of special education students (because they are special education students) in the school hall, faculty lounge, or in school bulletins would violate confidentiality and has the potential of harming students and invading their privacy. The parent may prohibit the distribution of directory information by providing a written request to this effect. The prohibition will be for all directory information.

What rights does the parent have regarding confidential records?

The parent, guardian, or eligible student has a right to inspect and review education records within 45 days after the district has received a written request for access to records. The school district may presume that the parent has the authority to inspect and review records relating to the pupil unless the school district has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation or divorce. The school must make reasonable accommodations to allow such access without unnecessary delay and before any meeting regarding an IEP or hearing. The school must also respond to reasonable requests for the explanations and interpretations of education records. Parents are provided copies of education records in a timely manner at no cost to the parent. Parent requests for a copy of an entire confidential file should be forwarded to the Special Education Support Services. If any educational record contains information on more than one pupil, the parents may inspect and review only the information relating to their child or be informed of that specific information.

If the school district charges a fee for copies of records which are made for parents, the amount of the fee must not effectively prevent the parents from exercising their right to inspect and review those records. No fee may be charged for the search or retrieval of the information.

Can parents dispute information in the confidential file?

Parents or eligible students have the right to dispute information maintained in a confidential education record when they believe that the information is inaccurate, misleading, or in violation of the student's rights. They may request that the school amend the record. If the school decides not to amend the record, the parent or eligible student must be informed of this decision and of their right to a hearing and other procedural safeguards. Any hearing held with regard to amendment of records must be conducted in accordance with the applicable procedures set forth in the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1221 note, 1232(g) and the regulations adopted thereunder. When the parent or eligible student requests amendment of the student's education records, the school district Director of Special Education Support Services will be notified.

When and how should confidential education records be destroyed?

A student's education records must be maintained for the duration of his enrollment in the school district. The records must be maintained for five years after the student leaves Nye County School District. **After this period, the school must make reasonable efforts to inform the student's parents (or the student, if the student has reached age 18) when education records are no longer needed to provide educational services.** The parents or guardian may wish to have a copy of the confidential records for purposes of obtaining social security benefits or other services. When requested, a copy of the confidential records should be sent to the parents or guardian prior to destruction. If a former student has become an adult (age 18 or older), the notice of intent to destroy confidential records must be sent to him or her, as well.

The school must indefinitely retain a permanent record of the student's name, address, telephone number, grades, attendances records, classes attended, and grade level completed.

What should be done with confidential special education records for student who move from one school in the district to the next?

All confidential special education records will follow the student from grade to grade and school to school. This is to occur regardless of the student's continued eligibility for special education services. The confidential special education records will remain in a district confidential folder while in Nye County School District.

Where are inactive special education records kept?

Inactive special education records, like all confidential information maintained on students, must be maintained in a secure location. Files of students who have left your school site should be sent to Special Education Support Services and will be stored by that department until needed by another school or destroyed after 5 years.

What do I do with the confidential file at the end of the school year?

The following procedures are to be followed at the end of any given school year regarding the storage and transfer of special education folders.

- If the student will be receiving education services at the same site during the next school year the folder stays at the current site.
- If the student will be receiving special education services at another Nye County School District site during the next school year, the current case manager must ensure the record is transferred to the gaining school site no later than the last day of the current school year. If the case manager is not sure where the student will be attending the folder stays at the current site until the new case manager requests it. When the folder is requested it may be forwarded to the new site.
- If the student has graduated, is no longer eligible or has moved out of the district, the folder is sent to Special Education Support Services through interoffice mail.

PROCEDURAL SAFEGUARDS

PRIOR WRITTEN NOTICE

When is it necessary to provide prior written notice?

Parents must be provided prior written notice a reasonable time before proposals or refusals to initiate or change the identification, evaluation, placement, or provision of FAPE to students with disabilities. See "Parental Prior Written Notice/Notification of Meeting" form (Appendix B-1 & B-2). Generally, written notice is provided of decisions made by the NCS D that parents may disagree with through requesting a due process hearing. This prior written notice is not an invitation to a meeting, although the Prior Written Notice and Notice of Meeting are on the same form. The NCS D recommends that written notice be provided within 10 days of making a decision, or within 10 days of receiving a request from the parent that the NCS D intends to refuse.

The Site Administrator (or designee) must ensure that a student's record contains documentation that the parents have been provided written notice of the NCS D decisions:

- proposal/refusal to conduct an initial evaluation and determine eligibility;
- proposal/refusal to conduct a reevaluation;
- proposal to conduct initial evaluation or reevaluation without obtaining additional data;
- proposal/refusal to change an IEP;
- proposal/refusal to change a placement (including a disciplinary action that is a change of placement);
- proposal/refusal to discontinue special education and related services (including graduation);
- proposal to implement an IEP where parent does not agree with contents (parent must then request a due process hearing to suspend the district's implementation and the provisions of "stay put" then apply); and
- any other proposals or refusals regarding identification, evaluation, placement or provision of FAPE.

PARENTAL PRIOR WRITTEN NOTIFICATION/NOTIFICATION OF MEETING

Every time an IEP meeting is scheduled to Parent/Guardian/Student (if 18 or older) and all other members of the student's IEP team, whenever there is a need to change the student's IEP (annual/revision, etc.). A copy of Parental Safeguards will also be sent to the Parent/Guardian or student (if 18 or older) if they have not received a copy for the current school year. NOTE: When in doubt, send the Parental Safeguards.

What must the notice include?

- a description of the action proposed or refused;
- an explanation of why the district proposes or refuses to take the action;
- a description of any other options considered and the reasons why those options were rejected;
- a description of each evaluation procedure, test, record, or report the district used as the basis for the proposed or refused action;
- a description of any other facts that are relevant to the district's proposal or refusal;
- a statement that the parents have received the Special Education Rights of Parents and Children (their procedural safeguards); and

- sources for parents to contact to obtain assistance in understanding the provisions of state and federal special education law.

What language or mode of communication should be used?

The notice must be written in language understandable to the general public and provided in the native language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, NCSD communicates the content orally in the native language or the mode of communication that would normally be used by the parent (i.e., sign language, Braille, audio tape, etc.). The student's records must contain written evidence that these requirements have been met and that the parent understood the content of the notice.

PARENTAL RIGHTS

When must parents be given a copy of the parental rights?

A copy of the "Special Education Rights of Parents and Children" (Appendix C-1 & C-2) must be given to the parents:

- at least once per year
- upon initial referral or parent request for an evaluation
- if the parents request a copy
- upon first request for a due process hearing

In addition, in NCSD a copy of the rights statement is given to parents whenever prior written notice of a proposal or refusal is provided.

How does NCSD inform parents of the procedural safeguards available to them?

NCSD utilizes the Nevada Department of Education "Special Education Rights of Parents and Children" which explains the following procedural safeguards available to parents:

- independent educational evaluation;
- prior written notice;
- parental consent;
- access to educational records;
- opportunity to present complaints and to initiate due process hearings;
- the child's placement during the period of the due process proceedings;
- procedures for students subject to placement in an interim alternative education setting;
- requirements for unilateral placement by parents of children in private schools at public expense;
- mediation;
- due process hearings, including disclosure requirements;
- state-level appeals;
- civil actions;
- attorneys' fees, and
- state complaint procedures.

The document is written in a language understandable to the general public and must be provided in the native language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, NCS D communicates the content orally in the native language or the mode of communication that would normally be used by the parent (i.e., sign language, Braille, audio tape, etc.). The student's records must contain written evidence that these requirements have been met and that the parent understood the content of the notice and/or consent. There is a place for the parent to sign on the IEP indicating they have received their rights and that they have been explained to them.

CONSENT

What does it mean for consent to be “informed”?

A parent gives “informed” consent when (1) the parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language or other mode of communication; (2) the parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; (3) the parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time; and (4) the parent understands that if the parent revokes consent, that revocation is not retroactive.

When must parental consent be obtained?

Informed written consent must be obtained before the NCS D conducts an initial evaluation to determine whether a student is eligible for special education and before the initial provision of special education and related services. Also, whenever the NCS D conducts a reevaluation that requires data in addition to that already available to the team, parental consent must be obtained. If parents do not respond to a request for consent for reevaluation, the NCS D may proceed with the reevaluation if the district can document it has taken reasonable measures to obtain consent and the child's parent has failed to respond. Reasonable measures may include correspondence, phone calls, visits to the home or place of employment, or other measures appropriate to the given situation. Use the “Chronological List of Events and Status Record” form (Appendix E) to record details of reasonable measures taken.

Parental **consent is not required** before reviewing existing data as part of an evaluation or reevaluation, or administering a test that is administered to all children unless consent is required of all parents.

See the section on **CONFIDENTIALITY** for circumstances under which parental consent must be obtained before disclosing personally identifiable information.

What if parents refuse to give consent?

A parent's lack of consent generally occurs for the following reasons: the parent has neglected to return the consent form; the parent does not understand the basis for the action; or the parent disagrees with the proposed action and intends to withhold consent.

If the parents refuse consent for an initial evaluation or fail to respond to a request for consent, the NCSD will first attempt to use informal means to obtain consent. If informal means are unsuccessful, the NCSD may pursue mediation and/or due process to attempt to override the refusal to consent. The student's file must contain information to show that NCSD first attempted informal means to obtain consent, and then considered and decided whether to use mediation and/or due process to override the refusal to consent. Each of these decisions should be made by the Site Administrator in consultation with Special Education Support Services.

If the parents refuse consent or fail to respond to a request for consent for the initial provision of services, the NCSD cannot use due process or mediation to obtain consent. NCSD is not in violation of the requirement to provide a free appropriate public education (FAPE) to the student. In addition, NCSD is not required to convene an IEP meeting or to develop the IEP. However, it maybe best practice to develop the IEP and convene the IEP meeting to allow the parents to see what the district can offer their child before they decide whether they consent to services or not.

What if parents want to revoke consent?

The granting of consent is voluntary on the part of the parent and may be revoked at any time. The U.S. Office of Special Education Programs (OSEP) has clarified that "at any time" means "at any time before the revocation ceases to be relevant because the activity has already taken place." In other words, revocations are not retroactive – a revocation will not negate an action that has occurred after the consent was given and before the consent was revoked. So, for example, if a parent wants to revoke consent for an initial evaluation, and the evaluation has already been conducted, the revocation is ineffective. Similarly, if the parent revokes consent for the initial provision of special education and related services, and the initial provision of services has already begun, the revocation is not retroactive. The parent will be provided a written notice (PWN) that the district is willing to reconvene the IEP at any time to re-initiate services.

Occasionally, a parent may simply ask that special education services no longer be provided to an eligible student or directly refuse to allow the continuation of services, without initiating due process. Final amendments to the 2006 IDEA Part B Regulations, effective Dec. 31, 2008, allow parents to revoke consent for special education and related services at any time if the revocation is in writing.

From IDEA 2006 amend part B in the federal registers Dec 1, 2008.

Revocation of parent consent. Allows parents to revoke consent for their child's receipt of special education services after the child is initially provided special education and related services – if the revocation is in writing.

If the parent revokes consent, in writing, for the continued provision of such services, the district: -May not continue to provide special education and related services to the child but must provide prior written notice before ceasing services. – May not use mediation or due process to obtain a ruling that services may be provided to the child. – Will not be considered to be in violation of the requirement to make FAPE available to the child because of failure to provide further services. – Is not required to convene an IEP team meeting or develop an IEP for the child. Once a district has discontinued the provision of special education and related services, "the child is considered a general education student and will be considered a general education student under the" Elementary and Secondary Education Act. Additionally, the general education student "may be placed in any classroom where other general education students are placed." 73 Fed. Reg. 73013 (2008)

If you receive such a request you need to provide a detailed PWN to the parent that explains their child will no longer receive special education services, IDEA procedural safeguards, and IDEA discipline protections. In addition on the prior written notice indicate that upon the parent's written request the NCSD is prepared to reconvene IEP Team to reinstate special education services. **Make sure a copy of the parents request as well as the PWN is forwarded to NCSD Director of SpEd.**

ADMINISTRATIVE REVIEW

Is there an informal means to discuss disagreements?

Nye County School District has a review procedure to assist families in resolving disagreements regarding the provision of appropriate special education and related services to children with disabilities in the school district. This is a voluntary process that is an alternative but not a prerequisite to mediation or the right to a due process hearing. Administrative Review cannot be used to delay the right to a due process hearing or the 45-day timeline established for hearings. Contact Special Education Support Services for more specific information.

MEDIATION

What is mediation, and when is it available?

(IDEA 2004 became law Aug 2006) outlines a process for state-funded mediation of special education disputes to be offered as a voluntary option for matters regarding identification, evaluation, educational placement, or provision of a free appropriate public education to a student. Parties wishing to be involved in mediation of disputes should be referred to the Director of Special Education. Mediation must be available at a minimum any time a due process hearing is requested. Mediation is voluntary, conducted by a qualified and impartial mediator and is not used to deny rights to due process. The agreement reached by the parties is set forth in a confidential written mediation agreement.

DUE PROCESS HEARINGS

What is a due process hearing and when may one be initiated?

A parent or the district may initiate a hearing to propose or refuse a change regarding the identification, evaluation, educational placement or provision of a free appropriate public education to a student. Due process hearings are conducted by an impartial hearing officer and all information remains confidential. A decision made in an impartial due process hearing is final, unless one party appeals the decision. During any judicial proceeding, the student involved remains in the current educational placement (commonly known as the “stay put” clause).

All requests for due process hearings must be immediately forwarded to the Director of Special Education.

If a parent asks for assistance in requesting a due process hearing, a copy of the “Model Form to Assist Parents in Filing a Due Process Request” (Appendix E) must be given to the parent.

STATE COMPLAINTS

What are state complaints and how are they resolved?

Any person may file a complaint with the Nevada Superintendent of Public Instruction alleging the school district has violated a provision of IDEA 2004 or the NAC. The complaint must be in writing and include facts related to the alleged violation. Within 60 days, the Nevada Department of Education will investigate the allegations and render its decision. If the district has violated state or federal requirements, the Department will order the district to take corrective actions and provide documentation of those actions of the Department.

CHILD FIND PROCEDURES

What are the district’s Child Find procedures?

The Nye County School District believes that every child has the right to a public education. There are parents of handicapped children who may not be aware of the special education programs and community agencies that are ready and willing to serve them.

In accordance with NAC 388.292 and NRS.388.520, NCS D annually conducts child identification activities to create public awareness of special education programs, advises the public of the rights of eligible children and parents, and alerts community residents and school personnel of the need to identify, locate and assess children ages 3 through 21 who are not enrolled in any school program. These measures include:

- Child Find referral log (Appendix G-1) maintained in the Special Education Support Services
- Yearly advertising and posting of public notices regarding Child Find activities (Appendix G-2)
- Communication with outside agencies regarding possible referrals
- Child Find screenings are conducted at least twice yearly

Who can refer a child for a Child Find screening?

Anyone can refer a child suspected of having a disability to Child Find but the parent and/or guardian must consent to the referral and evaluation of their child.

How does the Child Find screening process begin?

Prior to the Child Find screening activity, parents and/or guardians will schedule an appointment for their child to be screened with the NCS D Special Education Support Services. Parents and/or guardians will be asked to complete a questionnaire concerning their child on the day of screening.

If the Child Find screening team does not suspect the child of having a disability, written notification will be sent to the parents and/or guardians within 30 calendar days of their decision.

If the Child Find screening team “determines that good cause exists to evaluate” NAC 388.337.1(a), written notification will be sent to the parents and/or guardians within 30 calendar days of the screening activity. The Child Find screening team will also provide the parents and/or guardians with written notice regarding the proposal to conduct an evaluation, as well as a copy of procedural safeguards. Within 45 school days of the parents and/or guardians consent for initial evaluation, the district will conduct the initial evaluation and determine whether the child is eligible for special education.

Referrals may be made to:
Special Education Support Services
Early Childhood Office
2200 S. Mt. Charleston Drive West, Suite A
Pahrump, NV 89048

Telephone: 775-751-2638

All screenings and assessments are provided free of charge and may include the following professionals working with the child:

- A speech/language pathologist
- A school psychologist
- A nurse/health aide
- A special education teacher
- A general education teacher
- Paraprofessionals
- Translator
- Other related service providers as necessary

All information obtained is kept confidential and not released to anyone without written consent.

Initial Evaluation Process

Notice of Proposed Evaluation w/Rights  



If appropriate Scope of Evaluation
(Review of records/Intervention Team Report)



Consent/Permission to Evaluate for Initial Evaluation 



Conduct Assessments (Psych Report) 



PWN + Notice to Attend Meeting 



Eligibility Determination 



Consent for Initial Provision of SpEd & Related
Services 

**Nye County School District
SCOPE OF ASSESSMENT**

- Initial
- Re-evaluation
- Other: _____

| | | | | | |
|---|--|----------------|--|----------------------------|--|
| Student name: | | School: | | BD: | |
| Suspected/Current Disability Category: | | Grade: | | Triennial due date: | |

The combined members of the IEP & Eligibility team were consulted on (date*):

*if different date than above, note below

| | | | |
|-------------------------------|--|-------|--|
| Parent | | date: | |
| General Ed. Teacher(s) | | date: | |
| Special Ed. Teacher(s) | | date: | |
| School Psychologist | | date: | |
| LEA Representative | | date: | |
| Speech & Language Pathologist | | date: | |
| Occupational Therapist | | date: | |
| District Nurse | | date: | |
| Physical Therapist | | date: | |
| Other: | | date: | |
| Other: | | date: | |

VISION/HEARING: Review indicated sufficient information available

- Review indicated need for further assessment to be completed by: School Nurse
 Other: _____

LANGUAGE/SPEECH/COMMUNICATION: Review indicated sufficient information available

- Review indicated need for further assessment to be completed by: Speech-Language Pathologist
 Other: _____

MEDICAL HISTORY/STATUS: Review indicated sufficient information available

- Review indicated need for further assessment to be completed by: District Nurse
 Other: _____

PRE-ACADEMIC/ACADEMIC ACHIEVEMENT: Review indicated sufficient information available

- Review indicated need for further assessment to be completed by: Special Education Teacher
 School Psychologist
 Other: _____

SELF HELP/ADAPTIVE SKILLS: Review indicated sufficient information available

- Review indicated need for further assessment to be completed by: School Psychologist
 Other: _____

SENSORY/MOTOR DEVELOPMENT: Review indicated sufficient information available

- Review indicated need for further assessment to be completed by: Occupational Therapist
 Physical Therapist
 School Psychologist
 Other: _____

DEVELOPMENTAL: Review indicated sufficient information available

- Review indicated need for further assessment to be completed by: School Psychologist
 Other: _____

COGNITIVE ABILITY: Review indicated sufficient information available

- Review indicated need for further assessment to be completed by: School Psychologist
 Other: _____

SOCIAL/EMOTIONAL BEHAVIOR: Review indicated sufficient information available

- Review indicated need for further assessment to be completed by: School Psychologist
 Other: _____

CONCLUSION OF TEAM:

- Additional data are required—obtain Parent Consent & complete Prior Written Notice indicating purpose for evaluation
- No Additional data are required—send Prior Notice indicating proposal for evaluation with no additional assessment

EVALUATION

INITIAL EVALUATION

Procedural Checklist:

- Send written notice of proposal to conduct initial evaluation (“Parental Prior Written Notice”) or give to parent when obtaining consent, WITH rights statement;
- Scope is conducted using the NCSD School Psych Scope of Evaluation
 - Certain persons must be consulted
 - Certain assessments must be included
- Obtain “Parent Permission for Evaluation” Or . . . Send PWN Conducting Eval without obtaining additional data (this should rarely be the case)
- Conduct evaluation; prepare report
- Schedule meeting to discuss evaluation with parent (determination of eligibility must be made within 45 school days from date parent signed consent); if eligibility is confirmed, see “Eligibility” procedures checklist.

What is the purpose of an initial evaluation?

Once NCSD suspects a student has a disability, an initial evaluation must be initiated. The purpose of an evaluation is to determine:

1. whether the student has a particular category of disability;
2. the present levels of performance and educational needs of the student;
3. whether the student needs special education and related services; and
4. whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable goals set out in the IEP and to participate as appropriate in the general curriculum.

What are the prior written notice and consent requirements?

Parental prior written notice of the proposal to conduct an initial evaluation must be provided to parents, along with the Special Education Rights of Parents and Children. Informed consent for the initial evaluation must also be obtained. Notice may be provided and consent obtained at the same time. If the parent refuses to consent, the district *MAY* pursue the evaluation through due process and/or mediation. Contact Special Education Support Services for assistance if necessary.

What is the timeline to conduct an initial evaluation and determine eligibility?

An initial evaluation must be completed and the student’s eligibility determined **WITHIN 45 SCHOOL DAYS FROM THE DATE WE RECEIVE THE PARENTAL SIGNED CONSENT FOR INITIAL EVALUATION.**

What process is used for deciding whether additional information is needed to conduct an evaluation?

As part of an initial evaluation, the student's existing evaluation data are reviewed and on the basis of this review, and input from the student's parents, a decision is made about whether additional data is needed. If no additional data is needed, parents must be notified (use "Parental Prior Written Notice"). Membership in the group responsible for this review varies, depending upon the area of suspected disability. At a minimum, the group includes members of the student's IEP committee and the required members of the student's eligibility team. Table 1 (Page 26) lists the required membership of each group per disability category.

The student's native language, mode of communication, and cultural background are considered to determine whether bilingual evaluation is necessary. If bilingual assessment is necessary, the school psychologist or other appropriate staff member will contact the Special Education Support Services. Materials and procedures used to assess a student with limited English proficiency are selected to ensure that they measure the extent to which a student has a disability, rather than measuring the student's English language skills.

A variety of assessment tools and strategies including classroom observation are used to gather relevant functional and developmental information about the student, including information supplied by the parent and information related to enabling the student to be involved in and progress in the general education curriculum.

What are the minimum assessment components?

In planning each student's evaluation the team must ensure that required assessments per disability category are considered as part of the evaluation process. Table 2 (Page 27) lists these assessment components; Table 3 (Page 28) describes most of these components, their purposes, how they are assessed, and the person(s) responsible for reporting the results in the eligibility meeting. The specific tools used to assess each component will vary depending on the individual needs of the student and the pertinent information already available in the student's educational records.

Additionally, if as part of determining whether additional data is needed, there is a need to conduct assessments beyond those minimally required by the NAC, specialized assessments may be arranged. "Specialized" assessments may include assessments in the following areas: speech and language, medical, vision, audiology, vocational, assistive technology, home/hospital/institutional, etc. The appropriate Specialist should be contacted to be part of the student's eligibility team and IEP committee.

What if a particular assessment component cannot be completed?

If any evaluation component cannot be completed (i.e., lack of parental involvement, religious convictions, or inability of the student to participate in the process), then the reason for the missing component must be documented in the student's records. For example, the requirement to conduct a classroom observation may be waived when, due to chronic truancy or other extenuating circumstances, and after reasonable efforts have been made, it is not possible to conduct an observation. In such cases, the student's record must contain documentation of the efforts made to facilitate an observation of the student in an instructional environment.

In general, what evaluation procedures apply to the conduct of evaluations?

To ensure that the evaluation process results in a procedurally fair assessment, free from cultural or racial bias, the following protections are required:

- tests and other evaluation materials shall be administered by persons who are trained in administering, scoring, and interpreting the tests in conformance with the instructions provided by their producer. Such persons must be appropriately licensed by the State of Nevada to administer any test or any other assessment instrument that becomes part of the evaluation. Pursuant to these conditions, staff available to conduct aspects of the evaluation include the teacher, school psychologist, counselor, school nurse, speech and language pathologist and other related service personnel;
- testing and evaluation materials must be selected and administered so as to be as free as possible from racial, linguistic, cultural, or gender bias;
- tests and other evaluation materials are provided and administered in the student's home language when the student's language-use pattern involves two or more languages or other mode of communication unless it is clearly documented that it is not feasible to do so;
- materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the student has a disability and needs special education, rather than measuring the student's English language skills;
- a variety of assessment tools and strategies are used to gather relevant functional and developmental information about the student, including information provided by the parent, and information related to enabling the student to be involved in and progress in the general curriculum (or for a preschool student, to participate in appropriate activities), that may assist in determining whether the student has a disability and in determining the content of the student's IEP;
- any standardized tests that are given to a student have been validated for the specific purpose for which they are used, and are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the tests. If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report;
- tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient;
- tests are selected and administered to ensure that when the test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflect the student's impaired sensory, manual, or speaking skills (except where those skills are the factors which the test purports to measure);
- no single procedure is used as the sole or controlling criterion for determining whether a student is a student with a disability and for determining an appropriate educational program for the student;
- the student is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified;
- the NCSD uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors;

- NCS D uses assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the student.

Must an evaluation report be prepared for each student evaluated, whether or not the student is determined to be eligible?

Yes.

What contents must be included in the Evaluation Report?

With the exception of the area of learning disabilities (see question below), neither state nor federal law prescribes the required content of the Evaluation Report. At a minimum, NCS D Evaluation Reports must contain a summary of the following information:

- a description of the assessments conducted;
- the results of the assessments, described in language readily understandable to educational staff and parents, and useful in describing present levels of performance;
- the instructional implications, which may assist IEP committees in addressing needs; and
- any recommendations (but not a conclusion about eligibility).

What are the specific evaluation report requirements for students suspected of having a learning disability?

Federal and state laws contain specific provisions for evaluation reports for students suspected of having a learning disability, as follows;

- whether the child has a specific learning disability;
- the basis for making the determination;
- the relevant behavior noted during the observation of the child;
- the relationship of that behavior to the child’s academic functioning;
- the educationally relevant medical findings, if any;
- whether there is a severe discrepancy between achievement and ability that is not correctable without special education and related services; and
- the determination of the team concerning the effects of environmental, cultural, or economic disadvantage.

These components are addressed in the combination of the “Psycho-educational Report” and the “Statement of Eligibility – Eligibility Team Report” for specific learning disabilities.

NOTE: Each member of a “learning disabilities” eligibility team is required to certify in writing whether the report reflects his or her conclusion. If it does not, the team member must submit a separate statement presenting his or her conclusions.

A copy of the student’s evaluation report must be given to the student’s parents.

What is an “independent educational evaluation” and when may a parent obtain one?

An independent education evaluation (IEE) may be requested by a parent whenever the parent disagrees with the results of an evaluation obtained by the district. When an IEE has been requested, the district must without unnecessary delay either provide (pay for) the IEE, or request a due process hearing to establish that its evaluation is appropriate. If a hearing officer determines that the district’s evaluation is appropriate, the parent may still obtain an IEE, but at the parent’s personal expense.

If the parent requests, the district must provide the parent with information as to where an IEE may be

obtained and the requirements of the district relating to the circumstances under which the evaluation should be obtained. Contact Special Education Support Services for assistance if necessary.

Does the district have to consider the results?

If an IEE has been obtained at either the parent's or the district's expense, the results must be considered by the district in any decision with regard to a free appropriate public education for the student. The requirement to consider the results does not mean that the district is required to accept the conclusions of the independent evaluator; however, the IEE should be fully considered and discussed at any eligibility, placement, or IEP meeting.

Reevaluation Process

Notice of Proposed Evaluation 



Triennial Evaluation/Needs Determination



If no additional data needed



Notice of Proposed Reevaluation
Without Additional Assessments 



PWN + Notice to Attend Meeting 



Eligibility Determination 



If additional data needed



Consent/Permission
to Evaluate 



Conduct Assessments 



PWN + Notice to Attend Meeting 



Eligibility Determination 

REEVALUATION

Procedural Checklist:

- Send Prior Written Notice of proposal to conduct Scope of Reevaluation (conduct using 'NCSD School Psychologist Scope of Evaluation' form)**
- If additional data is needed, obtain "Parent Permission for Evaluation"**
or
If additional data is not needed, send "Parental Prior Written Notice/Notification of Meeting" that no additional data is needed (we expect you to conduct formalized testing at the very least, once every six years)
- Conduct reevaluation; prepare report**
- Schedule meeting to discuss reevaluation with parent; if eligibility is reconfirmed, see "Eligibility" procedures checklist**

When must reevaluations occur?

Reevaluations must be conducted if conditions warrant, or if the student's parent or teacher requests a reevaluation, but at least once every three years.

Also, before determining that a student is no longer a student with a disability, NCSD must conduct an evaluation.

What is the purpose for a reevaluation?

Usually, reevaluations are conducted to determine:

1. whether the student continues to have a particular category of disability;
2. the present levels of performance and educational needs of the student;
3. whether the student continues to need special education and related services; and
4. whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable goals set out in the IEP and to participate as appropriate in the general curriculum.

What are the notice and consent requirements for reevaluations?

Prior written notice of the proposal to conduct a reevaluation must be provided to parents. The combined eligibility team and IEP committee must determine whether additional data must be obtained to conduct the reevaluation. If no additional data are needed, consent for the reevaluation must be obtained (use "Parent Permission to Evaluate"). However, if the parent refuses consent, the district may choose to use due process and/or mediation to pursue the reevaluation. Contact the Special Education Support Services for assistance if necessary.

What is the process for conducting a reevaluation?

Essentially, the same process and procedures are used to conduct a reevaluation as is used to conduct an initial evaluation. See procedures checklist above for specific procedures.

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ELIGIBILITY

Procedural Checklist:

- Eligibility team meets to determine whether student is/is not eligible (or, in the case of a reevaluation, whether student continues to be eligible)
- Prepare and sign “Statement of Eligibility – Eligibility Team Report”
- Obtain consent for initial provision of special education and related services. This consent is only required for initial provision of services; (Appendix K)
- Develop Individualized Educational Program (IEP) within 30 calendar days of an initial determination of eligibility (Appendix L)
- Reconfirm eligibility at least every three years.

Who are the required members of an eligibility team?

Membership on the various eligibility teams varies according to the disability category and is specified in the Nevada Administrative Code). Required members are listed on each of the “Statement of Eligibility – Eligibility Team Report” forms per disability category. If it is anticipated that an IEP meeting will be combined with a determination about eligibility, a “combined” membership may attend a meeting to determine eligibility. If so, the combined membership, per disability category, is listed in Table 1.

How are eligibility decisions made?

The eligibility team (and others if appropriate) meet, and based upon the evaluation or reevaluation which has been conducted, determine as a group whether the student meets the criteria specified for a particular disability category in the Nevada Administrative Code. The required criteria are listed on each of the “Statement of Eligibility – Eligibility team Report” forms, per disability category. Consensus is not required, but every effort is made to reach a decision the members can agree upon.

Parents must be invited to the eligibility team meeting

What if the eligibility team members disagree?

Any member of the eligibility team who disagrees with the conclusion regarding the existence of a disability must submit a statement of the conclusions of that member to the Director of Special Education. The report becomes part of the student’s education record.

A parent who disagrees with the eligibility decision may request a review by the Eligibility Team, or may request a due process hearing and/or mediation to challenge the determination. An impartial due process hearing is formally initiated by requesting a hearing in a letter to the Superintendent of the Nye County School District.

How is the determination of eligibility documented?

The determination of eligibility must be documented on the “Statement of Eligibility – Eligibility Team Report” form according to the disability category for which the team has made a decision. **A copy of the documentation of determination of eligibility must be given to parents.**

What happens after a student is determined to be eligible?

Within 30 calendar days of an initial determination of eligibility, an Individualized Educational Program (IEP) must be developed.

What happens if a student is determined NOT to be eligible?

Written notice must be provided to the parent that the student is not eligible. If the student was referred by the school’s Student Instructional Intervention Team, both the intervention team and the parent should be notified of any recommended changes in the student’s current instruction that the eligibility team determines to be appropriate.

How is eligibility determined for a student transferring into NCSD from another school district in Nevada?

Students with disabilities transferring into the NCSD from another school district in Nevada remain eligible for special education, related services, and supplementary aids and services. Documentation of previous evaluation(s) and eligibility determination(s) must be obtained from the previous school district. If such documentation cannot be obtained, school staff should contact Special Education Support Services. The Case Manager must follow the interim checklist procedures.

How is eligibility determined for a student transferring into NCSD from another state?

Students with disabilities transferring into NCSD from another state must be evaluated to determine whether they meet Nevada’s eligibility requirements. Parental consent must be obtained using the “Parent Consent for Evaluation” form. The school psychologist, case manager, and/or other staff members must review any available information, contact the necessary team members, and complete the “Determination of Needed Data for Evaluation” form. If no additional data are needed, provide “Parental Prior Written Notice” of this decision.

Once the necessary data have been obtained, the eligibility team must meet to determine eligibility. Since the district is on notice that the student is likely to have a disability and require special education, the determination of eligibility under Nevada criteria should be done as expeditiously as possible, preferably within 30 calendar days. During the 30-day period, the student should be receiving services either under an Interim Individualized Educational Program, or in conformance with the student’s existing IEP. If difficulties are encountered in this situation, contact Special Education Support Services.

**TABLE 1
REQUIRED MEMBERSHIP FOR COMBINED IEP & ELIGIBILITY TEAMS**

| DISABILITY CATEGORY | PERSONS RESPONSIBLE FOR SCOPE OF EVALUATION |
|---------------------------------------|---|
| AUTISM | LEA Representative; Special Education Teacher; Regular Education Teacher; Parent; School Psychologist; Speech/Language Specialist; One or more persons who have sufficient knowledge of the student to interpret information related to the student's social, emotional, developmental and familial condition. |
| HEARING IMPAIRMENT | LEA Representative; Special Education Teacher; Regular Education Teacher, Parent; Teacher or specialist in field of hearing impairment; not fewer than three persons with expertise in one or more of the following areas: (1) audiology or the interpretation of an audiological report, (2) hearing impairment, (3) the interpretation of an assessment of health, communication skills and disorders, and/or academic achievement. |
| VISUAL IMPAIRMENT | LEA Representative, Special Education Teacher; Regular Education Teacher; Parent; Teacher or specialist in field of vision impairment; not fewer than three persons with expertise in one or more of the following areas: (1) vision, (2) vision impairment, (3) the interpretation of an assessment of health or academic achievement. |
| ORTHOPEDIC IMPAIRMENT | LEA Representative; Special Education Teacher; Regular Education Teacher; Parent; School Nurse or other person qualified to interpret an assessment of health; One of the following: (1) physical therapist, (2) occupational therapist, (3) Any another specialist whose presence is deemed appropriate; One or more persons having personal knowledge of the student. |
| HEALTH IMPAIRMENT | LEA Representative; Special Education Teacher; Regular Education Teacher; Parent; School Psychologist; School Nurse or other person qualified to interpret an assessment of health; One or more persons with sufficient knowledge of the student to interpret information relating to the student's social, emotional, developmental and familial condition. |
| SPEECH AND LANGUAGE IMPAIRMENT | LEA Representative; Special Education Teacher; Regular Education Teacher; Parent; Speech and Language Specialist; Person having personal knowledge of the student. |
| TRAUMATIC BRAIN INJURY | LEA Representative; Special Education Teacher; Regular Education Teacher; Parent; School Psychologist; Speech and Language Specialist; School Nurse or other person qualified to assess the health of the student; One or more persons with sufficient knowledge of the student to interpret information relating to the social, emotional, developmental and familial condition of the pupil. |
| INTELLECTUALLY DISABLED | LEA Representative; Special Education Teacher; Regular Education Teacher; Parent; School Psychologist; Speech and Language Specialist; One or more persons qualified because of personal knowledge of the student to interpret assessments of health and adaptive skills of the student and information relating to the family of the student. |
| EMOTIONAL DISTURBANCE | LEA Representative; Special Education Teacher; Regular Education Teacher; Parent; School Psychologist; One or more persons qualified because of personal knowledge of the student to interpret information relating to the health, development, family, and social and emotional condition of the student. |
| SPECIFIC LEARNING DISABILITIES | LEA Representative; Special Education Teacher; Regular Education Teacher; Parent; School Psychologist; One or more persons qualified because of personal knowledge of the student to interpret information relating to the student's health, family and social and emotional condition. |
| DEVELOPMENTAL DELAY | LEA Representative; Special Education Teacher; Regular Education Teacher; Parent; School Psychologist; One or more persons qualified because of personal knowledge of the student to interpret information relating to the student's health, family and social and emotional condition. |
| MULTIPLE IMPAIRMENTS | See requirements for I C I plus any other condition OTHER THAN specific learning disabilities, developmental delay, or speech and language impairment. |

* The "special education teacher" may be the same person as the "teacher or specialist" or "speech and language specialist."

**TABLE 2
REQUIRED ASSESSMENTS PER DISABILITY CATEGORY**

| DISABILITY CATEGORY | MINIMUM ASSESSMENT COMPONENTS* |
|---------------------------------------|---|
| AUTISM | Health and medical status; developmental history, including rate and sequence of development and a clear statement of strengths and weaknesses; cognitive abilities; social and emotional condition in multiple settings; academic achievement; adaptive skills; and speech, language and other communication skills. Team must also consider: sensory regulation; self-help and independent living skills; behavior problems; symbolic and imaginative play; activities and special interests; and motor skills. |
| HEARING IMPAIRMENT | Comprehensive audiological examination, including pure tone and speech discrimination tests, performed by an audiologist; assessment of health, which must include a comprehensive examination of vision academic achievement, and speech and language. |
| VISUAL IMPAIRMENT | Comprehensive examination of vision, performed by an eye specialist; assessment of health and academic achievement. |
| ORTHOPEDIC IMPAIRMENT | Health assessment, including physical examination; student's functional limitations in relation to the demands of a regular classroom. |
| HEALTH IMPAIRMENT | Health assessment; analysis of the ability of the pupil to perform in a regular classroom. |
| SPEECH AND LANGUAGE IMPAIRMENT | Performance relating to language, articulation, fluency or voice, as relevant to the impairment; health assessment; if relevant, cognitive abilities, academic achievement, and social and emotional condition. |
| TRAUMATIC BRAIN INJURY | Required considerations: medical documentation of injury; student's educational performance relative to a normative population; student's strengths and weaknesses; if possible, student's educational performance before and after injury. Required assessments: health; developmental history; cognitive abilities; social and emotional condition; academic achievement; language and motor skills; sensory and perceptual abilities; and attention, comprehension, judgment and problem-solving skills. |
| INTELLECTUALLY DISABLED | Cognitive abilities; adaptive skills, including prevocational and vocational assessments if appropriate; health, including a developmental history; academic achievement; speech and language. |
| EMOTIONAL DISTURBANCE | Social and emotional condition, based in part upon information from the student; health and cognitive abilities; performance of student in current educational setting; any previous educational intervention on behalf of student. |
| SPECIFIC LEARNING DISABILITIES | Cognitive abilities; social and emotional condition; academic achievement; performance of student in current educational setting; any previous educational intervention on behalf of student; health and developmental history; observation of academic performance. |
| DEVELOPMENTAL DELAY | Health; developmental functioning; social and emotional condition. "Developmental function" defined in NAC as: cognitive abilities gross and fine motor skills, self-help, social and emotional condition, and skill in the use of receptive and expressive language. |
| MULTIPLE IMPAIRMENTS | See components for Intellectual Disability plus any other condition OTHER THAN specific learning disabilities, developmental delay, or speech and language impairment. |

* Applicable sections of the Nevada Administrative Code contain suggestions for additional assessments beyond those minimally required.

**TABLE 3
DESCRIPTION OF ASSESSMENT COMPONENTS**

| COMPONENTS | PURPOSE | METHODS | RESPONSIBLE PARTY |
|-------------------------------------|--|---|--|
| Student Interviews | To obtain perceptions of school, peers, rules, home, community, etc. | standardized/individualized age appropriate questions | Psychologist Counselor |
| Parent Interviews | To obtain perceptions of the child; opportunity to express concerns and ask questions | standardized/individualized questions | Psychologist Counselor |
| Medical History/Status | To determine existence of health problems affecting educational performance | health records; parent interview | Psychology Nurse |
| Developmental | To identify environmental factors relevant to school functioning and the developmental stage of behavior | developmental scales; school readiness; family & developmental history | Psychologist Teacher Case Manager |
| Audiological | To determine how well student hears | hearing acuity; tympanogram | Nurse |
| Speech, Language, and Communication | To assess student's ability to understand, relate to and use language | voice, articulation; receptive & expressive language; auditory processing | Speech Therapist |
| Vision | To determine how well student sees | visual acuity; tracking & accommodation; color vision | Nurse |
| Academic | To obtain current levels in pre-reading skills, reading, math, and written expression | achievement tests; skill diagnostic tests | Teacher Counselor Case Manager Psychologist |
| Observation of Academic Performance | To observe the student's activities, strategies, and conduct in the classroom | observation | Someone other than student's regular teacher |
| Adaptive Behavior | To determine what student can do for self and how he gets along with others | socialization; daily living | Teacher Counselor Case Manager Psychologist Parent |
| Sensory/Motor | To determine how well student can utilize what is taken in by the senses | visual perceptual; visual motor; auditory perceptual; fine/gross motor | Psychologist Case Manager Teacher, Specialist |
| Cognitive Ability | To assess student memory and use of information to solve problems and predict achievement | intellectual ability; problem solving | Psychologist |
| Social/Emotional | To determine student's personal, social, and emotional adjustment | behavior checklists; projective drawing tests; personality tests; sentence completion tests; interviews | Psychologist Teacher Parent Counselor |
| Vocational | To measure student's interests and abilities relative to occupational preparation | prevocational and vocational interest inventories | Counselor Case Manager Teacher |

IEP Team Meeting/Pre-Meeting Checklist

1. **Prior written notice** _____

(Ensure proper completion, statement of purpose of meeting, attendees, delivery, parent receipt.)
2. **Procedural safeguards notice** _____

(Provide copy, provide explanation, ask if explanation needed, or ask if there are questions regarding safeguards.)
3. **Persons required for meeting** _____

Parent _____
Student (if appropriate) _____
Special education teacher/provider _____
Regular education teacher _____
LEA administrative/supervisory representative _____
Assessment representative _____
Other school staff persons (at school's discretion) _____

(Ensure availability and attendance, or determine if excusal provisions apply.)
4. **Review of new evaluations or reevaluations** _____

(Ensure familiarity with evaluation reports prior to meeting; at meeting, ensure review of new public or private evaluations, reevaluations, or review of existing evaluation data for determination of need for further evaluation.)
5. **Eligibility** _____

(Determine initial eligibility, continued eligibility under existing disability category, or change in disability category, based on evaluation review.)
6. **IEP**

Present levels of academic and functional performance _____

(Ensure levels address all relevant areas of academics and developmental function; ensure link to evaluation data, teacher reports, other data; include discussion of current educational performance in classroom.)

Annual goals _____

(Ensure draft goals are complete, measurable, clear, and specific.)

Short-term objectives (if needed) _____

(Ensure draft objectives are complete, measurable, clear, and specific.)

Progress measures _____

(Establish methods for measuring progress.)

Statement of services

Special education/specialized instruction _____

Related services _____

Program modifications _____

Classroom accommodations _____

Behavioral supports/intervention plan _____

Other supplementary aids/services _____

(Ensure specificity and clarity of commitment of resources; ensure logical linkage to annual goals and present levels of performance.)

Participation in regular classes/curriculum _____

(Address both physical placement in regular classes, as well as degree to which student will participate in general curriculum).

Statewide assessment _____

(Address participation, accommodations, need for alternate assessment, need for alternate assessment on alternate standards.)

Start and end dates for IEP services/supports _____

Transition services _____

(Ensure linkage to transition goals, links to outside agencies.)

7. Consideration of special factors

- Behavior issues, need for positive behavior supports _____
- Limited English proficiency _____
- Braille _____
- Communication needs _____
- Assistive technology and services _____

8. Schedule of services

(Not required under IDEA if otherwise addressed in IEP. If included, verify against statement of services above.)

9. Placement

(Ensure placement based on IEP, otherwise meets placement determination requirements.)

(Ensure various potential options for placement, and particularly parent-proposed options, are discussed fully.)

10. LRE assurances

(Complete and explain assurances sections/forms, participation in non-academics/extracurriculars.)

11. Other issues

- Extended school year services _____
- Lack of expected progress _____
- Graduation plans/diploma _____
- Other state-specific requirements/forms _____

(May have been addressed earlier as part of other requirements.)

12. Signatures

(Ensure attendees sign; follow state procedures if parent disagrees or refuses to sign; allow and document dissenting statements.)

13. Minutes/deliberation notes

(Not required under IDEA, but commonly done; review, seek consensus with parents on language, or offer parent opportunity for a separate statement.)

14. Post-meeting management/planning

Allocation of implementation tasks _____
Deadlines for task implementation _____
Monitoring duties/schedule _____
Issues for follow-up meetings: _____

IEP Meeting Notes - NCSD

SITE:

| |
|---|
| Student: _____ DOB: _____ Age: _____ Grade: _____ |
| Meeting Date: _____ |

Reason:

Attendees:

Purpose:

Discussion:

Meeting notes compiled:
Name/Position

Post IEP Support Plan - NCSD

Name: _____ School: _____

Eligibility Termination Date: _____

Services Received

| | | | | |
|---------------|-------------|----------------|----------------|-----------------------------|
| <i>Speech</i> | <i>Math</i> | <i>Reading</i> | <i>Writing</i> | <i>Behavior Instruction</i> |
|---------------|-------------|----------------|----------------|-----------------------------|

Exiting Reason:

Support Plan Team Members / Title

Support Plan/ Date (Concerns that the team feels the student may have):

Duration of Monitored Data (How long/often will student be monitored, who will monitor the student, how will the student be monitored)

Conclusion to Monitored Data (Was the student successful/what changes were made to the plan/what was the outcome of the plan) Date:

_____ Date _____
Special Education Teachers

_____ Date _____
General Education Teacher

_____ Date _____
Parent

_____ Date _____
Principal/LEA

*Much like an IEP, this is a working document. If changes are needed, they must be addressed by the site team.

INDIVIDUALIZED EDUCATIONAL PROGRAM AND PLACEMENT

Procedural Checklist:

- After student is initially determined eligible, the IEP committee has 30 calendar days to develop an IEP
- Send "Parent Prior Written Notice/Notification of Meeting:
- Convene meeting of IEP committee
- Develop IEP and determine placement
- Obtain "Parent Consent for Placement"
- Implement IEP if parent signs indicating agreement with IEP. If parent does not sign after efforts to resolve any disagreements, provide "Parental Prior Written Notice" to implement the IEP.
- or
- Meet to review/revise at least annually

What is the purpose of an IEP?

One of the most important provisions of the IDEA is the "Individualized Educational Program," or IEP. Each student with a disability who requires individually designed instruction must have an IEP in place before special education and related services can be provided. The IEP serves as the blueprint that guides day-to-day instruction, related services and support; yet the IEP is not a daily lesson plan. Thus, conceptually, the IEP refers to both the process and the document. The IEP process provides an opportunity for everyone concerned about the student to meet together, set goals, resolve challenges and develop mutually agreed upon educational programming for the student.

The IEP must be in effect at the beginning of each school year. The IEP document states in writing:

- the student's present levels of performance and how they affect participation in the general education curriculum;
- the goals and objectives that are expected to be accomplished;
- the specially designed instruction, related services and supplementary aids and services that will be provided;
- how progress will be reported;
- the frequency and location of services;
- the provisions for the student to participate in state and district-wide assessments;
- the placement options considered and rejected; and
- the justification for any removal from the regular educational environment.

In addition, the IEP provides a written record of the decisions reached at the IEP meeting. The IEP must be maintained in the student's confidential record.

More specifically, the IEP has the following purposes and functions:

- the IEP is an individualized program of specially designed instruction for a student who has a disability that adversely affects educational performance;
- the IEP meeting serves as a communication tool between parents and school personnel to enable them as equal participants, to jointly decide what the student's needs are and what services will be provided to meet those needs;
- the IEP process provides an informal opportunity to resolve any differences between parents and school personnel concerning a student's needs and services;
- the IEP sets forth in writing a commitment of resources necessary to enable a child to receive needed special education, related services and supplementary aids and services;
- the IEP is a management tool used to ensure that each student with a disability is provided special education and related services appropriate to the student's particular learning needs;
- the IEP is a compliance/monitoring document which may be used by authorized monitoring personnel from NCSD or governing agencies to determine whether a student with a disability is receiving a free appropriate public education; and
- the IEP serves as an evaluation instrument for use in determining the extent of the student's progress toward meeting the annual goals.

The IEP is not a performance contract or guarantee imposing liability on a teacher of NCSD if an eligible student does not meet IEP goals and objectives. While IDEA does not require that NCSD, the case manager, the teacher, or other persons be held liable if the student does not achieve the growth projected in the IEP, a refusal to implement a student's IEP may result in personal liability.

What process is used to develop an IEP?

After it is determined that a student with a disability requires (or continues to require) special education in order to receive educational benefits, the IEP is developed. An IEP must be developed, reviewed and revised at least annually for each eligible student who will receive special education and related services from NCSD. The IEP must be individualized for each student. Appendix K-1 is a sample blank IEP. Appendix K-2 is the Nye County School District Transportation Forms. Appendix K-3 is the Nevada Department of Education Guidelines for developing an IEP.

All persons who participate in the IEP meeting must be listed on the IEP document. Presence at an IEP meeting does not reflect agreement or disagreement with the IEP; it simply documents that the person was present at the meeting.

Through the IEP process, IEP committee participants develop goals and objectives for the student. All components of the IEP must be completed at the meeting. Generally, at least one annual goal and short-term objective must be developed for each area in which special education is needed. Additional meetings may be held, if necessary, to add new goals and/or short-term objectives in order to address the student's needs related to his or her disability. No one may unilaterally alter an IEP. Only the IEP committee may change an IEP.

After all the components of the IEP are completed, the participants must consider the least restrictive environment (LRE) in which the IEP can be implemented, thus determining the placement of the student. At the conclusion of the IEP meeting, the parents must be given a copy of the IEP. The physical placement of a student in any special education program occurs only after the development of the IEP.

IEP requirements for children enrolled in NCSD early childhood programs are the same as those listed above.

What actions require the convening of an IEP meeting?

An IEP meeting is required:

- at least annually;
- within 30 calendar days after an initial eligibility meeting when it is determined that a student is eligible for special education services;
- after a reevaluation when it is determined that a student remains eligible for services and the results of the reevaluation signal a need to review/revise the IEP. NOTE: The annual review of an IEP may not be delayed beyond the one-year timeline because the student is due for a reevaluation. (If necessary, the reevaluation will be scheduled earlier than required, or another IEP meeting can be held even though one was held less than a year earlier);
- whenever a change in special education, related services or supplementary aids and services is being considered;
- whenever a parent makes a reasonable request;
- whenever a change in a student's placement is being considered; and
- whenever a student's IEP is being changed within the school year to reflect a modification in services or placement. (The contents of the revised IEP may be limited to the first and last pages, and the applicable pages where changes are made, as long as the original IEP is incorporated by reference).

An IEP meeting is not required when a student changes schools provided that the written goals, objectives, services and placement of the previous IEP can be implemented without change at the new school.

Who are the required participants in IEP meetings?

The following persons are **required** participants in the IEP meeting— **none of these required participants can serve in more than one of these roles:**

- the **parent**, who is invited to participate in all IEP meetings;
- **Local Education Agency (LEA) Representative** (generally the site administrator or a designee) who is qualified to provide or supervise the provision of special education, has knowledge about the general curriculum and availability of resources and has the authority to commit agency resources and ensure services will be provided;
- the student's **regular education teacher(s)**;
- the student's **special education case manager**;
- the student:
 - at any age if appropriate,
 - at age 14 and older if transition services are discussed, or
 - at age 18 if rights have transferred; and
- representatives of agencies, as appropriate, if transition is to be discussed.

The regular education teacher, as a member of the IEP committee, must, to the extent appropriate, participate in the development, review and revision of the student's IEP, including interventions and strategies, supplementary aids and services, program modification, and support for school personnel.

The following persons are also required, **but could also be one of the persons identified above:**

- someone familiar with assessment and results, who can interpret the instructional implications; or
- someone with knowledge of personnel and options for placement.

Additionally, other persons with knowledge or special expertise concerning the student may be invited at the discretion of the parent or NCSD. The determination about whether a person has knowledge or special expertise is within the discretion of the party who invited that person.

Are there other participants that should be invited to an IEP meeting?

Additional participants may be required to participate in the IEP meeting based on the following circumstances:

- **Interpreter** in the case of a parent with limited English proficiency or deafness to translate the findings and proposed services and to assist in the parent's active participation in the student's education;
- **Educational Specialists**, as appropriate;
- **Appropriate community agency representatives**, in the cases of preschool students and students with transition needs; and
- **Other persons** may attend the IEP meeting at the request of the parent or Nye County School District-often an advocate accompanies a parent. If the parent indicates that an attorney will be present at the meeting, Special Education Support Services should be contacted.

How is parental participation ensured?

The Special Education Case Manager should take documented steps to ensure that one or both parents of the student are present at each meeting. These steps must consist of reasonable efforts to convince the parent to attend the IEP meeting. If a parent cannot attend the meeting, the parent must be offered the opportunity to participate by written, telephonic or other means. In addition the following should occur;

- coordinate with all IEP team members to schedule meeting
- the meeting must be scheduled at a mutually agreed upon time and place;
- at least 10 days prior to the meeting, a "Parental Prior Written Notice/ Notification of Meeting" stating proposals regarding the IEP or placement contemplated and a "written invitation to an Eligibility/IEP meeting" should be sent to the parent (and to the pupil, if transition will be discussed), in addition to all other team members. The meeting notice must include:
 - the purpose, time and location of the meeting; if transition will be discussed, this purpose must be specified in the notice;
 - a list of the persons (by title, not necessarily by name) who will attend the meeting; if transition will be discussed, the notice must state that the pupil will be invited to the meeting;
 - a statement that parents have the right to invite persons who have knowledge or special expertise regarding the student, including without limitation, related service personnel; and

In general, meetings should not be scheduled less than 10 days in advance; however, occasionally an IEP meeting will be scheduled less than 10 days in advance if that date and time is mutually agreed upon between the parent and the school district. Circumstances (such as scheduling via telephone) leading to such a meeting should be documented in the student's file on the "Chronological list of Events and Status Record" page. PLEASE NOTE: If attendance by the Director of Special Education Support Services or the Coordinator of Special Education is required or requested, you must provide at least a 10-day notice. Please call Special Education Support Services to check schedules before scheduling with parents.

After the date and time of the IEP meeting have been established (preferably through contact with the parent), the "Parental Prior Written Notice/Notification of Meeting" shall be sent. The parent is given a choice to confirm attending at the time and place indicated, or to propose another time and date.

If neither parent can attend an IEP meeting, NCSD must offer alternate methods to ensure parental participation, including individual or telephone conference calls, or an exchange of written information.

What if, even after reasonable efforts to ensure parent participation, the parent indicates an unwillingness to participate or does not attend when expected to do so?

If the reasonable efforts to ensure participation are unsuccessful, NCSD shall deem the parents unavailable and proceed with the meeting without the parents present to develop the IEP. A copy of the IEP must be sent to the parents along with "Parental Prior Written Notice" of the district's intent to implement the IEP.

IMPORTANT NOTE

Please see the following three inserted pages for specific guidance on holding an IEP meeting without parents in attendance.

When should surrogate parents be appointed?

The NCSD must appoint a surrogate parent for a student with a disability when the:

- parents cannot be identified;
- location of a parent is not discovered after reasonable efforts;
- the student is a ward of the state; or
- the student is an unaccompanied homeless youth.

The principal or designee must make reasonable efforts to identify and contact a child's parent. At a minimum, these efforts must include documented telephone calls, letters, certified letters with return receipts, visits to the home and interviews with relatives and other individuals who may know the child's parent.

Must document

- In upper right hand corner of PWN must document 3 different contacts with the parent and then can hold the meeting without them if they are a no-show.
 - 1) Phone Call (Spoke with parent on phone/left message on machine)
 - 2) Sent Home with Student (if this is a reliable means of communication . . . Common sense should be rule of thumb here)
 - 3) Certified Mail/Second phone call

- Meetings "3 time notice" rule should be for the same meeting date, not three separate meetings.
- Once a due date has passed the IEP is out of compliance (it does not matter if it was an "Act of God" that caused the IEP or Re-eval/Eligibility to go over due).
- A sample time line:
 - 30 day out initial invite to meeting,
 - 15 day out a reminder of meeting coming up,
 - 7 day out phone reminder and send home a draft IEP for their review, (Do not send a draft IEP on an Initial)

If Parent a No-Show At the Scheduled IEP

If you have documented proof of following an acceptable timeline (at least 10 days prior), and if you had any reciprocated contact with the parent (the parent agreed to attend), you may hold the meeting . . .because you have given them opportunity to participate.

Best case scenario would be to call them and find out why they aren't going to be there and what they would like to see happen, but meeting can legally be held if effort was documented.

If the parent cannot be located by the above methods, the principal or designee must take similar steps to establish contact with the guardian, relative, person acting as the child's parent, an individual with whom the student resides and/or the child's caseworker.

If, after reasonable efforts, a parent cannot be identified or located, or it is determined that the child is a ward of the state, the principal or designee will contact Special Education Support Services to request a surrogate parent. The Director of Special Education will then appoint an appropriately trained individual as the surrogate parent.

Who can be a surrogate parent?

The surrogate parent, who will be selected pursuant to procedures established by state regulation, will have no interest that conflicts with the interests of the student and will have knowledge and skills that ensure a adequate representation of the child. The surrogate will not be an employee or any public agency involved in the education or care of the student; however, the fact that the surrogate parent is paid by a public agency to represent the child does not, but itself, disqualify the surrogate.

What does the surrogate parent do?

The surrogate parent represents the student in all matters relating to the identification, evaluation, and educational placement of the student and the provision of a free appropriate public education.

IEP MEETINGS

How do we prepare for IEP meetings?

The special education teacher acting as Case Manager is the IEP Chairperson. It is the responsibility of the Chairperson to:

- coordinate a common meeting date and time with all the committee participants;
- review and have available the results of the most recent evaluations, including the student's performance on State or NCSD assessment;
- prepare demographic information for student, area of disability, dates of evaluation and projected three-year reevaluation; and
- prepare present levels of performance in the relevant areas of cognitive abilities, functional performance, academic achievement, speech and language, social-emotional functioning, gross and fine motor skills, adaptive behaviors, health, and a statement of student strengths (pages 1-3 of IEP). The statement of the student's present level of performance must include how the student's disability affects involvement and progress in the general education classroom. **(See Appendix K-2)**

May staff prepare a draft of the IEP to facilitate discussions?

The U.S. Office of Special Education has stated that school districts may present a draft IEP to parents at an IEP meeting, provided it is "made clear to the parents at the outset of the meeting that the services proposed by the agency are only recommendations for review and discussion with the parents." (Interpretation of Requirements of Part B of the Individuals with Education Act)

It is essential that any draft documents presented to parents be clearly described as “draft only” for the purpose of facilitating the discussions. Parental participation and input in the IEP development process is critical and cannot be diminished through the use of draft documents. Presenting a completed IEP can give the appearance of minimizing the contribution of parents to the IEP process, which in turn can undercut the principle of parental participation. However, meetings may be more efficient and useful to all participants if some information has been drafted in advance. In general, drafts of the present levels of performance, annual goals and short-term objectives, and statements of special education, related services and supplementary aids and services would be appropriate. Since placement decisions are based upon the IEP services necessary, drafting the placement sections of the IEP is usually not appropriate.

IEP Meeting Protocol

The IEP Chairperson conducts the IEP meeting according to the NCS D Individualized Educational Program. State mandated IEP components include:

1. **Introduction of Participants** (Chairperson);
2. **Overview of the Purpose of the Meeting** (Chairperson);
 - **Initial** – acknowledging the signed “Parent Consent for Placement” form signed at the eligibility meeting prompting a need for goals/objectives and special education placement;
 - **Annual** – required review/evaluation of progress on goals/objectives and develop the IEP for the next year; and
 - **Review/Revision** – statement of a need for the modification of services, goals/objective, special education placement, time in a special education program, or related services and the reason for modification (i.e., goal attained – set new one, incident prompting concerns, etc.).
3. **Review of Demographic Information** (page 1 of the IEP - Chairperson):
 - **Initial** and **Annual** – review accuracy of student/parent information with the parent;
 - **Initial** and **Annual** – indicate eligibility category and note the eligibility date (the most recent date when an eligibility team confirmed eligibility) and the anticipated 3-yr reevaluation (exactly three years from the previous eligibility date). Note that at age 6, students eligible under the category of “Developmental Delay” must be reevaluated to determine continuing eligibility under another category;
 - **Initial** and **Annual** – note the date of the current meeting, the date of the last IEP meeting, the purpose of the meeting, the date IEP services will begin, the date services are anticipated to end (not to exceed one year from the date when an initial or annual IEP has been written), and the IEP review date (also not to exceed one year from the date when an initial or annual IEP has been written). For Early Childhood students, parents must be given an opportunity to participate in a review of progress every six months. While not a requirement under state or federal law, this review of progress may be conducted within an IEP meeting; if so, the anticipated duration of services and the IEP review date may be six months hence.

IMPORTANT NOTE

Please see the following two inserted pages for illustrated guidance on accurately & properly entering dates.

4. **IEP Participation** (page 1 of the IEP - Chairperson):
 - **Initial** and **Annual** – Introductions are made and each participant signs his or her own name.

5. **Presentation and Explanation of Procedural Safeguards** (page 1 of the IEP):
(Chairperson): The parents will be asked if they have received and understand the Special Education Rights of Parents and Children
 - If **yes**, explain the major areas and answer any questions or concerns that may arise;
 - If **no**, present them with a copy, then explain the major areas and answer any questions or concerns that may arise;
 - Parent will sign page 1 of IEP to indicate receipt and explanation of procedural safeguards.

6. **Summary of Present Levels of Performance** (page 2 of the IEP):
 - **Initial** – (School Psychologist or Other Personnel who conducted assessments) review the comprehensive assessment tools results, unless the eligibility team meeting was immediately prior and the parent was present;
 - **Initial** and **Annual** – (Chairperson) discuss of the draft present levels of educational performance contained in the IEP – these pages may be amended and/or supplemented at this time;
 - **Annual** and **Review/Revision** – (Chairperson) consider additional information gathered about the child from all sources since the last IEP was developed to discuss progress, or lack of progress, of goals/objectives:
 - a determination of what portion of the IEP goals have been met by the student;
 - for each IEP goal not satisfactorily achieved, identification of whether any of the following most likely contributed to this outcome and what appropriate actions should be taken to correct the problem:
 - the appropriateness of the goal and the degree to which the goals and objectives were met;
 - the appropriateness of the assessment criteria and procedures used to measure attainment of the goal;
 - the compatibility between the teaching style, instructional methodologies and curricula used and the student's learning, incentive-motivational and communications styles;
 - the effects, if any, of negative peer interaction within the learning environment;
 - the availability, reliability and effectiveness of needed special education and/or related services required by the IEP; and
 - outside factors related to the home and community environment or to personal health.
 - For students determined to have satisfactorily achieved all of the goals included in the IEP, consideration of whether to include the new IEP goals and objectives that more aggressively challenge developmental potential of the student.

7. **Development of the IEP** (page 3-9 of the IEP – all team members):
 - **Initial** and **Annual** – a statement of the student's strengths, parent's concerns and the student's interests and preferences;
 - **Initial** and **Annual** – consideration of special factors, and if appropriate, an indication that the special factors have been addressed in the IEP;

- **Initial and Annual** –select type of diploma to be earned, standard or adjusted;
NOTE: Adjusted Diploma option prior to May of senior year is only for Nevada Alternate Assessment (NAA) students (See NCSD Admin Reg 5674).
- **Initial and Annual** – address transition services for students between 16 and 21 years; however, services may be addressed earlier as appropriate;
- **Initial and Annual** – discuss of appropriate goals and short-term objectives prior to discussion of placement allows the IEP committee to determine the needs of the student according to all the available information without limiting the discussion to molding the student into a set program:
 - ❖ the special education teacher may suggest appropriate goals and objectives, reflecting the needs of the student as established through the assessment;
 - ❖ all participants have the opportunity to amend, delete or add information/perceptions;
 - ❖ draft goals and objectives are reviewed with the parent at the meeting.
- **Initial and Annual** – state method for reporting the student’s progress toward meeting the annual goals;
- **Initial and Annual** – list special education services (instructional or developmental areas) where specially designed instruction will be provided to the student);
- **Initial and Annual** – state supplementary aids and services provided to enable participation with non disabled students (i.e., assignments, grading, technological assistance devices, et c., to include but not be limited to IEP page “Modifications, Accommodations and Supports”) (Appendix K-4);
- **initial and annual** – state related services necessary to assist the student to benefit from special education services;
- **initial and annual** – statement of the student’s participation in State of Nevada and NCSD assessment including accommodations. Testing modifications suggest that the student will be working toward an adjusted diploma. Appendix L-1 is the IEP Accommodations Form for the Nevada Proficiency Examination Program. **Students no longer have the option to be exempt from state or district-wide testing.** For students with severe disabilities for whom assessment with accommodations is not appropriate, indicate participation in the Nevada Alternate Assessment. Specific criteria must be met by students to be eligible for participation in NAA.

| |
|---|
| For students involved in NAA, notify the Special Education Support Services for assistance. |
|---|

- **Initial and Annual** – consider the need for Extended School Year services; (SESS recommends waiting until Spring in order to avoid unnecessary paperwork)
- **Initial and Annual** – discuss appropriate placement options and make a decision made on the basis of the least restrictive environment (LRE) that would still enable an appropriate educational program to be developed in which the student will receive benefit;
- **Initial and Annual** – justify placement involving removal from regular educational environment, including reasons for the decision of a particular placement, based on student’s needs, not a restatement of the disability;

- **Review/Revision** – document all changes and reasons for the changes made in the existing IEP; complete the first and last pages (pages 1 and 9) and any necessary pages within the IEP.
8. **IEP Implementation** – Once the IEP is developed, the parent is asked to sign the “IEP Implementation” section of page 9. The parent must understand the options available at this time and should be asked to indicate agreement or disagreement with the IEP as it is written. If informal efforts to resolve disagreements are unsuccessful (see below), NCSD will implement the IEP as written after providing “Parental Prior Written Notice” of its proposal to implement the IEP. If the parent requests a due process hearing, the “stay put” provisions of current placement remain in effect.
 9. **Adjournment** – Copies of documents distributed as appropriate. The parent is **always** given a copy of the IEP and any evaluation reports. The case manager must sign on Page 9th as they have given a copy of the IEP to the parents.

Disagreement Resolution Procedures

If the IEP committee feels there is not enough information for decision making, or there is serious disagreement with the proposed program and/or placement, the IEP chairperson must reschedule the meeting and make arrangements to obtain further information. In any case of rescheduling, a summary statement of the current meeting should be written by the chairperson and signed by the participants documenting the need for additional persons and/or information to aid in IEP decision making. (IEP meeting minutes) The meeting is then rescheduled.

In the case of unresolved differences between the parent and the school, mediation and/or due process procedures may be initiated. Contact Special Education Support Services.

IEP Implementation

The IEP must be implemented as soon as possible after the IEP meeting is held. If assessments for related services are determined to be necessary at the IEP meeting, the IEP should be implemented and the assessments completed as soon as possible.

Persons Responsible for Implementing IEP

Only those professionals, who meet the certification and licensing standards of the Nevada Department of Education (NDE), or other agencies governing the licensing of professional personnel, may provide services to children. Site administrators must communicate to the NCS D Personnel Office the identity of any staff person providing special education related services who does not have appropriate credentials. Further, the Site Administrator must take all steps within his or her authority to ensure that persons with appropriate credentials are hired.

STUDENT TRANSFERS

School officials are prohibited from excluding students with disabilities from receiving an education. This requirement applies to students with disabilities or those suspected of having a disability when they are newly enrolling in a NCSD school.

Under the NAC, “no school may refuse to admit or enroll a student because of that student’s failure to

present his/her student records from a school previously attended.” In this case, the school should notify the school or school district last attended by the student and request the records be copied and sent.

When enrollment of a student is requested in a student’s assigned school and school officials have reason to believe that the student has a disability, the school must enroll the student immediately. If the school has a copy of the student’s IEP from any Nevada public school, the student must be placed in a program in the school that can most appropriately meet the student’s needs. Since Nevada has moved to a statewide IEP document, the school may choose to accept the student’s IEP with no revisions if it is appropriate. An IEP meeting may also be convened to revise the IEP, if necessary.

If the student has enrolled in a NCS D school but was previously attending school in another state, eligibility for special education in Nevada must be determined. The student must be served based upon his/her IEP from the other state, or an interim IEP must be written. Evaluation, confirmation of Nevada eligibility, and a complete IEP must all occur within 30 calendar days of the development of an interim IEP.

If the school staff believes that the student’s assigned school cannot appropriately serve the student, the Site Administrator (or designee) must contact Special Education Support Services to obtain technical assistance. **In no circumstance may school officials refuse to serve a student.**

OUT-OF-STATE OR PRIVATE SCHOOL IEP

Nye County School District is not required to implement an IEP developed in another state or in a private school. If the school decides to not implement the IEP:

- Special Education Support Services must be notified immediately; and
- the school must immediately take steps to confirm eligibility and develop an Interim IEP.

IEP REQUIRED COMPONENTS

The following is a list and explanation of selected required components.

- Procedural Safeguards: Transfer of Rights:
This process must occur at least one year prior to the student’s 18th birthday. Consequently, if the student is 16 at the time an IEP is being developed, and there is no expectation that another IEP meeting will be held prior to the student turning 17, **the rights transfer must be discussed when the student is 16**; otherwise, it will not be discussed **at least one year prior to reaching age 18.**
- Present Levels of Educational Performance: (See Appendix K-2)
 - ❖ must describe the effect of the student’s disability on progress in the general education curriculum which, to the greatest extent possible, is stated in objective/measurable terms;
 - ❖ may not be described by categorical labels (i.e., intellectual disability, deaf, etc.), but rather full, clear, effective communication of the nature and significance of stated results of the student’s most recent evaluation, other regular program tests, and any non-test-based assessment of the student’s social/emotional status, general intelligence, academic performance, functional performance, communicative status, vocational aptitude, or motor abilities;
 - ❖ all areas of need must be addressed through the annual goals. It is permissible to not provide services for a need if the IEP committee provides specific written rationale in the IEP as to why the area is not being addressed;
 - ❖ must include existence of adverse educational performance where applicable with a corresponding statement of performance levels in relevant areas of:
Cognitive – reasoning and problem-solving, memory, attention, concept formation, perceptual abilities;

Academic – math, reading, language arts, content, general work skills (i.e., organization, use of resources, etc.), or present performance in the student’s instructional curriculum, effective teaching strategies, and compensatory skills. Regarding early childhood, performance levels may include pre-academic readiness skills and developmentally appropriate cognition;

Physical – gross/fine motor skills, including a ability to participate in regular physical education or need for adaptive physical education, and adaptations needed for instruction;

Functional Performance – functional dependence/independence, success in various nonacademic roles, daily living, community functioning, etc.

Social/Emotional – interpersonal relationships (i.e., development and maintenance, behavior toward others, compliance with rules, authority, etc.) and/or personal adjustment (i.e., self-concept, attitudes, coping, etc.);

Speech/Language/Communications – oral, written, receptive, expressive, and general communication;

Prevocational Skills – work skills (i.e., general physical skills, aptitudes, specific manipulative skills, job search skills), knowledge about general career options, requirements, experience, aptitudes, interests, and resources, applied work-related behaviors (i.e., task completion, quality of work neatness, motivation/efficiency of work, ability to learn, job safety, responsibility), socially work-related behaviors (i.e., personal interaction, contacts with authority/peers, adherence to rules, respect for others), work communication skills (i.e., initiations, responses, instruction following).

DIPLOMA OPTIONS

Beginning at age 14, the IEP must document the type of diploma to be issued if the student meets the prescribed criteria.

Standard Diploma: Students shall complete all the requirements for the standard high school graduation diploma. The educational needs of these students may require specially designed instruction, environment or modifications in the format and administration of the Nevada Proficiency examinations. Accommodations that are appropriate shall be outlined in the student’s IEP.

Adjusted Diploma: Special Education students who do not take the NAA will not be offered an Adjusted Diploma until the month of May of their graduation year (senior year). This will afford students every opportunity to take courses that will assist them in receiving a Standard Diploma.

NOTE: Graduation with any diploma rather than a standard diploma does not terminate a student’s eligibility for a free appropriate public education. Students with disabilities receiving adjusted diplomas continue to be eligible for services until the completion of the school year in which they turn age 22, or until they receive a standard diploma.

(See NCSD Administration Regulation 5674 – Diploma Requirements for Students with Disabilities)

TRANSITION

Transition planning reflects an interagency partnership of school and community working with students beginning at the age of 16 years (or younger if appropriate). Transition services are a coordinated set of activities designed within an outcome-oriented process, which promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment) continuing and adult education, adult services, independent living, and/or community participation. The coordinated set of activities shall be based upon the individual student’s needs, taking into account the student’s preferences and interests, and shall include instruction, course of study, community experiences, the development of employment, other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation. Transition information is recorded on pages 4-5 of the IEP.

ANNUAL GOALS

- ❖ are measurable (stating the direction, area, level and how progress will be measured);
- ❖ describe anticipated information acquisition and/or skill mastery outcomes for each special education instructional area (including physical education) and related service being provided;
- ❖ anticipate outcomes directly related to the student's disability and the adverse effect described in the IEP present levels of educational performance;
- ❖ describe what a student can reasonably be expected to accomplish within the time-frame covered by the IEP, not to exceed a 12-month period;
- ❖ focus on ways in which the educationally-related problem resulting from the student's disability can be reduced; and
- ❖ address the needs of the individual student, not a group of students.

SHORT-TERM INSTRUCTIONAL OBJECTIVE(S) OR BENCHMARKS

- ❖ are logical intermediate steps between a student's present level of educational performance and the established annual goals and serve as milestones for measuring progress toward meeting the goals;
- ❖ describe what a student is expected to accomplish in a particular area within some specified time period and determine the extent to which the student is progressing toward those accomplishments.
- ❖ **NOTE:** details as to **materials, programs, etc., are in daily lesson plans – not the IEP.**

METHOD OF REPORTING

The IEP states how the parents will be kept informed of the student's progress toward annual goals at least as often as the parents of general education students are advised of their students' progress. See IEP Reporting Policy in Appendix M10.

SPECIAL EDUCATION SERVICES

Special education is defined as specially designed instruction to meet the unique needs of the student. In determining the necessary special education services, the IEP committee must consider the student's needs related to his/her disability. The IEP committee must review the student's most recent evaluation, completed IEP goals and objectives, and pertinent information from a variety of sources, including aptitude and achievement tests, teacher(s) recommendations, physical condition, social or cultural background, and adaptive behavior. Then, the IEP committee lists the areas where specially designed instruction will be provided to accomplish the annual goals, and specifies the beginning and ending dates, the frequency of services, and the location of services.

SUPPLEMENTARY AIDS AND SERVICES

The IEP must include aids, services, and other supports provided in regular education classes or other education-related settings to enable the student to participate with nondisabled students.

RELATED SERVICES

What is a Related Service?

Related services are defined as transportation, and such development, corrective and other supportive services (including speech pathology and audiology, psychological services, physical and

occupational therapy, recreation, including therapeutic recreation, school health services, social work services in schools, parent counseling and training, counseling services, including rehabilitation counseling, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions in children. Regarding medical services, schools must pay only for services provided by a licensed physician to determine a child's medically related disability. In short, medical services are for diagnostic and evaluation purposes only.

FREQUENCY, LOCATION AND BEGINNING/ENDING DATES OF SERVICES

For each special education service, supplementary aid and service, and related service, the frequency (number of minutes, days, time/week), location (a description of the setting), and beginning and ending dates must be noted: **Be as specific as possible** (i.e., 20 minutes, 2x/w week). **Do not provide a range of time** (i.e., "20-30 minutes") **unless essential to reflect the decision of the IEP committee, or vague terms** (i.e., when available "as needed") without more definition. School staff not required to be present at the IEP meeting may be consulted by the IEP chairperson prior to the IEP meeting to obtain recommendations.

Is a medical service a related service?

The numerous factors that determine whether a medical service will be a related service. Please contact Special Education Support Services for assistance in this area.

How do you determine the need for a related service?

Determination of NEED for Related Services: Any ONE of the following must be met to establish a need for a related service in an IEP:

- The problem area is specifically identified through the evaluation process.
- The identified problem interferes with the student's ability to profit from his special education program.
- Documented previous attempts to alleviate the problem in the educational setting have not succeeded.
- Potential for positive change or prevention of negative change appears likely.
- The goals and objectives cannot be met by a regular education teacher, special education teacher, or regular physical education teacher.

Once a need for a related service has been established, specific provisions for related services for any child with a disability shall be made by the IEP committee on the basis of the evaluation process. One of the following actions must be taken:

- Prior to the IEP meeting, the IEP Committee must consult with appropriate related service staff. If they are not required to be present at meetings, a written document regarding the nature, frequency, and amount of related services recommended for the child must be obtained.
- If a student needs a related service that is either not currently available at the local school or is not available in the amount required by the student, Special Education Support Services must be consulted.

How do you discontinue a related service?

An IEP committee may consider discontinuing a related service if one of the following conditions is present:

- The student is receiving multiple related services and the therapist, teacher, parent and IEP committee concur that the student's basic educational program is suffering due to fragmentation and that discontinuing therapy would not cause harm.
- There is documented evidence that the student has achieved the identified goals and objectives of the IEP and the service is no longer necessary to assist the student in benefiting from his special education services.
- There is documented evidence that the student has demonstrated no further progress in spite of an appropriate program and appears unlikely to do so in the foreseeable future. It may be appropriate to maintain a periodic tracking of some such students.
- There is documentation of medical contraindications.

Discontinuation of any particular IEP service is a decision to be made by the student's IEP committee and an IEP meeting.

Selected List of Related Services – The following partial list describes several types of related service. This list is not exhaustive. The provision of related services may not be based on availability of services.

- Adaptive Physical Education** – A diversified program of developmental physical activities suited to the needs, capacities, interest, and limitations of students whose needs cannot be met through a modification of the general physical education program.
- Assistive Technology** – A service or device, which is used to increase, maintain, or improve the functional capabilities of children with disabilities. Assistive technology service is any service that directly assists a child with a disability in the selection, acquisition or use of an assistive technology device. The IEP must include any specialized or adapted equipment, modifications, or specialized procedures needed for the student to benefit from special education.
- Audiology** – A service which includes: the identification of children with hearing loss; the determination of the range, nature, and degree of hearing loss including referral for medical or other professional attention for the habilitation of hearing; provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip reading), hearing assessment and speech conservation; the creation and administration of programs for the prevention of hearing loss; counseling and guidance of students, parents, and teachers regarding hearing loss; and the determination of the student's need for group and individual amplification, selecting and fitting the appropriate aid, and evaluating the effectiveness of amplification.
- Counseling Services** – Services provided by qualified school counselors, psychologists, or other qualified personnel to assist teachers, students, and parents in understanding child development as related to special needs. The need for these services should be determined by the IEP committee working with the counselor or psychologist assigned to the school.
- Occupational Therapy** – A service which includes improving and developing to restore functions impaired or lost through illness, injury, or deprivation; improving ability to perform tasks for independent functioning when functions are impaired or lost; and preventing, through early intervention, initial or further impairment or loss of function.

- ❑ **Orientation and Mobility** – Services to blind or visually impaired students by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environment within school, home, and the community.
- ❑ **Physical Therapy** – A service, which may be provided on a direct treatment and/or consultative basis, to assist students who have gross motor disabilities. The physical therapist's function in the educational setting is to prepare the student to respond appropriately to the educational program designed by the classroom teacher.
- ❑ **Psychological Services** – Services which include: administering psychological and educational tests, and other assessment procedures; obtaining, integrating and interpreting information about child behavior and conditions related to learning; consultation with other staff members in planning school programs to meet the special needs of students as indicated by psychological tests, interviews, and behavior assessments; and planning and managing a program of psychological counseling for children and parents.
- ❑ **School Health Services** – Services which are provided by a school nurse or other qualified person and includes: identification of students with health, orthopedic, and visual impairments; assessments of vision, hearing, and general health; referral for medical problems identified during the health assessment process; administration of medications; provision of specialized nursing procedures (i.e., tracheal suctioning, clean intermittent catheterization, gastrostomy tube feedings, intravenous medication therapy, etc.); counseling and guidance of students and teachers regarding health impairments and their impact on learning; consultation with staff members in planning and implementing school programs to meet the individual health needs of the students as indicated by the health assessment; administering hearing screening to students receiving itinerant speech services; and development of individual health care plans for students with chronic and acute health impairments. The IEP committee determines the need for such services, such as a health care plan.
- ❑ **Speech and Language** – Speech and Language is necessary to assist the student to benefit from his/her special education services. Eligible students may need speech and language services as a related service in order to progress toward their IEP goals
- ❑ **Transportation** – A service which includes: travel to, from, and between schools; travel in and around school buildings; and specialized equipment (i.e., special or adapted busses, lifts and ramps, climate control, etc.). The need for transportation is to be determined by the IEP committee and the appropriate forms filled out and submitted to the Transportation Office. (See Appendix P), NCS D Request for Transportation for Special Needs Students)

PARTICIPATION IN ASSESSMENTS

Group Assessment – All students of NCS are required to complete certain district and state-wide assessments to measure student achievement and competency. As part of the IEP, appropriate accommodations can be made for the administration of these assessments. Using the "IEP Accommodation Form for the Nevada Proficiency Examination Program" (Appendix Q) the team will determine individual accommodations for each student, including any testing modifications.

There are three options for district and state-wide assessments:

- no accommodation needed;
- accommodations;
- alternative assessments;

EXTENDED SCHOOL YEAR

The primary goal of Extended School Year (ESY) services is to ensure the continued provision of an appropriate education. While ESY programming is not spelled out within the content of the state or federal statutes or regulations, it has been clarified through case law. Some of these conclusions include that a school district may not limit special education services to 180 days. Additionally, the need for ESY services is based upon the individual needs of the student and must be considered for all students with disabilities.

The key to determining the need for ESY services is based upon the IEP committee's determination that these services are needed for the student to benefit from a free appropriate public education. The provision of ESY services is reviewed annually by the IEP committee.

There are no standards set forth in IDEA 2004 for determining when ESY services are needed. Regression and the speed of recoupment are factors for the IEP committee to consider while making the decision. Regression refers to the learned academic skills that are lost while a student is not in school during a break, and teachers typically begin the school year with a review of skills learned in the prior year. Regression could be considered significant if the student takes several months to relearn skills mastered the previous year and the IEP committee might base its decision for ESY services upon this history of regression during summer months.

Regression and recoupment are not the only standards upon which to base a decision of the need for ESY services. Other factors that need to be considered by the IEP committee include the severity of the student's disability; a review of the student's progress over time; a determination that the student is at a critical learning stage; any information available to the IEP committee relating to the student's behavior or physical needs; or curricular areas that are of significant concern for the individual student. A student with significant social behavioral needs could be considered by ESY services to provide continuity for the student. It is important to remember that ESY services are based upon the individual needs of the student.

The primary goal of ESY services is to ensure the continued provision of an appropriate education. ESY is for children who require the program in order to maintain current skill levels. New goals and objectives may not be added to the IEP for ESY unless they are necessary for such maintenance.

The basis for determination that a child needs ESY services must be documented in the student's file. Developing a schedule for ESY services is based upon the individual needs of the student. Because ESY services are a component of a free appropriate public education, there can be no charge for the services.

ESY is not the same as summer school, which refers to educational programming made available to students for enrichment or remedial purposes. A student with a disability who meets the criteria for a summer school program may attend that program without regard to a specific need for ESY. However, unless the student needs the regular summer school program to implement the IEP or for compensatory education purposes, the parent must pay any fees that apply to all students enrolled in the program. ESY, on the other hand, must be provided at no cost to the student's parent.

Related services shall be provided to the child during ESY when necessary to support the goals and objectives being implemented during the program.

Standard for Determining Need

A student with a disability is entitled to an ESY program when there is documentation that, because of an interruption in his or her education, the child's acquired knowledge or learned skills will regress and the student's limited recoupment ability makes it unlikely that he or she will maintain the knowledge or skill that has been specified in the short-term objectives of the IEP. Absence of evidence of past regression requires documentation to support a judgment that regression will occur in the future. In addition to the recoupment regression analysis, other factors discussed below must also be considered. In most cases, children with severe and profound disabilities have a need for ESY services. Students with less serious disabilities typically do not demonstrate a need for ESY. Also, in most cases students with disabilities attending year-round schools do not have ESY needs, but an individualized consideration of need must still be made.

The knowledge of skills must have been determined to be:

- a) Necessary for the student to attain the expected level of self-sufficiency or independence from caretakers.
- b) A prerequisite for attaining high levels of future functioning to appropriately address the deficiencies in functioning levels that have been identified by the IEP committee.

The consequence of interrupting services for a given period of time must be based on any available data or educational history of the child.

Regression is the loss of the learned skills or acquired knowledge specified in the IEP, which occurs during a break in instruction.

Limited recoupment ability is the inability to regain learned skills or acquire knowledge in a reasonable amount of time through review and reteaching.

The regression-recoupment analysis should not be the only factor used to determine the need for ESY. The following additional factors are to be considered in applying this ESY standard:

- a) the severity of the student's disability;
- b) the child's rate of progress;
- c) the child's behavioral and physical condition;
- d) areas of the student's curriculum that need continuous attention.

Process for Determining Need

Identification of relevant goals and objectives: At the annual review, the team reviews the IEP to identify goals and objectives related to the child's development of self-sufficiency and community living skills. If this is not done at the annual review, it must be done as soon as possible after the beginning of the school year so that data may be collected during the school year.

1. Examples of activities supporting self-sufficiency are:

- muscular control;
- toileting;
- feeding and eating;
- dressing, and/or
- physical mobility.

2. Examples of activities supporting community living are:
 - personal hygiene;
 - impulse control;
 - basic communication; and/or
 - stable interpersonal relationships with peers and adults.

3. Establishment of data collection tools: Prior to the IEP meeting, data collection devices suitable for a child suspected of needing ESY must be established. These may include:
 - daily monitoring;
 - behavior checklists, student self-assessments, parent assessments;
 - professional assessments, and
 - documented observation of the student.

4. Identification of data sources: Prior to the IEP meeting, data sources appropriate for a student suspected of needing ESY must be identified. These may include:
 - consecutive IEPs indicating progression of goals;
 - progress reports maintained by educators, therapists, and others having direct contact with the student before and after interruptions in the education program;
 - reports by parents of negative changes in adaptive behaviors over break period;
 - medical and other reports indicating degenerative type difficulties which become exacerbated during breaks;
 - observations of educators and others, and/or
 - results of criterion-referenced tests.

5. Collection of Data: After establishing data collection devices and identifying data sources, the teacher implements a data collection process for determining the progress for each child suspected of needing ESY. Data collected must include information about the following:
 - how often a review of previously introduced material is required;
 - whether the child demonstrates inconsistency in the mastery and/or retention of skills;
 - whether the child has reached significant or critical stages in mastery of skills related to areas of self-sufficiency; and
 - whether the child requires measurable more time on task in order for progress to take place.

6. Application of ESY Standard: Based on information from the IEP and evaluations of student performance, the amount of regression and time required for the student to re-learn knowledge and skills previously mastered is deduced.

The NCSD procedure for determining the need for ESY is as follows:

- During the annual IEP review, when completing the rationale for placement selection, the information and data outlines above should be utilized to determine whether the student requires ESY services. If there is insufficient information available at the time of the IEP meeting, the determination should be made prior to the close of the regular school term (giving the parent sufficient time to contest a decision not to provide ESY through due process). The student's IEP must document the fact that this issue will be addressed later in the school year.

- In the specialized instruction section (pg. 7) of the IEP, the IEP team should identify the specific goals to be addressed during ESY instruction, any related services required to maintain these skills, the number of hours per day and the number of additional days needed as well as the location of service delivery.

EXAMPLE:

SPECIAL EDUCATION SERVICES

| Specially Designed Instruction | Beginning & Ending Dates | Freq. of Services | Location of Services |
|---|-------------------------------------|------------------------------|-----------------------------|
| ESY to address reading, math goals | 7/1-7/30 | 12 days 2 hrs/day | ESY site |

By March 15th of each year, Special Education Support Services will request that Special Education teachers forward the names of all students who require ESY services to them. For students who have “to be determined at a later date” marked on their IEP’s, this signals the beginning of the time frame for conducting meetings to evaluate whether the student needs ESY services. **April 15th** is the deadline for making final determinations and submitting names to Special Education Support Services. Teachers who do not submit names/paperwork on time, risk having their student not be enrolled for ESY. April 15th is also the deadline for submitting ESY paperwork. For each student recommended for ESY services, the NCS D Checklist of Items Required for Extended School Year (Appendix M-1) indicates all items which must be turned in:

- ESY School Enrollment Form (Appendix M-2) is the NCS D enrollment form and must be completed on both sides, regardless of whether it has been completed previously.
- Formula for Determining Need for ESY Services (Appendix M-3) and ESY Eligibility Regression/Recoupment Data (Appendix M-4)
- Health/Developmental History Form must only be attached if the student has medical issues that will affect them at ESY. May use form previously completed unless there is new information which needs to be added. (Appendix M-5) for grades K-12, (Appendix M-6) for Early Childhood)
- Copy of Individual Education Program (IEP).
- ESY Transportation Form (Appendix M-7).
- Behavior Intervention Plan

Be sure to sign and date the checklist, have your administration/LEA sign it, then forward it to Special Education Support Services.

If the packet is complete, the director will sign it. If not, the packet will be returned to you.

PLACEMENT

What does program placement mean?

Placement in a program of special education is the result of the IEP process and must begin without delay. Program placement does not necessarily mean removal of the student from the regular classroom; in fact, the regular classroom is the place that must first be considered in determining where the program can best be delivered.

What is meant by Least Restrictive Environment?

- The least restrictive environment (LRE) mandate in IDEA 2004 requires that students with disabilities will be educated with their nondisabled peers to the maximum extent appropriate using supplementary aids and services. Removal from the general education setting MUST be justified in the IEP and must occur only when general education placement cannot meet the needs of the student.
- The IEP must identify the extent to which the child will participate in general education academic and non-academic programs, including physical education, art, music, computer, library, vocational, consumer, and homemaker education, as well as extracurricular programs (including meals, recess periods, athletics, clubs, recreational activities, health services, referrals to agencies which provide assistance to persons with disabilities and assistance provided NCSO in making outside employment available), to the maximum extent appropriate to the needs of the student.
- To comply with this requirement, participants must consider and plan for modifications of the general education program enabling a student to successfully participate. All modifications must be documented on the student's IEP. Modifications may include, but are not limited to: staffing patterns, materials, curriculum, the physical site, and equipment.
- Examination of the student's progress in the regular education setting should be done on an ongoing basis by the case manager. Should the student begin experiencing academic or behavioral difficulty (i.e., receiving unsatisfactory reports), the designated IEP committee member should contact the student's parent, meet with the student's teacher(s), meet with the student, and, if needed, the IEP committee should reconvene to make any appropriate adjustments to the student's program determined necessary by the committee.
- If it is determined that the student will not participate with nondisabled students in nonacademic activities, the IEP must clearly document how the nature or severity of the disability makes it impossible for the student to benefit from participation, even with the use of supplemental aids, services, and reasonable modifications.

Placement Considerations – A placement determination designates a particular program. Placement in the continuum of special education programs is driven by the student's IEP with careful consideration to the LRE appropriate to the student's individual needs. The proposed placement must provide the student with integrated educational opportunities to the maximum extent appropriate. Under the LRE requirement, students with disabilities are educated in the general education environment unless it can be demonstrated that education of the student with a disability in the general education environment with the use of supplementary services cannot be achieved satisfactorily. The IEP committee must review and weigh the present levels of performance, goals and objectives, and the academic/nonacademic benefits of the general education placement versus the more restrictive placement for continued appropriateness based upon the individual needs of the student. A determination that a student might make academic progress more quickly in a self-contained placement may not justify educating the child in that environment if the student would receive considerable nonacademic benefit from association with nondisabled peers. In addition, whenever the district recommends placement other than the school the student with disabilities would normally attend, proximity of the alternate setting to the student's home must be considered.

What if a student needs to have a change of placement?

Criteria for Removing a Student from General Education – The decision to move students with disabilities to a less or more restrictive placement is the responsibility of the IEP team. The IEP must include an explanation of the extent to which a student will not participate with nondisabled/students in the regular classroom. The IEP must document that the placement of a student with a disability must be in the general classroom of the public school which the student would attend if the student did not have a disability, unless the nature or severity of the disability makes it impossible for the student to achieve satisfactorily (to make substantial progress toward the attainment of the IEP goals by meeting a majority of the objectives) even with the use of supplementary aids and services. An IEP team meeting must be held to determine an appropriate program and placement. **PLACEMENT DOES NOT MEAN A SPECIFIC LOCATION.** Special Education Support Services' staff, in collaboration with their team, will determine the specific location of the program.

Non-Permissible Factors for Removal from General Education – Factors unrelated to the nature or severity of the student's disability which may not be used to remove a student from a less restrictive environment include:

- administrative/educator convenience;
- perceived attitude of regular education staff/students;
- inappropriate IEP goals or objectives;
- inappropriate evaluation criteria or procedures;
- curriculum, instructional methodology, equipment, staffing patterns, or classroom organization approaches that may be modified for the student to meet most IEP goals; and
- inability of a student to meet IEP goals/objectives due to: 1) incompatibility between the student's learning, incentive-motivational, or communication styles and the teaching style, instructional methodology, or curriculum used; 2) unavailability, unreliability (inconsistent delivery), or ineffectiveness of needed supplementary aids/services or Related Services required by the IEP; or 3) outside factors related to the home or community environment, curriculum, instructional methodology, equipment, staffing patterns, or classroom organization approaches that may be modified for the student to meet most IEP goals;

In **no event** may a student's placement be based solely on the label of the disability. **Eligibility does not determine placement.** Technical assistance is available from Special Education Support Services to expand the system's capability for serving students with disabilities in the LRE.

What is a justifiable reason for "pulling-out" a student? (See Appendix K-2)

Justification for Removal – The only justifiable reason for removing a student from the general education environment is that the student's needs cannot adequately be met in the general education classroom with supplementary aids and services. The justification statement must document why the individual student's needs cannot be met in a less restrictive setting.

With these statements for guidance, appropriate individual statements can be written which outline why, and to what extent, the student cannot be educated in the general education classroom.

Consider why the student is being offered services outside the regular education environment, not "Due to disability . . ." Relevant factors may include the following:

- **The student has been unable to receive educational (academic) benefit from placement in general education environment, for example:**

- ❖ need for specialized functional curriculum, (i.e., the student has no goals or objectives compatible with established curriculum at his age level);
 - ❖ need for specialized instruction (therapeutic, content, staff training);
 - ❖ inability to learn through independent practice/parallel instruction (need for continual assistance, prompts, modeling, verbal cues);
 - ❖ instructional goals beyond the scope of the general curriculum;
 - ❖ multiple disabilities require highly specialized teacher and individualized instructional methods, materials;
 - ❖ requires specialized physical accommodation not available at general education sites; and/or
 - ❖ the student's goals and objectives are not related to the general education course of study and would require extensive preparation and instructional time by the teacher.
- **The student has not received non-academic benefit from being in a general classroom, for example:**
 - ❖ student does not demonstrate the ability to model behavior;
 - ❖ student's social/behavioral needs have not improved in a less restrictive setting;
 - ❖ student's inappropriate behavior increases in a less restrictive setting (documented through integration activities and prior experiences).
 - **The student (or the student's needs) disrupts education in a less restrictive setting.** Disruption includes any interruption of instruction in the classroom; please consider not only behavioral factors, but presence of additional personnel, student ability to participate in ongoing classroom activities, unique needs of the student which require individualized assistance, procedures, cues, prompts, instruction, frequency of staff interventions, etc. For example:
 - ❖ the student has intense, multiple, therapeutic needs requiring many unique adaptations/modifications which would disrupt classroom routines/functioning;
 - ❖ the student's behavior is a danger to the safety of self, staff, or others;
 - ❖ the student has chaotic reactions to large groups; and/or
 - ❖ daily, routine instruction requires intensive cues, prompts, models which would disrupt instruction in a general education setting.

INTERIM IEP

A receiving school may write an Interim IEP in the case of student transfers. An Interim IEP is a temporary document specifying the special education and related services that will be provided for eligible students (based upon Nevada eligibility or upon eligibility from another state) until eligibility can be confirmed (when necessary) and a complete IEP can be developed. All procedures governing the development of an IEP, including notice to the parent, apply to the development of an Interim IEP. The Interim IEP must set out the specific conditions (i.e., pending receipt of out of district special education information, materials, or further evaluation information) and timelines for the temporary placement (i.e., **duration may not exceed 30 calendar days**). It must also briefly describe the services and placement to be provided. An IEP meeting should be convened at the end of the temporary period in order to develop the student's annual IEP. Subsequent interim IEPs may **not** be written as a way of extending the time.

Services that might be provided to a student waiting for placement include consultative, resource, or direct service by special education or support staff at the school. The goals and objectives developed in the interim IEP should be those that the student can achieve in a short period of time and can be implemented by the personnel responsible for providing the service.

The school counselor, special education teacher, or other trained staff as designated by the site administrator must complete the following information before developing an Interim IEP.

- obtain verification of prior eligibility for special education services and enrollment in a program of special education.
- obtain parent signatures on Authorization for Release of Confidential Information;
- Explain Special Education Rights of Parents and Children and provide a copy to parents.

The Case Manager conducts the Interim IEP meeting.

STUDENTS WITH LIMITED ENGLISH PROFICIENCY

For eligible students with disabilities having limited English proficiency, the IEP must indicate the language in which the student must receive special education and/or related services. All annual goals and objectives must be language appropriate. The IEP committee should also consider:

- whether the child has been assessed in his/her native language;
- whether the disability impacts the student's involvement in the general curriculum, including any bilingual or ESL program;
- what language will be used for instruction;
- what language or mode of communication will be used to address and report information to parents or family members; and,
- accommodations that may be necessary for instruction and testing.

EXITING SPECIAL EDUCATION

A student may be exited from special education in one of three ways:

- 1) Using Psych Testing and other data the eligibility team determines through a re-evaluation that the student no longer meets the eligibility criteria for special education (i.e., the student's disability no longer interferes in their education, or is no longer in need of special education services);
- 2) The student graduates with a standard diploma. A student graduating with an adjusted diploma or certificate of attendance may exit the school system, but these students remain entitled to a free appropriate public education if they chose to reenroll in NCSD; or
- 3) The student turns 22.

Parental prior written notice must be given whenever NCSD is proposing to exit a student from special education.

OTHER ITEMS

- **Graduation** – Graduation with a regular education diploma is a change in placement requiring "Parental Prior Written Notice." **NOTE:** If rights have transferred to the student at age 18, this parental prior written notice is sent to both the parent and the student. However, only the student is invited to the IEP meeting (unless the school or student chooses to invite the parent).
- **Low-Incidence Services** – If the school suspects that a student may need unique services not typically available in a local public school (e.g., out of district placement, the services of a part-time/full-time aide, etc.) Special Education Support Services must be consulted prior to the meeting. Please allow at least 10 days prior notice when the Director or Coordinator of Special Education need to attend a meeting.

NCSD SPECIAL EDUCATION CONTINUUM OF SERVICES

The Nye County School District offers a continuum of services to students eligible for special education. Services are provided at all elementary, middle and high schools. General programming is offered at all sites, while specialized programming may be offered at only certain sites.

- Early Childhood
- Autism Program
- Hearing Impaired Program
- Life Skills/Multiple Handicap

Descriptions of Service Delivery Models and specialized programming is provided in the following pages:

RESOURCE PROGRAMS

Description

A program for students grade K-12 who are eligible under any category (i.e., intellectual disability, emotionally handicapped, learning disabled...) who exhibit the need for additional intervention and support in any educational area.

This support is provided at the student's zoned school by the site-based team including general education teachers, special education teachers, administrators, paraprofessionals, and related service personnel.

A full continuum of services is provided at each school site.

A case manager involved with the implementation of the student's Individual Educational Program including collaboration and consultation with related service personnel, general educators, administrators, paraprofessionals, and the appropriate community agencies.

Individual educational supports in a variety of educational environments may include individual or small group direct instruction, modified general education curriculum, behavioral interventions, related services, and other supports as determined by the IEP team.

The student may require as little as weekly consultation to more than half of the school day removed from the general education classroom.

Curriculum

The foundation is general education curriculum.

In addition, a student may participate in social skills training, behavior modification, adapted/modified curriculum, and selected life skills training.

Placement

Entry – Eligibility for special education services and IEP development and placement recommendation.

Exit – A student may require a more restrictive environment as determined by the IEP team when all site resources have been exhausted and minimal progress has been made or the student is no longer eligible for special education services as determined by the Eligibility Team.

SPEECH-LANGUAGE SERVICES

STATEMENT OF PHILOSOPHY

The Nye County School District, Special Education Support Services, Speech and Language Department is a provider of speech and language services in a public education institute. As such, its purpose is to identify, assess and facilitate the remediation of communication disorders that hinder school success. Communication disorders which do not adversely affect a student's educational performance, such as mild developmental articulation delays, or reverse swallows, are more appropriately addressed by a real clinician, agencies, or private practitioners that are able to offer more global speech and language services.

National and state regulations and laws, in addition to recent court rulings, have influenced the roles and responsibilities of speech language pathologists in schools. Students on a speech language pathologist's caseload encompass a wide range of disabilities and diverse educational needs. Reflecting a nationwide change from a medical to an educational model, Nye County speech language pathologists utilize a variety of service delivery options to help students with communication disorders in the least restrictive educational environment. While direct intervention therapy for an individual or small group basis in the therapy room remains warranted in many cases, a direct, classroom-based model or consultative model may be deemed most appropriate.

INDIVIDUAL EDUCATIONAL PROGRAMS (IEPs)

Speech and Language Service as the Primary Disability

Speech-language pathologists are usually the case managers for students with speech and language disorders. They are responsible for coordinating annual IEP meetings with parents, regular education teachers, and the LEA representative to develop appropriate goals and objectives to meet the student's individual needs. The SLP follows the same procedures as other special education teachers that include adhering to state and federal guidelines for eligibility, notification, placement, least restrictive environment, IEPs, transition planning, etc. When speech and language intervention becomes a related service, they participate as a team member at the annual IEP review.

Other responsibilities:

- **Must** be a member of the eligibility team to determine mental handicaps, hearing impairments, autism, and traumatic brain injury.
- Participate in Multidisciplinary Teams, SIITs as the SLP deems appropriate.
- In-services/demonstrations for school staff concerning speech and language disorders.
- Parent consultations as needed.

Services Plan for Parentally-Placed Private School & Home-Schooled Students

Homeschooled / private school students that are identified in NCSD to receive limited special education services will have their services documented on Services Plan for Parentally-Placed Private School & Home-Schooled Students. See Appendix D-1

**NYE COUNTY SCHOOL DISTRICT
SPECIAL EDUCATION SUPPORT SERVICES**

**Services Plan
for Parentally-Placed Private School & Home-Schooled Students**

Student Name: _____ Date of Birth: _____ Age: _____

Guardian/Parent Name: _____ Grade: _____ School Year: _____

Address: _____ Phone: (h) _____

_____ Phone: (w) _____

Service Plan Meeting Date: _____

Team Signatures:

| NAME | POSITION | SIGNATURE |
|-------|----------|-----------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

I. DATES

A. Projected date when services and programs will begin: ____/____/____
Month Day Year

B. Anticipated duration of services and programs ____/____/____
Month Day Year

II. PRESENT LEVELS OF EDUCATIONAL PERFORMANCE

A. Summary of performance in current program:

III. GOALS AND OBJECTIVES

A. Measurable annual goal: _____

B. Short-term instructional objectives or benchmarks:

1. Objective/Benchmark:

(Only one objective/benchmark is listed here for brevity. List as many on your own form as is appropriate for each student)

IV. SPECIAL EDUCATION AND RELATED SERVICES

A. Specially designed instruction:

B. Related services:

C. Supplementary aids and services:

V. PROGRESS REPORTING

A. How progress toward the annual goals will be reported: _____

B. How frequently progress toward the annual goals will be reported: _____

VI. SERVICE DELIVERY

A. Where services will be provided: _____

Re-determination of Eligibility

The IEP Team should consider the following information when determining if a student no longer requires speech and language intervention to benefit from his educational program.

- The IEP Team determines that the student no longer meets the criteria for eligibility under the category of speech and language handicapped.
- Preschooler's speech intelligibility approximates age-appropriate levels and no longer meets the criteria for eligibility.
- The student has demonstrated to no longer profit from speech and language services.
- Intensive remedial techniques or strategies are no longer required to improve his communication skills.
- Preschoolers receiving primary speech intervention are not made available to receive services.

SCHOOL PSYCHOLOGISTS

The School Psychologists of the Nye County School District welcome you to our section of the Policy & Procedure Manual ☺ School Psychologists serve all of the schools within the NCSD. The School Psychologists' central office is located in Pahrump, within the Special Education Support Services (ESS) office area (775) 751-4015. Each School Psychologist is assigned to several schools, oftentimes over a wide geographical area. We serve students, parents, and staff members utilizing expertise in consultation, intervention, assessment, counseling, and research.

The School Psychologists in Nye County report to the Director of Special Education Support Services and work with a portion of the public education programs in the Nye County School District (including the special education preschools (ECSE), Pathways, and GED program).

General duties often include any or all of the following:

- Consultation with regular and special education teachers, administrators, and staff members
- Testing/evaluation of children's intellectual, emotional, behavioral, and/or academic functioning
- Assisting with identification of conditions such as autism, ADD/ADHD, Intellectual depression, traumatic brain injury, etc.
- Crisis counseling
- Classroom observations
- Assisting with development of behavior plans
- Preschool screening
- Teacher training
- Parent consultation & training
- Intervention Team (SIIT) membership
- Eligibility Team (ET) membership; *required* for the following special education eligibilities:
 - Autism
 - Health Impairment
 - Traumatic Brain Injury
 - Intellectual Disability
 - Emotional Disabilities
 - Specific Learning Disabilities
 - Developmental Delay
 - Multiple impairments

Special education identification/eligibility: Students are usually referred through the Student Instructional Intervention Team (SIIT) process. Once the packets of materials are completed by the Team and signed by the school administrator, they are sent to the special education office for review, and then on to the School Psychologist for that school.

Some students are referred directly through a written letter by their parents—the request is usually passed on to the SIIT for follow-up, though, although the evaluation process also may be initiated concurrently.

The School Psychologist provides the Parent Permission for Evaluation form to be signed by the child's parent(s), usually giving it to the special educator involved to be sent home to the parents (along with the Prior Written Notice letter, parental rights information, and a Family History form). The Permission form and Family History forms are to be returned to the school.

Once the *signed* permission form is received (copy to the School Psychologist), the child is added to the School Psychologist's evaluation list. The Eligibility Team has 45 school days from the time permission is signed to complete the evaluation and report back to determine possible eligibility for special education services. Concurrent evaluations also may be completed by a Speech Pathologist, OT, PT, School Nurse, and/or other specialist(s).

Once the Eligibility Team meets and establishes eligibility for a student, the IEP Team has 30 calendar days to meet and develop an IEP.

SECTION 8

SPEECH-LANGUAGE PATHOLOGISTS

We believe that each child has the capacity to learn. As speech-language pathologists, we will address each child's unique communication needs and maximize his/her learning potential in order that each child may become a confident, self-sufficient member of society. We will ensure that each child is treated with dignity and respect and is guaranteed a positive learning environment.

Services provided:

The speech-language pathologist provides direct services for students having impairments in the reception and expression of oral language. These include:

- **Phonology/Articulation** – the sound system of speech-language, and how these sounds are produced.
- **Morphology** – work forms, including the use of prefixes, suffixes, tenses, plurals, possessives, comparatives, and pronoun changes.
- **Syntax** – word order of sentence structure.
- **Semantics** – content and meaning of language.
- **Pragmatics** – appropriate use of language to a given situation.
- **Disorders of voice** – hoarseness, harshness, inappropriate pitch, hypernasality, and hyponasality.
- **Disfluency** – disorders of rhythm.
- **Hearing impairments** that affect the ability to understand and use spoken language.

Top priority is given to students with communicative **disorders** that are so severe that direct, intensive services, using a therapeutic approach is necessary to affect positive changes in the communicative behavior. These students are functioning significantly below their learning expectancy levels in oral communication skills. Speech-language pathologists also work with speech-language deviations, which may be mild to moderate in severity. **Differences** in oral language patterns may occur when spoken English is acquired as a second language. They also include cultural dialects. These variations in the production of standard American English are not perceived as disorders or deviations in speech. It is important that differences be understood and acknowledged in order that they are not identified as speech-language impairments, and so that possible communication disorders can be detected and appropriately treated. **A student who is acquiring English as a second language would be eligible for speech-language therapy services if a communication - disorder or deviation is found to be present in the student's primary language.**

Services provided by speech-language pathologists include:

- Assessment of communicative skills

- Direct therapy services, if appropriate
- Parent counseling and instruction
- Teacher consultation and staff development
- Participation on eligibility teams and IEP committees to provide assistance in determining appropriate educational programs and services
- Referrals to additional resources, when indicated.

Models of service utilized by speech-language pathologists include:

Pull-out: The student receives individual or group speech-language therapy services in a therapeutic setting outside the general education classroom. This model is most appropriate for students having articulation/phonology, voice, or fluency disorders.

Classroom-based: The student receives speech-language therapy services in the general education or special education classroom setting. Depending on the students' needs, the speech-language pathologist may provide individual assistance, provide small or large group instruction, or co-teach lessons with the classroom teacher. As a part of the classroom-based therapy model, the speech-language pathologists may provide language enrichment services to other students in the class who do not have speech-language IEPs.

Consultation: The student receives services, indirectly, through the speech-language pathologist's consultation with other educational personnel and/or parents.

SECTION A: SPEECH-LANGUAGE THERAPY SERVICES – DEPARTMENT FRAMEWORK

PREMISES OF SPEECH-LANGUAGE DEVELOPMENT

The following are basic premises of speech-language development:

- A. That linguistic skill acquisition follows a predictable developmental sequence.
- B. That most children acquire and continue to develop adequate speech and language skills through normal environmental and educational processes.
- C. That the acquisition of linguistic skills is a dynamic process, which continues throughout life.
- D. That the development of primary language skills (comprehension of auditory stimuli and verbal expression) usually precedes the development of secondary language skills (reading and writing).
- E. That rate of learning is closely associated to intellectual abilities.
- F. That speech and language delay is highly correlated with developmental delay and closely associated with many learning disabilities.

G. That expansion and refinement of speech and language behavior occur in classrooms, at home, and in the neighborhood as ongoing activities.

Note: Goals in language areas also exist in many Nye County School District state curricular documents such as Language Arts, Reading and Kindergarten.

H. That acquisition of speech and language skills is facilitated through daily exposure, practice, and reinforcement.

I. That every child has a need to develop his/her maximum potential for competency in oral communication and that school programs have a continuing responsibility to meet the needs of all students.

**NYE COUNTY SCHOOL DISTRICT
SPEECH/LANGUAGE PROCEDURES
January 23, 2006**

REFERRALS:

Maintain a file utilizing REFERRAL/SCREENING/TESTING LOG 9NC-SLP#1).

1. SPEECH EVALUATIONS AS A RELATED SERVICE:

- a. If School Psychologist is conducting an evaluation where a speech evaluation is required, school psychologist will provide a copy of the signed Parent Permission to the Speech and Language Pathologist servicing the school.
- b. The Speech and Language Pathologist will conduct the speech/language evaluation.
- c. The Speech and Language Pathologist will submit the Speech/Language Evaluation summary to the case manager.
- d. The case manager and Speech and Language Pathologist will coordinate the time and date of the ET and IEP.
- e. The case manager and Speech and Language Pathologist will coordinate to ensure the Speech and Language Pathologist has a copy of the completed IEP. This ensures the monthly caseload reports will match.

2. SPEECH ONLY EVALUATIONS

- a. When a teacher has or receives from a parent, a concern about speech, it will be forwarded to the school instructional intervention team (SIIT).
- b. The SIIT will submit the referral to the speech/language pathologist (SLP) serving that building. The classroom teacher may complete the Speech/Language Therapy Referral Form.
- c. The Speech and Language Pathologist may observe the student in a small group setting in the classroom to determine if a speech evaluation is appropriate at this time or if the speech behavior is developmental and should be re-referred at a later date.
- d. If the student does not require an evaluation at this time, due to developmental behaviors, a "Speech Observation Results" (8-A) is completed and returned to the teacher to be placed in the student's cum file.
- e. After going to the SIIT team, and based on SIIT recommendations, the Speech and Language Pathologist will contact the parent to have the

Permission for Evaluation signed (8-B) and will provide the Special Education Rights of Parents and Children to parents.

- f. When the signed Permission for Evaluation is returned to the Speech and Language Pathologist, the Speech and Language Pathologist will proceed with the evaluation within 45 school calendar days.
- g. The Speech and Language Pathologist will conduct the ET and IEP. The speech/language pathologist is the case manager for speech ONLY students. A brown legal sized file folder will be maintained for each speech only student. The resource teacher is the case manager for other students who receive speech as a related service, including all other eligibilities including hearing impaired, health impaired, and autism, etc.
- h. The Speech and Language Pathologist will maintain daily therapy notations direct/consult on each student receiving speech therapy. The Speech Aides will notate the therapy that they have provided (NC-SLP#4).

DETERMINING ELIGIBILITY:

1. Administer appropriate tests depending on type of communication disorder. Refer to NAC 338.335, evaluation procedures.
2. Eligibility for speech/language services will be followed according to NAC 388.370. Qualifying for speech therapy is determined by above as well as exhibiting two standard deviations below the norm in one area, or one standard deviation below the norm in two areas of need. (Example: Phonology is one area, expressive language is one area, receptive language is one area, voice is one area, oral motor is one area etc. etc. etc.) One subtest of an assessment tool is NOT an area.
3. According to NAC 388.410, "Academic achievement and speech and language development is generally consistent with his cognitive abilities and adaptive behavior". A language expectance level will be utilized for students based on professional judgment to determine speech therapy services. The Speech and Language Pathologist will compare language ability level with overall cognitive ability.
4. Determining Dismissal/Exit from Speech:
 - a. Speech as a Related Service – notify parent, make note in file, provide present levels of performance to case manager. This includes a re-evaluation of present levels of need.
 - b. Speech only – Notify parent, make note in file, conduct re-assessment, prepare cover page, present levels and justification (signature) page.
5. Extended School Year

- a. Based on therapy progress and severity of need, the Speech and Language Pathologist will provide to IEP teams who will determine eligibility for ESY using Nye County School District Checklist of items required for Extended School Year (Appendix M-1)

ADA COUNT/ACCOUNTABILITY:

1. Complete monthly caseload report and submit it to Office of Special Education via email (attention Special Education Coordinator).

SPEECH ONLY BROWN FILE FOLDERS:

The following pages in the speech only files (legal sized brown), will contain the named forms and reports:

| | |
|--------|--|
| Page 1 | Record of Access |
| Page 2 | Chronological events, Notification of meetings |
| Page 3 | Initial Placement, Eligibility Statements, Permission for Evaluation, Intervention Team Report |
| Page 4 | Evaluation reports |
| Page 5 | IEP |
| Page 6 | Manifestation Determination Review |

Therapy Notations – Other documents not included elsewhere in file
Manila envelope with protocols from all assessment on student labeled
“Achievement Assessment Protocols” with student’s name

**NYE COUNTY SCHOOL DISTRICT
SUPPLIES AND EQUIPMENT
STANDARDS OFFICE**

Standards lists are developed and provided as a guide to schools. Items listed are considered essential to maintain a minimum support level for instruction programs or each meets a critical need to remedy a condition which affects the health and/or safety of pupils.

EQUIPMENT STANDARDS

1. Locked file cabinet to store materials, tests, and confidential folders
2. Age-appropriate table and chairs for students
3. Mirror
4. Teacher desk and chair
5. Bookcase



Nye County School District

Office of the County Superintendent

P.O. Box 113
Tonopah, Nevada 89049
Phone 775-482-6258
Fax 775-482-8573

BOARD OF TRUSTEES

Dennis Keating – President
Harold Tokerud – Vice President
Tracie Ward – Clerk
Polly Church
Mike Floyd
Edna Forsgren

Dr. William E. “Rob” Roberts
Superintendent

Southern Administration Office

484 S. West Street
Pahrump, Nevada 89048
Phone 775-727-7743
Fax 775-727-7768

Sam Simatos
Director of Special
Education Support Services

MEMORANDUM

DATE: May 24, 2007

TO: Site Administrators
Special Education Teachers
Speech Pathologists

CC: Dr. William E. “Rob” Roberts, Superintendent
Jerry C. Hill, Assistant Superintendent for Student Achievement

FROM: Sam Simatos, Director of Special Education Support Services

SUBJECT: Assistive Technology Requests – Section 9
Special Education Policy & Procedural Manual

Effective immediately the following procedures will be in effect for requests for Assistive Technology.

- The attached form (Wisconsin Assistive Technology Initiative Student Information Guide) will be completed and forwarded to my office for any Assistive Technology requests.
- If during an IEP Team meeting it is determined Assistive Technology assistance is required,
 - the case manager will complete the Wisconsin AT form and forward to my office
 - indicate in the chronological events section of the student’s confidential folder – AT request sent to SESS. DO NOT INDICATE ON THE IEP OR IN THE IEP AN “AT EVALUATION”
- The SESS office will assign an AT member to review the form, determine and formulate AT members to observe the student and respond to the AT request.
- The AT member who reviewed the AT request will provide a written report to the case manager and a carbon copy to the SESS office.

Wisconsin Assistive Technology Initiative Student Information Guide

The following questions are intended as a guide, providing the users with specific information and ideas on pertinent areas to consider in gathering information about the student as part of an assessment of a student's need for assistive technology. This guide may be used with more formal tests or as a way to summarize information already gained from formal testing, file reviews, interviews, and other information sources.

Student's name: _____ BD: _____ Age: _____ ID# _____

School: _____ Grade: _____ School Contact Person: _____

School phone: _____ Persons completing guide: _____

Parents name: _____ Address: _____ Phone: _____

Disability: (Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Speech/Language | <input type="checkbox"/> Other Health Impairment | <input type="checkbox"/> Hearing Impairment |
| <input type="checkbox"/> Cognitive Disability | <input type="checkbox"/> Autism | <input type="checkbox"/> Vision Impairment |
| <input type="checkbox"/> Traumatic Brain Injury | <input type="checkbox"/> Learning Disability | <input type="checkbox"/> Emotional Disturbance |
| <input type="checkbox"/> Orthopedic Impairment, Type: _____ | | |

Current Placement:

- | | | |
|--|--|--|
| <input type="checkbox"/> Birth-3 | <input type="checkbox"/> Early Childhood | <input type="checkbox"/> Elementary |
| <input type="checkbox"/> Middle School | <input type="checkbox"/> Secondary | <input type="checkbox"/> Transition to post Second |

Classroom Setting:

- | | | |
|--|--|---|
| <input type="checkbox"/> Regular Ed. Classroom | <input type="checkbox"/> Resource Room | <input type="checkbox"/> Self Contained |
|--|--|---|

Current Related Services Received:

- | | | |
|---|---|---------------------------------------|
| <input type="checkbox"/> Occupational Therapy | <input type="checkbox"/> Physical Therapy | <input type="checkbox"/> Other: _____ |
|---|---|---------------------------------------|

Medical considerations: (Check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> History of seizures | <input type="checkbox"/> On medication for seizure control |
| <input type="checkbox"/> Has degenerative medical condition | <input type="checkbox"/> Has frequent pain |
| <input type="checkbox"/> Has multiple health problems | <input type="checkbox"/> Has frequent upper respiratory infections |
| <input type="checkbox"/> Has frequent ear infections | <input type="checkbox"/> Has digestive problems |
| <input type="checkbox"/> Fatigues easily | <input type="checkbox"/> Currently taking medication for: _____ |
| <input type="checkbox"/> Other: describe briefly: _____ | |

Assistive Technology Currently Used: (Check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Manual Communication Board | <input type="checkbox"/> Augmentative Communication Device <i>wi</i> voice |
| <input type="checkbox"/> Computer, type (platform): _____ | |
| <input type="checkbox"/> Low Tech Vision Aids | <input type="checkbox"/> Computer with Screen Enlargement |
| <input type="checkbox"/> Computer with Voice Output | <input type="checkbox"/> Computer with Braille Output |
| <input type="checkbox"/> Computer with Word Prediction | <input type="checkbox"/> Amplification systems |
| <input type="checkbox"/> Manual wheelchair | <input type="checkbox"/> Power wheelchair |
| <input type="checkbox"/> Environmental Control Unit | <input type="checkbox"/> Writing aids |
| <input type="checkbox"/> Other: _____ | |

The purpose of an assistive technology assessment is to match the capabilities and needs of an individual to the characteristics of an assistive technology device or service. Identification of appropriate technology interventions can be achieved through the implementation of a logical, systematic decision-making approach guided by certain fundamental principles.

*Technology itself is not the goal . . .
the individual's participation in their
chosen activities is the goal*

Assistive Technology (AT) Principles

- * Assistive technology is a process not a product.
- * Assistive technology is a team process.
- * Assistive technology is a system of devices and services.
- * Assistive technology requires new skills.
- * Assistive technology is a step towards independence.

Steps of the AT Assessment Process

1. Identify the Individual's Tasks to be Accomplished
2. Gather Background Information
3. Match the Individual With Equipment Features
4. Equipment Considerations
5. Establish Trial Use of Equipment
6. Reconsider Options
7. Develop Training Plans
8. Identify Funding Sources
9. Define Follow-up Activities

1. Identify the Individual's Tasks to be Accomplished

The first step of the assistive technology process is to identify the task an individual wants or needs to do that is impeded by a disability. Consider the activities the person wants to be involved in throughout their environments, at home, at work, at school, and in the community.

Activities may fall within the areas of:

- * Communication
- * Mobility
- * Independent Living
- * Education
- * Employment
- * Recreation

"You can't get the right answer if you're asking the wrong question."

2. Gather Background Information (At this point fill out a NCSD Assistive Technology Intervention Form complete with signatures and submit to SESS.)

To gain an understanding of an individual, pertinent background information must be gathered from the individual, family members, and professionals. Information is needed about their functional abilities, personal characteristics, assistive technology experiences, and environments.

Functional Abilities

- * Disability: type, severity, onset, prognosis
- * Motor: strength, endurance, fine and gross, positioning
- * Cognition: intelligence, problem solving, memory
- * Communication: voice quality, speed, pronunciation
- * Sensory: vision, hearing, tactile, perception
- * Education: academic strengths and interests, math, reading, writing
- * Vocational: employment history, interests, aptitude

Personal Characteristics

- * Desire for and concept of independence
- * Interests and activities
- * Coping style
- * Motivation and desire
- * Attitude toward the use of devices

“None of us is as smart as all of us.”
Ken Blanchard

Assistive Technology Experiences

- * Training received
- * Types of equipment
- * Services accessed

Individual’s Environment

- * Compatibility in the home, at work, school, play, community
- * Impact on family members, co-workers, others
- * Availability of training and support services

3. Match Individual With Equipment Features

Upon identification of the tasks the individual wishes to accomplish and review of the pertinent background information, it is time to match the individual with the appropriate equipment features. At this point it is important to have someone with expertise in the area of assistive technology to explain the variety of options. To insure the most effective and satisfying equipment selection and to reduce the potential of equipment abandonment the following questions should be asked:

- * Does the solution have the capabilities to accomplish the identified tasks?
- * Does the solution fit the individual’s functional abilities?
- * Does the solution fit the individual’s personal characteristics?
- * Does the solution fit the individual’s environment?
- * Is the solution as simple as possible?
- * Does the solution consider integration of all assistive technology devices used by the individual?

4. Equipment Considerations

When the equipment features have been identified the next step is to examine potential devices. In addition to the features, the following characteristics should be considered:\

- * Performance: effectiveness, reliability, durability, safety, comfort
- * Ease of Use: set-up, learn to use, operation, maintain, repair
- * Aesthetics: attractive, quiet, well-designed, size
- * Convenient: to use in environments, transport, easy to store
- * Cost: purchase, maintenance, repairs
- * Service: training, installation, follow-up, availability
- * Flexibility: compatible with other devices, expandable
- * Personal acceptance

5. Establish Trial Use of Equipment

It is critical for an individual to have an opportunity to try one or more pieces of equipment before purchasing. Coordinating support services during the trial use is necessary for a successful experience. Trial use requires personnel trained in the use of each device to assist the individual.

This enables the trial use to fairly reflect the equipment and the individual's skills. The length of time for the trial use varies according to the complexity of the device. Regardless of the length of time of the trial period, establishing criteria for the trial is important to ensure that the device:

- * has the capabilities to accomplish the identified tasks
- * fits the individual's functional abilities
- * fits the individual's personal characteristics
- * fits the individual's environment
- * is as simple as possible
- * it is compatible with other assistive technology devices used by the individual

6. Reconsider Options

As a result of the trial use of equipment, necessary adjustments or modifications may have been identified.

“Be wary of overacting to mistakes. The freedom to risk mistakes is critical to quality improvements.”

Maybe the selected equipment didn't meet the needs as expected or the individual did not accept the device. Therefore, it may be necessary to revisit step 3 “Match the Individual With Equipment Features.” To reconsider at this step is good use of time and resources which potentially reduces costs by eliminating purchases which do not meet the individual's needs.

7. Develop Training Plans

Planning for training to support the device use and implementation is an important step in the assistive technology assessment process. Access to professionals trained in assistive technology is not always available. Therefore, professional training may need to be a part of training plans. Training plans should identify:

- * personnel with expertise to support device use and implementation,
- * training budget,
- * training for the individual, family members, support personnel,
- * responsibilities and time-lines.

8. Identify Funding Source/s

There are a variety of funding sources available to provide for equipment trial use and to purchase devices. Identifying who will coordinate funding activities and establishing time lines will be critical for successful and timely assistive technology funding. Sources to investigate include:

- * Short term equipment loan libraries
- * Rental programs from manufacturers
- * Used equipment sources
- * Third party payers (education, vocational rehabilitation, Medicare, Medicaid, private insurance)
- * Assistive technology alternative financial loan programs
- * Charitable and fraternal organizations

“Success is a journey not a destination.”

9. Define Follow-up Activities

Assistive technology is an ongoing process requiring systematic examination of device use and implementation. Examination is necessary to assure meeting the changing needs of the individual and the evolution of technology. Questions to consider in follow up include:

- * Who will coordinate the short and long term follow-up needs, i.e., training, device modification, maintenance, reassessment?
- * How will follow-up be facilitated, i.e., written communication, phone contacts, meetings?
- * What is the time-line for follow-up, i.e., weekly, monthly, annually?

Assistive Technology Assessment Providers

It is important to have qualified person(s) who specialize in evaluation for and training of assistive technology involved in the assessment process. The following questions are recommended to ask of the assistive technology service provider:

- * What type of experience do you have working with assistive technology?
- * In what areas of assistive technology do you conduct assessments and for what ages?
- * What type of training do you have in these areas?
- * Are devices available for use during the actual assessment?

- * Does your assessment include site visits to the individual's environment?
- * If a device is recommended as a result of your assessment, do you provide assistance in obtaining funding?
- * If the device you recommend is purchased, do you provide training or assist with developing a training plan?

CONCLUSION

Utilizing a comprehensive assistive technology assessment process results in successful matches of individuals and assistive technology. The appropriate technology solutions provide opportunities for people with disabilities to:

- * Increase independence at home
- * Maximize employment options
- * Increase access to general education
 - * Increase socialization
 - * Expand recreational options

“Even though the distance between you and your goal is great,
it is never too far to the next step.”

Appendices



CONFIDENTIAL FOLDER LOCATION

School: _____ School Year: _____ to _____

Program: _____ Teacher: _____

Please provide the following information to the office of Special Education Support Services

Location of confidential files that you are responsible for case-managing (i.e., Room 200, in teacher’s desk drawer, front office):

Location of confidential files (if it is different from the above location) when the school is closed for scheduled breaks:

The name of the individual(s) at the school site who will have access to the key for your locked files when you are not available for an extended period of time (i.e., school breaks):

We appreciate your cooperation in this matter. Confidential folders of students that move out of the Nye County School District are to be sent directly to the office of Special Education Support Services. Information will be forwarded to school districts outside of Nye County upon written authorization from the parent or guardian of the student.

PLEASE RETURN TO OFFICE OF SPECIAL EDUCATION SUPPORT SERVICES



**NYE COUNTY SCHOOL DISTRICT
SPECIAL EDUCATION SUPPORT SERVICES
ACCESS TO CONFIDENTIAL RECORDS
SPECIAL EDUCATION RECORDS**



-
-
- Superintendent: Dale Norton
 - Associate Superintendents: Dennis Scherz & E.V. Visser
 - Director of Special Education Support Services: Sam Simatos
 - Special Education Coordinator: Joe Gent
 - Executive Secretary to Director of Special Education: Shanda Hammar
 - Site Administrator(s): _____
 - Student's Special Education Teacher(s): _____
 - Student's General Education Teacher(s): _____
 - School Psychologists:

| | |
|---|-------------------------------------|
| <input type="checkbox"/> Joanne Appelhans | <input type="checkbox"/> |
| <input type="checkbox"/> Liz Geyer | <input type="checkbox"/> Gene Zalar |
| <input type="checkbox"/> Lisa Stockman | <input type="checkbox"/> |
 - Speech Pathologists:

| | |
|---|---|
| <input type="checkbox"/> Roxanne Bruce | <input type="checkbox"/> |
| <input type="checkbox"/> Laurie Gascoigne | <input type="checkbox"/> |
| <input type="checkbox"/> Lana Bitz | <input type="checkbox"/> Jazmine Morrow |
| <input type="checkbox"/> | <input type="checkbox"/> Diane Johnston |
 - Student's Related Services Provider(s): Occ. Therapist- Louise Gibson
Physical Therapist- 8Uj]b'7\ f]ghYbgYb
 - Confidential Site Secretary: _____
 - Counselor(s): _____

Educational Record Access Log

School Name: _____ Student ID #: _____
 Students Name: _____ Student Date of Birth: _____

The school will maintain an Educational Record Access Log recording each request for access to and each disclosure of personally identifiable information from the education records of the student. The Educational Record Access Log will be maintained as long as the student's records are maintained by the school and will include for each request or disclosure the parties who have requested or received access, and their legitimate interest in the information. Exceptions to the above include school officials, teachers, and teacher's assistants employed by the district having a legitimate educational interest, to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, or State and local education authorities.

| Party Requesting Access | | Affiliation of Party | | Date of Access | Legitimate Interest of the Party |
|-------------------------|--|----------------------|--|----------------|----------------------------------|
| Name (print) | | Position | | | |
| Signature | | Agency | | | |
| Name (print) | | Position | | | |
| Signature | | Agency | | | |
| Name (print) | | Position | | | |
| Signature | | Agency | | | |
| Name (print) | | Position | | | |
| Signature | | Agency | | | |
| Name (print) | | Position | | | |
| Signature | | Agency | | | |
| Name (print) | | Position | | | |
| Signature | | Agency | | | |
| Name (print) | | Position | | | |
| Signature | | Agency | | | |
| Name (print) | | Position | | | |
| Signature | | Agency | | | |

Nye County School District
 Transfer of Special Education Confidential File
 Documentation Record Form
 (Instructions for form use below)

Student Name: _____ DOB: _____ Grade: _____

| | |
|---|---|
| <p>SENDING CASE MANAGER: _____</p> <p>SENDING SCHOOL: _____</p> <p>Check each item to verify you are <u>sending</u> a complete file:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Prior Written Notice for Initial Evaluation <input type="checkbox"/> Prior Written Notice for Permission To Test <input type="checkbox"/> Permission To Test for current Eligibility <input type="checkbox"/> Prior Written Notice for most current Eligibility Meeting <input type="checkbox"/> Current Eligibility Statement <input type="checkbox"/> Initial Placement <input type="checkbox"/> Current Psychoeducational Evaluation Report (incl. cover page) <input type="checkbox"/> Any current related service reports applicable to student (speech, OT,PT) <input type="checkbox"/> Current Prior Written Notice for current IEP Meeting <input type="checkbox"/> Current IEP | <p>RECEIVING CASE MANAGER: _____</p> <p>RECEIVING SCHOOL: _____</p> <p>Check each item to verify you are <u>receiving</u> a complete file:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Prior Written Notice for Initial Evaluation <input type="checkbox"/> Prior Written Notice for Permission To Test <input type="checkbox"/> Permission To Test for current Eligibility <input type="checkbox"/> Prior Written Notice for most current Eligibility Meeting <input type="checkbox"/> Current Eligibility Statement <input type="checkbox"/> Initial Placement <input type="checkbox"/> Current Psychoeducational Evaluation Report (incl. cover page) <input type="checkbox"/> Any current related service reports applicable to student (speech, OT,PT) <input type="checkbox"/> Current Prior Written Notice for current IEP Meeting <input type="checkbox"/> Current IEP |
| <p>Case Manager Signature _____ Date _____</p> | <p>Case Manager Signature _____ Date _____</p> |
| <p>Site Administrator Signature _____ Date _____</p> | <p>Site Administrator Signature _____ Date _____</p> |

- Sending School: Send copy of form to SESS and attach original to file then send form/file to receiving school
- Receiving School: Keep copy of completed form and send original to SESS

SPECIAL EDUCATION RIGHTS OF PARENTS AND CHILDREN

If your child is not currently receiving special education services, you have been given this brochure either because you asked that your child receive special education services or because we believe that special education services may be necessary. Our common objective is to assure that your child receives the free appropriate public education program ("FAPE") he or she needs, if any. To realize this objective, we want to evaluate ("test") your child to identify and document whether your child has any disabilities and, if so, to determine whether and which special education programming and services are required. These tests will utilize materials and procedures selected specifically for your child and will not include basic tests or procedures used routinely for all students within a class, grade, or school. This evaluation will be conducted strictly according to the requirements of Federal and State law. Following the evaluation, we will provide you with the complete results and invite you to participate in an eligibility team meeting to determine whether your child is eligible for special education and related services. If your child is eligible, we will ask you to help us develop an individualized educational program ("IEP") and identify supportive services tailored to your child's needs. You may ask others to be present at the IEP meeting if you wish.

If your child is already receiving special education services, this brochure is being provided because we are required to do so at least once each year, because for the first time this school year you have requested a due process hearing or a State complaint investigation, because we are proposing a disciplinary change of placement, or because you have requested a copy.

This process anticipates your active participation and cooperation. *No one has the opportunity to know your child better than you.* The law also provides methods to help you assure that your input is considered. In addition, the law establishes means for you to object to our proposals or refusals and to have an impartial person resolve any disputes. This extensive and complex bundle of rights, conferred by Federal and State special education laws, generally are called the "procedural safeguards." The purpose of this brochure is to give you an overview of these rights. A more complete explanation is available from your local school district or the Nevada Department of Education.

WHERE TO GET MORE HELP

Your local school district is the first stop for additional help and information. You should speak with your child's teacher or school principal, your local school district director of special education, or your school district superintendent. You can also contact:

Nevada Department of Education
Office of Special Education, Elementary and Secondary Education, and
School Improvement Programs
700 East Fifth Street, Suite 113
Carson City, Nevada 89701-5096
(775) 687-9171, Relay Nevada: 1-800-326-6888 or
Toll Free: 1-800-992-0900, Ext. 9171

Nye County School District Special Education Support Services
900 E. Jack Rabbit Suite 2
Pahrump, NV 89048
775-751-4015

This document is available electronically at:
http://www.doe.nv.gov/SpecialEducation_Resources.htm

PRIOR WRITTEN NOTICE

Notice

Your school district¹ must give you written notice (provide you certain information in writing), whenever it:

1. Proposes to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of a free appropriate public education (FAPE) to your child; **or**
2. Refuses to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of FAPE to your child.

Content of notice

The written notice must:

1. Describe the action that your school district proposes or refuses to take;
2. Explain why your school district is proposing or refusing to take the action;
3. Describe each evaluation procedure, assessment, record, or report your school district used in deciding to propose or refuse the action;
4. Include a statement that you have protections under the procedural safeguards provisions in Part B of the Individuals with Disabilities Education Act (IDEA);
5. Tell you how you can obtain a description of the procedural safeguards (a copy of this document) if the action that your school district is proposing or refusing is not an initial referral for evaluation;
6. Include resources for you to contact for help in understanding Part B of the IDEA;
7. Describe any other choices that your child's individualized educational program (IEP) committee considered and the reasons why those choices were rejected; **and**
8. Provide a description of other reasons why your school district proposed or refused the action.

Notice in understandable language

The notice must be:

1. Written in language understandable to the general public; **and**
2. Provided in your native language or other mode of communication you use, unless it is clearly not feasible to do so.

If your native language or other mode of communication is not a written language, your school district must ensure that:

1. The notice is translated for you orally or by other means in your native language or other mode of communication;
2. You understand the content of the notice; **and**
3. There is written evidence that 1 and 2 have been met.

NATIVE LANGUAGE

Native language, when used with an individual who has limited English proficiency, means the following:

1. The language normally used by that person, or, in the case of a child, the language normally used by the child's parents;
2. In all direct contact with a child (including evaluation of the child), the language normally used by the child in the home or learning environment.

For a person with deafness or blindness, or for a person with no written language, the mode of communication is what the person normally uses (such as sign language, Braille, or oral communication).

ELECTRONIC MAIL

If your school district offers parents the choice of receiving documents by e-mail, you may choose to receive the following by e-mail:

1. Prior written notice;
2. Procedural safeguards notice; **and**
3. Notices related to a due process complaint.

¹ Throughout this document the term "school district" is used although the provisions apply to other public agencies responsible for providing a free appropriate public education to your child.

PARENTAL CONSENT

Consent

Consent means:

1. You have been fully informed in your native language or other mode of communication (such as sign language, Braille, or oral communication) of all information about the action for which you are giving consent;
2. You understand and agree in writing to that action, and the consent describes that action and lists the records (if any) that will be released and to whom; **and**
3. You understand that the consent is voluntary on your part and you may withdraw your consent at anytime.

Your withdrawal of consent does not negate (undo) an action that has occurred after you gave your consent and before you withdrew it. If you revoke consent in writing for your child's receipt of special education services after your child is initially provided special education and related services, the school district is not required to amend your child's education records to remove any references to the your child's receipt of special education and related services because of the revocation of consent.

Consent for initial evaluation

Your school district cannot conduct an initial evaluation of your child to determine whether your child is eligible under Part B of the IDEA to receive special education and related services without first providing you with prior written notice of the proposed action and without obtaining your consent as described under the heading ***PARENTAL CONSENT***. Your school district must make reasonable efforts to obtain your informed consent for an initial evaluation to decide whether your child is a child with a disability. Your consent for initial evaluation does not mean that you have also given your consent for the school district to start providing special education and related services to your child.

If your child is enrolled in public school or you are seeking to enroll your child in a public school and you have refused to provide consent or failed to respond to a request to provide consent for an initial evaluation, your school district may, but is not required to, seek to conduct an initial evaluation of your child by utilizing the IDEA's mediation, due process complaint, resolution meeting, or impartial due process hearing procedures. Your school district will not violate its obligations to locate, identify, and evaluate your child if it does not pursue an evaluation of your child in these circumstances.

Special rules for initial evaluation of wards of the State

If a child is a ward of the State and is not living with his/her parent, the school district does not need consent from the parent for an initial evaluation to determine if the child is a child with a disability if:

1. Despite reasonable efforts to do so, the school district cannot find the child's parent;
2. The rights of the parents have been terminated in accordance with State law; **or**
3. A judge has assigned the right to make educational decisions and to consent for an initial evaluation to an individual other than the parent.

Ward of the State, as used in the IDEA, means a child who, as determined by the State where the child lives, is:

1. A foster child;
2. Considered a ward of the State under State law; **or**
3. In the custody of a public child welfare agency.

Ward of the State does not include a foster child who has a foster parent.

Parental consent for services

Your school district must obtain your informed consent before providing special education and related services to your child for the first time. The school district must make reasonable efforts to obtain your informed consent before providing special education and related services to your child for the first time. If you do not respond to a request to provide your consent for your child to receive special education and related services for the first time, or if you refuse to give such consent, your school district:

1. May not use the procedural safeguards (i.e., mediation, due process complaint, resolution meeting, or an impartial due process hearing) in order to obtain agreement or a ruling that the special education and related services may be provided to your child without your consent.
2. Is not in violation of the requirement to make a free appropriate public education (FAPE) available to your child for its failure to provide those services to your child; **and**
3. Is not required to have an individualized educational program (IEP) meeting or develop an IEP for your child.

If, at any time after your child receives special education and related services for the first time, you revoke consent in writing for the continued provision of special education and related services, your school district:

1. May not continue to provide special education and related services to your child, but must provide prior written notice before ceasing the services;
2. May not use the procedural safeguards (i.e., mediation, due process complaint, resolution meeting, or an impartial due process hearing) in order to obtain agreement or a ruling that the special education and related services may be provided to your child without your consent;
3. Is not in violation of the requirement to make FAPE available to your child for its failure to provide further services to your child; **and**
4. Is not required to have an IEP meeting or develop an IEP for further provision of special education services.

Parental consent for reevaluations

Your school district must obtain your informed consent before it reevaluates your child, unless your school district can demonstrate that:

1. It took reasonable steps to obtain your consent for your child's reevaluation; **and**
2. You did not respond.

If you refuse to consent to your child's reevaluation, the school district may, but is not required to, pursue your child's reevaluation by using the mediation, due process complaint, resolution meeting, or impartial due process hearing procedures to seek to override your refusal to consent to your child's reevaluation. As with initial evaluations, your school district does not violate its obligations under Part B of the IDEA if it declines to pursue the reevaluation in this manner.

Documentation of reasonable efforts to obtain parental consent

Your school must maintain documentation of reasonable efforts to obtain parental consent for initial evaluations, to provide special education and related services for the first time, to reevaluate, and to locate parents of wards of the State for initial evaluations. The documentation must include a record of the school district's attempts in these areas, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parent and any responses received; **and**
3. Detailed records of visits made to the parent's home or place of employment and the results of those visits.

Other consent requirements

Your consent is not required before your school district may:

1. Review existing data as part of your child's evaluation or a reevaluation; **or**
2. Give your child a test or other evaluation that is given to all children unless, before that test or evaluation, consent is required from all parents of all children.

Your school district may not use your refusal to consent to one service or activity to deny you or your child any other service, benefit, or activity.

If you have enrolled your child in a private school at your own expense or if you are home schooling your child, and you do not provide your consent for your child's initial evaluation or your child's reevaluation, or you fail to respond to a request to provide your consent, the school district may not use its consent override procedures (i.e., mediation, due process complaint, resolution meeting, or an impartial due process hearing) and is not required to consider your child as eligible to receive equitable services (services made available to parentally-placed private school children with disabilities).

INDEPENDENT EDUCATIONAL EVALUATIONS

General

As described below, you have the right to obtain an independent educational evaluation (IEE) of your child if you disagree with the evaluation of your child that was obtained by your school district. If you request an independent educational evaluation, the school district must provide you with information about where you may obtain an independent educational evaluation and about the school district's criteria that apply to independent educational evaluations.

Definitions

Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the education of your child. *Public expense* means that the school district either pays for the full cost of the

evaluation or ensures that the evaluation is otherwise provided at no cost to you, consistent with the provisions of Part B of the IDEA, which allow each State to use whatever State, local, Federal and private sources of support are available in the State to meet the requirements of Part B of the Act.

Parent right to evaluation at public expense

You have the right to an independent educational evaluation of your child at public expense if you disagree with an evaluation of your child obtained by your school district, subject to the following conditions:

1. If you request an independent educational evaluation of your child at public expense, your school district must, without unnecessary delay, **either**: (a) file a due process complaint to request a hearing to show that its evaluation of your child is appropriate; **or** (b) provide an independent educational evaluation at public expense, unless the school district demonstrates in a hearing that the evaluation of your child that you obtained did not meet the school district's criteria.
2. If your school district requests a hearing and the final decision is that your school district's evaluation of your child is appropriate, you still have the right to an independent educational evaluation, but not at public expense.
3. If you request an independent educational evaluation of your child, the school district may ask why you object to the evaluation of your child obtained by your school district. However, your school district may not require an explanation and may not unreasonably delay either providing the independent educational evaluation of your child at public expense or filing a due process complaint to request a due process hearing to defend the school district's evaluation of your child.

You are entitled to only one independent educational evaluation of your child at public expense each time your school district conducts an evaluation of your child with which you disagree.

Parent-initiated evaluations

If you obtain an independent educational evaluation of your child at public expense or you share with the school district an evaluation of your child that you obtained at private expense:

1. Your school district must consider the results of the evaluation of your child, if it meets the school district's criteria for independent educational evaluations, in any decision made with respect to the provision of a free appropriate public education (FAPE) to your child; **and**
2. You or your school district may present the evaluation as evidence at a due process hearing regarding your child.

Requests for evaluations by hearing officers

If a hearing officer requests an independent educational evaluation of your child as part of a due process hearing, the cost of the evaluation must be at public expense.

School district criteria

If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the school district uses when it initiates an evaluation (to the extent those criteria are consistent with your right to an independent educational evaluation). Except for the criteria described above, a school district may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.

CONFIDENTIALITY OF INFORMATION

Definitions

As used under the heading ***CONFIDENTIALITY OF INFORMATION***:

- *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
- *Education records* means the type of records covered under the definition of "education records" in 34 C.F.R. Part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA)).
- *Participating agency* means any school district, agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA.

Personally identifiable

Personally identifiable means information that has:

- (a) Your child's name, your name as the parent, or the name of another family member;
- (b) Your child's address;

- (c) A personal identifier, such as your child's social security number or student number; **or**
- (d) A list of personal characteristics or other information that would make it possible to identify your child with reasonable certainty.

Notice to parents

The Nevada Department of Education must give notice that is adequate to fully inform parents about confidentiality of personally identifiable information, including:

1. A description of the extent to which the notice is given in the native languages of the various population groups in the State;
2. A description of the children on whom personally identifiable information is maintained, the types of information sought, the methods the State intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;
3. A summary of the policies and procedures that participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; **and**
4. A description of all of the rights of parents and children regarding this information, including the rights under FERPA and its implementing regulations in 34 CFR Part 99.

Before any major identification, location, or evaluation activity (also known as "child find"), the notice must be published or announced in newspapers or other media, or both, with circulation adequate to notify parents throughout the State of the activity to locate, identify, and evaluate children in need of special education and related services.

Access rights

The school district² must permit you to inspect and review any education records relating to your child that are collected, maintained, or used by your school district under Part B of the IDEA. The school district must comply with your request to inspect and review any education records on your child without unnecessary delay and before any meeting regarding an individualized educational program (IEP), or any impartial due process hearing (including a resolution meeting or a hearing regarding discipline), and in no case more than 45 calendar days after you have made a request. Your right to inspect and review education records includes:

1. Your right to a response from the school district to your reasonable requests for explanations and interpretations of the records;
2. Your right to request that the school district provide copies of the records if you cannot effectively inspect and review the records unless you receive those copies; **and**
3. Your right to have your representative inspect and review the records.

The school district may presume that you have authority to inspect and review records relating to your child unless advised that you do not have the authority under applicable State law governing such matters as guardianship, or separation and divorce.

Record of access

Each school district must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA (except access by parents and authorized employees of the school district), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

Records on more than one child

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

List of types and locations of information

On request, each school district must provide you with a list of the types and locations of education records collected, maintained, or used by the school district.

Fees

Each school district may charge a fee for copies of records that are made for you under Part B of the IDEA, if the fee does not effectively prevent you from exercising your right to inspect and review those records. A school district may not charge a fee to search for or to retrieve information under Part B of the IDEA.

² The Federal IDEA regulations use the term "*participating agency*" to mean any school district, agency or institution that collects, maintains, or uses personally identifiable information or from which information is obtained, under Part B of the IDEA. Because this document focuses on the parent's involvement with the local school district, "school district" is used in this section rather than the broader term, "*participating agency*."

Amendment of records at parent's request

If you believe that information in the education records regarding your child collected, maintained, or used under Part B of the IDEA is inaccurate, misleading, or violates the privacy or other rights of your child, you may request the school district that maintains the information to change the information. The school district must decide whether to change the information in accordance with your request within a reasonable period of time of receipt of your request. If the school district refuses to change the information in accordance with your request, it must inform you of the refusal and advise you of the right to a hearing for this purpose as described under the heading **Opportunity for a hearing**.

Opportunity for a hearing

The school district must, on request, provide you an opportunity for a hearing to challenge information in education records regarding your child to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child.

Hearing procedures

A hearing to challenge information in education records must be conducted according to the procedures for such hearings under FERPA.

Result of hearing

If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it must change the information accordingly and inform you in writing. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child, it must inform you of your right to place in the records that it maintains on your child a statement commenting on the information or providing any reasons why you disagree with the decision of the school district. Such an explanation placed in the records of your child must:

1. Be maintained by the school district as part of the records of your child as long as the record or contested portion is maintained by the school district; **and**
2. If the school district discloses the records of your child or the challenged portion to any party, the explanation must also be disclosed to that party.

Consent for disclosure of personally identifiable information

Unless the information is contained in education records, and the disclosure is authorized without parental consent under FERPA, your consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies. Except under the circumstances specified below, your consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of Part B of the IDEA. Your consent, or consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services. If your child is in, or is going to go to, a private school that is not located in the same school district you reside in, your consent must be obtained before any personally identifiable information about your child is released between officials in the school district where the private school is located and officials in the school district where you reside.

Safeguards

Each school district must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at each school district must assume responsibility for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information must receive training or instruction regarding Nevada's policies and procedures regarding confidentiality under Part B of the IDEA and FERPA. Each school district must maintain, for public inspection, a current listing of the names and positions of those employees within the district who may have access to personally identifiable information.

Destruction of information

Your school district must inform you when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child. The information must be destroyed at your request. However, a permanent record of your child's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

STATE COMPLAINT PROCEDURES

DIFFERENCE BETWEEN DUE PROCESS HEARING COMPLAINT AND STATE COMPLAINT PROCEDURES

The regulations for Part B of IDEA set forth separate procedures for State complaints and for due process complaints and hearings. As explained below, any individual or organization may file a State complaint alleging a violation of any Part B requirement by a school district, the Nevada Department of Education, or any other public agency. Only you or a school district may file a due process complaint on any matter relating to a proposal or a refusal to initiate or change the identification, evaluation, or educational placement of a child with a disability, or the provision of a free appropriate public education (FAPE) to the child. While the Nevada Department of Education generally must resolve a State complaint within a 60-calendar-day timeline, unless the timeline is properly extended, an impartial due process hearing officer must hear a due process complaint (if not resolved through a resolution meeting or through mediation) and issue a written decision within 45 calendar days after the end of the resolution period, as described in this document under the heading **RESOLUTION PROCESS**, unless the hearing officer grants a specific extension of the timeline at your request or the school district's request. The State complaint and due process complaint, resolution, and hearing procedures are described more fully below.

ADOPTION OF STATE COMPLAINT PROCEDURES

General

The Nevada Department of Education must have written procedures for:

1. Resolving any complaint, including a complaint filed by an organization or individual from another State;
2. The filing of a complaint with the Nevada Department of Education; **and**
3. Widely disseminating the State complaint procedures to parents and other interested individuals, including parent training and information centers, protection and advocacy agencies, independent living centers, and other appropriate entities.

Remedies for denial of appropriate services

In resolving a State complaint in which the Nevada Department of Education has found a failure to provide appropriate services, the Nevada Department of Education must address:

1. The failure to provide appropriate services, including corrective action appropriate to address the needs of the child; **and**
2. Appropriate future provision of services for all children with disabilities.

MINIMUM STATE COMPLAINT PROCEDURES

Time limit; minimum procedures

The Nevada Department of Education must include in its State complaint procedures a time limit of 60 calendar days after a complaint is filed to:

1. Carry out an independent on-site investigation, if the Nevada Department of Education determines that an investigation is necessary;
2. Give the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint;
3. Provide the school district with the opportunity to respond to the complaint, including, at a minimum: (a) at the option of the school district, a proposal to resolve the complaint; **and** (b) an opportunity for a parent who has filed a complaint and the school district to agree voluntarily to engage in mediation;
4. Review all relevant information and make an independent determination as to whether the school district is violating a requirement of Part B of the IDEA; **and**
5. Issue a written decision to the complainant that addresses each allegation in the complaint and contains: (a) findings of fact and conclusions; **and** (b) the reasons for the Nevada Department of Education's final decision.

Time extension; final decision; implementation

The Nevada Department of Education's procedures described above also must:

1. Permit an extension of the 60-calendar-day time limit only if: (a) exceptional circumstances exist with respect to a particular State complaint; **or** (b) the parent and the school district or other public agency involved voluntarily agree to extend the time to resolve the matter through mediation or alternative means of dispute resolution.
2. Include procedures for effective implementation of the Nevada Department of Education's final decision, if needed, including: (a) technical assistance activities; (b) negotiations; **and** (c) corrective actions to achieve compliance.

State complaints and due process hearings

If a written State complaint is received that is also the subject of a due process hearing as described below under the heading **FILING A DUE PROCESS COMPLAINT**, or the State complaint contains multiple issues of which one or more are part of such a hearing,

the Nevada Department of Education must set aside the State complaint, or any part of the State complaint that is being addressed in the due process hearing until the hearing is over. Any issue in the State complaint that is not a part of the due process hearing must be resolved using the time limit and procedures described above. If an issue raised in a State complaint has previously been decided in a due process hearing involving the same parties (you and the school district), then the due process hearing decision is binding on that issue and the Nevada Department of Education must inform the complainant that the decision is binding. A complaint alleging a school district's failure to implement a due process hearing decision must be resolved by the Nevada Department of Education.

FILING A COMPLAINT

An organization or individual may file a signed written State complaint under the procedures described above. The State complaint must include:

1. A statement that a school district has violated a requirement of Part B of the IDEA or its regulations;
2. The facts on which the statement is based;
3. The signature and contact information for the complainant; and
4. If alleging violations regarding a specific child:
 - (a) The name of the child and address of the residence of the child;
 - (b) The name of the school the child is attending;
 - (c) In the case of a homeless child or youth, available contact information for the child, and the name of the school the child is attending;
 - (d) A description of the nature of the problem of the child, including facts relating to the problem; **and**
 - (e) A proposed resolution of the problem to the extent known and available to the party filing the complaint at the time the complaint is filed.

The complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received as described under the heading **ADOPTION OF STATE COMPLAINT PROCEDURES**. The party filing the State complaint must forward a copy of the complaint to the school district serving the child at the same time the party files the complaint with the Nevada Department of Education.

MEDIATION

General

The school district must make mediation available to allow you and the school district to resolve disagreements involving any matter under Part B of the IDEA, including matters arising prior to the filing of a due process complaint. Thus, mediation is available to resolve disputes under Part B of the IDEA, whether or not you have filed a due process complaint to request a due process hearing as described under the heading **FILING A DUE PROCESS COMPLAINT**.

Requirements

The procedures must ensure that the mediation process:

1. Is voluntary on your part and the school district's part;
2. Is not used to deny or delay your right to a due process hearing, or to deny any other rights you have under Part B of the IDEA; **and**
3. Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

The school district may develop procedures that offer parents and schools that choose not to use the mediation process, an opportunity to meet, at a time and location convenient to you, with a disinterested party:

1. Who is under contract with an appropriate alternative dispute resolution entity, or a parent training and information center, or community parent resource center in the State; **and**
2. Who would explain the benefits and encourage the use of the mediation process to you.

The Nevada Department of Education must have a list of people who are qualified mediators and know the laws and regulations relating to the provision of special education and related services. The Nevada Department of Education must select mediators on a random, rotational, or other impartial basis. The Nevada Department of Education is responsible for the cost of the mediation process, including the costs of meetings. Each meeting in the mediation process must be scheduled in a timely manner and held at a place that is convenient for you and the school district. If you and the school district resolve a dispute through the mediation process, both parties must enter into a legally binding agreement that sets forth the resolution and that:

1. States that all discussions that happened during the mediation process will remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding; **and**

2. Is signed by both you and a representative of the school district who has the authority to bind the school district.

A written, signed mediation agreement is enforceable in any State court of competent jurisdiction (a court that has the authority under State law to hear this type of case) or in a district court of the United States. Discussions that happened during the mediation process must be confidential. They cannot be used as evidence in any future due process hearing or civil proceeding of any Federal court or State court in Nevada.

Impartiality of mediator

The mediator:

1. May not be an employee of the Nevada Department of Education or the school district that is involved in the education or care of your child; **and**
2. Must not have a personal or professional interest which conflicts with the mediator's objectivity.

A person who otherwise qualifies as a mediator is not an employee of a school district or the Nevada Department of Education solely because he or she is paid by the Nevada Department of Education or school district to serve as a mediator.

DUE PROCESS COMPLAINT PROCEDURES

FILING A DUE PROCESS COMPLAINT

General

You or the school district may file a due process complaint on any matter relating to a proposal or a refusal to initiate or change the identification, evaluation, or educational placement of your child, or the provision of a free appropriate public education (FAPE) to your child. The due process complaint must allege a violation that happened not more than two years before you or the school district knew or should have known about the alleged action that forms the basis of the due process complaint. The above timeline does not apply to you if you could not file a due process complaint within the timeline because:

1. The school district specifically misrepresented that it had resolved the issues identified in the complaint; **or**
2. The school district withheld information from you that it was required to provide you under Part B of the IDEA.

Information for parents

The school district must inform you of any free or low-cost legal and other relevant services available in the area if you request the information, **or** if you or the school district file a due process complaint.

DUE PROCESS COMPLAINT

General

In order to request a hearing, you or the school district (or your attorney or the school district's attorney) must submit a due process complaint to the other party. The complaint must contain all of the content listed below and must be kept confidential. You or the school district, whichever one filed the complaint, must also provide the Nevada Department of Education with a copy of the complaint.

Content of the complaint

The due process complaint must include:

1. The name of the child;
2. The address of the child's residence;
3. The name of the child's school;
4. If the child is a homeless child or youth, the child's contact information and the name of the child's school;
5. A description of the nature of the problem of the child relating to the proposed or refused action, including facts relating to the problem; **and**
6. A proposed resolution of the problem to the extent known and available to you or the school district at the time.

Notice required before a hearing on a due process complaint

You or the school district may not have a due process hearing until you or the school district (or your attorney or the school district's attorney), files a due process complaint that includes the information listed above.

Sufficiency of complaint

In order for a due process complaint to go forward, it must be considered sufficient. The due process complaint will be considered sufficient (to have met the content requirements above) unless the party receiving the due process complaint (you or the school

district) notifies the hearing officer and the other party in writing, within 15 calendar days of receiving the complaint, that the receiving party believes that the due process complaint does not meet the requirements listed above. Within five calendar days of receiving notification that the receiving party (you or the school district) considers a due process complaint insufficient, the hearing officer must decide if the due process complaint meets the requirements listed above, and notify you and the school district in writing immediately.

Complaint amendment

You or the school district may make changes to the complaint only if:

1. The other party approves of the changes in writing and is given the chance to resolve the due process complaint through a resolution meeting, described below; **or**
2. By no later than five days before the due process hearing begins, the hearing officer grants permission for the changes.

If the complaining party (you or the school district) makes changes to the due process complaint, the timelines for the resolution meeting (within 15 calendar days of receiving the complaint) and the time period for resolution (within 30 calendar days of receiving the complaint) start again on the date the amended complaint is filed.

School district response to a due process complaint

If the school district has not sent a prior written notice to you, as described under the heading **PRIOR WRITTEN NOTICE**, regarding the subject matter contained in your due process complaint, the school district must, within 10 calendar days of receiving the due process complaint, send to you a response that includes:

1. An explanation of why the school district proposed or refused to take the action raised in the due process complaint;
2. A description of other options that your child's individualized educational program (IEP) committee considered and the reasons why those options were rejected;
3. A description of each evaluation procedure, assessment, record, or report the school district used as the basis for the proposed or refused action; **and**
4. A description of the other factors that are relevant to the school district's proposed or refused action.

Providing the information in items 1-4 above does not prevent the school district from asserting that your due process complaint was insufficient.

Other party response to a due process complaint

Except as stated under the sub-heading immediately above, **School district response to a due process complaint**, the party receiving a due process complaint must, within 10 calendar days of receiving the complaint, send the other party a response that specifically addresses the issues in the complaint.

MODEL FORMS

The Nevada Department of Education must develop model forms to help you file a due process complaint and a State complaint. However, the Nevada Department of Education or the school district may not require you to use these model forms. In fact, you can use this form or another appropriate model form, so long as it contains the required information for filing a due process complaint or a State complaint.

RESOLUTION PROCESS

Resolution meeting

Within 15 calendar days of receiving notice of your due process complaint, and before the due process hearing begins, the school district must convene a meeting with you and the relevant member or members of the individualized educational program (IEP) committee who have specific knowledge of the facts identified in your due process complaint. The meeting:

1. Must include a representative of the school district who has decision-making authority on behalf of the school district; **and**
2. May not include an attorney of the school district unless you are accompanied by an attorney.

You and the school district determine the relevant members of the IEP committee to attend the meeting.

The purpose of the meeting is for you to discuss your due process complaint, and the facts that form the basis of the complaint, so that the school district has the opportunity to resolve the dispute.

The resolution meeting is not necessary if:

1. You and the school district agree in writing to waive the meeting; **or**

2. You and the school district agree to use the mediation process, as described under the heading **MEDIATION**.

Resolution period

If the school district has not resolved the due process complaint to your satisfaction within 30 calendar days of the receipt of the due process complaint (during the time period for the resolution process), the due process hearing may occur. The 45-calendar-day timeline for issuing a final decision begins at the expiration of the 30-calendar-day resolution period, with certain exceptions for adjustments made to the 30-calendar-day resolution period, as described below. Except where you and the school district have both agreed to waive the resolution process or to use mediation, your failure to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until you agree to participate in a meeting. If after making reasonable efforts and documenting such efforts, the school district is not able to obtain your participation in the resolution meeting, the school district may, at the end of the 30-calendar-day resolution period, request that a hearing officer dismiss your due process complaint. Documentation of such efforts must include a record of the school district's attempts to arrange a mutually agreed upon time and place, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to you and any responses received; and
3. Detailed records of visits made to your home or place of employment and the results of those visits.

If the school district fails to hold the resolution meeting within 15 calendar days of receiving notice of your due process complaint **or** fails to participate in the resolution meeting, you may ask a hearing officer to order that the 45-calendar-day due process hearing timeline begin.

Adjustments to the 30-calendar-day resolution period

If you and the school district agree in writing to waive the resolution meeting, then the 45-calendar-day timeline for the due process hearing starts the next day. After the start of mediation or the resolution meeting and before the end of the 30-calendar-day resolution period, if you and the school district agree in writing that no agreement is possible, then the 45-calendar-day timeline for the due process hearing starts the next day. If you and the school district agree to use the mediation process, at the end of the 30-calendar-day resolution period, both parties can agree in writing to continue the mediation until an agreement is reached. However, if either you or the school district withdraws from the mediation process, then the 45-calendar-day timeline for the due process hearing starts the next day.

Written settlement agreement

If a resolution to the dispute is reached at the resolution meeting, you and the school district must enter into a legally binding agreement that is:

1. Signed by you and a representative of the school district who has the authority to bind the school district; **and**
2. Enforceable in any State court of competent jurisdiction (a State court that has authority to hear this type of case) or in a district court of the United States.

Agreement review period

If you and the school district enter into an agreement as a result of a resolution meeting, either party (you or the school district) may void the agreement within three business days of the time that both you and the school district signed the agreement.

HEARINGS ON DUE PROCESS COMPLAINTS

IMPARTIAL DUE PROCESS HEARING

General

Whenever a due process complaint is filed, you or the school district involved in the dispute must have an opportunity for an impartial due process hearing convened by the school district, as described in the **DUE PROCESS COMPLAINT** and **RESOLUTION PROCESS** sections above.

Impartial hearing officer

At a minimum, a hearing officer:

1. Must not be an employee of the Nevada Department of Education or the school district that is involved in the education or care of the child. However, a person is not an employee of the Nevada Department of Education solely because he/she is paid by the Nevada Department of Education to serve as a hearing officer;
2. Must not have a personal or professional interest that conflicts with the hearing officer's objectivity in the hearing;
3. Must be knowledgeable and understand the provisions of the IDEA, and Federal and State regulations pertaining to the IDEA, and legal interpretations of the IDEA by Federal and State courts; **and**

4. Must have the knowledge and ability to conduct hearings, and to make and write decisions, consistent with appropriate, standard legal practice.

The Nevada Department of Education keeps a list of those persons who serve as hearing officers that includes a statement of the qualifications of each hearing officer.

Subject matter of due process hearing

The party (you or the school district) that requests the due process hearing may not raise issues at the due process hearing that were not addressed in the due process complaint, unless the other party agrees.

Timeline for requesting a hearing

You or the school district must request an impartial hearing on a due process complaint within two years of the date you or the school district knew or should have known about the issue addressed in the complaint.

Exceptions to the timeline

The above timeline does not apply to you if you could not file a due process complaint because:

1. The school district specifically misrepresented that it had resolved the problem or issue that you are raising in your complaint; **or**
2. The school district withheld information from you that it was required to provide to you under Part B of the IDEA.

HEARING RIGHTS

General

Any party to a due process hearing (including a hearing relating to disciplinary procedures) or an appeal, as described under the sub-heading **Appeal of decisions; impartial review** has the right to:

1. Be represented by counsel;
2. Be accompanied and advised by persons with special knowledge or training regarding the problems of children with disabilities;
3. Present evidence and confront, cross-examine, and require the attendance of witnesses;
4. Prohibit the introduction of any evidence at the hearing that has not been disclosed to the other party at least five business days before the hearing;
5. Obtain a written, or, at your option, electronic, word-for-word record of the hearing; **and**
6. Obtain written, or, at your option, electronic findings of fact and decisions.

Additional disclosure of information

At least five business days prior to a due process hearing, you and the school district must disclose to each other all evaluations completed by that date and recommendations based on those evaluations that you or the school district intend to use at the hearing. A hearing officer may prevent any party that fails to comply with this requirement from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

Parental rights at hearings

You must be given the right to:

1. Have your child present;
2. Open the hearing to the public; **and**
3. Have the record of the hearing, the findings of fact and decisions provided to you at no cost.

HEARING DECISIONS

Decision of hearing officer

A hearing officer's decision on whether your child received a free appropriate public education (FAPE) must be based on substantive grounds. In matters alleging a procedural violation, a hearing officer may find that your child did not receive FAPE only if the procedural inadequacies:

1. Interfered with your child's right to a free appropriate public education (FAPE);
2. Significantly interfered with your opportunity to participate in the decision-making process regarding the provision of a free appropriate public education (FAPE) to your child; **or**
3. Caused a deprivation of an educational benefit.

None of the provisions described above can be interpreted to prevent a hearing officer from ordering a school district to comply with the requirements in the procedural safeguards section of the Federal regulations under Part B of the IDEA (34 CFR §§300.500 through 300.536).

None of the provisions under the headings: **FILING A DUE PROCESS COMPLAINT; DUE PROCESS COMPLAINT; MODEL FORMS; RESOLUTION PROCESS; IMPARTIAL DUE PROCESS HEARING; HEARING RIGHTS; and HEARING DECISIONS** (34 CFR §§300.507 through 300.513) can affect your right to file an appeal of the due process hearing decision with the Nevada Department of Education.

Separate request for a due process hearing

Nothing in the procedural safeguards section of the Federal regulations under Part B of the IDEA (34 CFR §§300.500 through 300.536) can be interpreted to prevent you from filing a separate due process complaint on an issue separate from a due process complaint already filed.

Findings and decision to advisory panel and general public

The Nevada Department of Education after deleting any personally identifiable information, must:

1. Provide the findings and decisions in the due process hearing or appeal to the State special education advisory panel; **and**
2. Make those findings and decisions available to the public.

APPEALS

FINALITY OF DECISION; APPEAL; IMPARTIAL REVIEW

Finality of hearing decision

A decision made in a due process hearing (including a hearing relating to disciplinary procedures) is final, except that any party involved in the hearing (you or the school district) may appeal the decision to the Nevada Department of Education.

Appeal of decisions; impartial review

If a party (you or the school district) is aggrieved by the findings and decision in the hearing, an appeal may be brought to the Nevada Department of Education. A party may appeal the decision of a hearing officer within 30 days after receiving the decision. A party to the hearing may file a cross appeal within 10 days after the party receives notice of the initial appeal.

If there is an appeal, the Superintendent of the Nevada Department of Education will appoint a state review officer who will conduct an impartial review of the findings and decision appealed. The state review officer conducting the review must:

1. Examine the entire hearing record;
2. Ensure that the procedures at the hearing were consistent with the requirements of due process;
3. Seek additional evidence if necessary. If a hearing is held to receive additional evidence, the hearing rights described above under the heading **HEARING RIGHTS** apply;
4. Give the parties an opportunity for oral or written argument, or both, at the discretion of the reviewing official;
5. Make an independent decision on completion of the review; **and**
6. Give you and the school district a copy of the written, or, at your option, electronic findings of fact and decisions.

Findings and decision to advisory panel and general public

The Nevada Department of Education, after deleting any personally identifiable information, must:

1. Provide the findings and decisions of the appeal to the State special education advisory panel; **and**
2. Make those findings and decisions available to the public.

Finality of review decision

The decision made by the state review officer is final unless you or the school district brings a civil action, as described below.

TIMELINES AND CONVENIENCE OF HEARINGS AND REVIEWS

The school district must ensure that not later than 45 calendar days after the expiration of the 30-calendar-day period for resolution meetings **or**, as described under the sub-heading **Adjustments to the 30-calendar-day resolution period**, not later than 45 calendar days after the expiration of the adjusted time period:

1. A final decision is reached in the hearing; **and**
2. A copy of the decision is mailed to you and the school district.

The Nevada Department of Education must ensure that not later than 30 calendar days after the receipt of a request for a review:

1. A final decision is reached in the review; **and**
2. A copy of the decision is mailed to you and the school district.

A hearing or reviewing officer may grant specific extensions of time beyond the periods described above (45 calendar days for a hearing decision and 30 calendar days for a review decision) if you or the school district makes a request for a specific extension of the timeline. Each hearing and review involving oral arguments must be conducted at a time and place that is reasonably convenient to you and your child.

CIVIL ACTIONS, INCLUDING THE TIME PERIOD IN WHICH TO FILE THOSE ACTIONS

General

Any party (you or the school district) who does not agree with the findings and decision in the State-level review has the right to bring a civil action with respect to the matter that was the subject of the due process hearing (including a hearing relating to disciplinary procedures). The action may be brought in a State court of competent jurisdiction (a State court that has authority to hear this type of case) or in a district court of the United States without regard to the amount in dispute.

Time limitation

The party (you or the school district) bringing the action shall have 90 calendar days from receipt of the decision of the State review officer to file a civil action.

Additional procedures

In any civil action, the court:

1. Receives the records of the administrative proceedings;
2. Hears additional evidence at your request or at the school district's request; **and**
3. Bases its decision on the preponderance of the evidence and grants the relief that the court determines to be appropriate.

Jurisdiction of district courts

The district courts of the United States have authority to rule on actions brought under Part B of the IDEA without regard to the amount in dispute.

Rule of construction

Nothing in Part B of the IDEA restricts or limits the rights, procedures, and remedies available under the U.S. Constitution, the Americans with Disabilities Act of 1990, Title V of the Rehabilitation Act of 1973 (Section 504), or other Federal laws protecting the rights of children with disabilities, except that before the filing of a civil action under these laws seeking relief that is also available under Part B of the IDEA, the due process procedures described above must be exhausted to the same extent as would be required if the party filed the action under Part B of the IDEA. This means that you may have remedies available under other laws that overlap with those available under the IDEA, but in general, to obtain relief under those other laws, you must first use the available administrative remedies under the IDEA (i.e., the due process complaint, resolution meeting, and impartial due process hearing procedures) before going directly into court.

THE CHILD'S PLACEMENT WHILE THE DUE PROCESS COMPLAINT AND HEARING ARE PENDING

Except as provided below under the heading ***PROCEDURES WHEN DISCIPLINING CHILDREN WITH DISABILITIES***, once a due process complaint is sent to the other party, during the resolution process time period, and while waiting for the decision of any impartial due process hearing or court proceeding, unless you and the school district agree otherwise, your child must remain in his or her current educational placement. If the due process complaint involves an application for initial admission to public school, your child, with your consent, must be placed in the regular public school program until the completion of all such proceedings. If the due process complaint involves an application for initial services under Part B of the IDEA for a child who is transitioning from being served under Part C of the IDEA to Part B of the IDEA and who is no longer eligible for Part C services because the child has turned three, the school district is not required to provide the Part C services that the child has been receiving. If the child is found eligible under Part B of the IDEA and you consent for the child to receive special education and related services for the first time, then, pending the outcome of the proceedings, the school district must provide those special education and related services that are not in dispute (those which you and the school district both agree upon).

ATTORNEYS' FEES

General

In any action or proceeding brought under Part B of the IDEA, if you prevail, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to you. In any action or proceeding brought under Part B of the IDEA, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to a prevailing school district, to be paid by your attorney, if the attorney: (a) filed a complaint or court case that the court finds is frivolous, unreasonable, or without foundation; **or** (b) continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation.

In any action or proceeding brought under Part B of the IDEA, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to a prevailing school district, to be paid by you or your attorney, if your request for a due process hearing or later court case was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to unnecessarily increase the cost of the action or proceeding.

Award of fees

A court awards reasonable attorneys' fees as follows:

1. Fees must be based on rates prevailing in the community in which the action or hearing arose for the kind and quality of services furnished. No bonus or multiplier may be used in calculating the fees awarded.
2. Fees may not be awarded and related costs may not be reimbursed in any action or proceeding under Part B of the IDEA for services performed after a written offer of settlement to you if:
 - a. The offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedure or, in the case of a due process hearing or State-level review, at any time more than 10 calendar days before the proceeding begins;
 - b. The offer is not accepted within 10 calendar days; **and**
 - c. The court or administrative hearing officer finds that the relief finally obtained by you is not more favorable to you than the offer of settlement.

Despite these restrictions, an award of attorneys' fees and related costs may be made to you if you prevail and you were substantially justified in rejecting the settlement offer.

3. Fees may not be awarded relating to any meeting of the individualized educational program (IEP) committee unless the meeting is held as a result of an administrative proceeding or court action. Fees also may not be awarded for a mediation as described under the heading **MEDIATION**.

A resolution meeting, as described under the heading **Resolution meeting**, is not considered a meeting convened as a result of an administrative hearing or court action, and also is not considered an administrative hearing or court action for purposes of these attorneys' fees provisions.

The court reduces, as appropriate, the amount of the attorneys' fees awarded under Part B of the IDEA, if the court finds that:

1. You, or your attorney, during the course of the action or proceeding, unreasonably delayed the final resolution of the dispute;
2. The amount of the attorneys' fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably similar skill, reputation, and experience;
3. The time spent and legal services furnished were excessive considering the nature of the action or proceeding; **or**
4. The attorney representing you did not provide to the school district the appropriate information in the due process request notice as described under the heading **DUE PROCESS COMPLAINT**. However, the court may not reduce fees if the court finds that the school district unreasonably delayed the final resolution of the action or proceeding or there was a violation under the procedural safeguards provisions of Part B of the IDEA.

PROCEDURES WHEN DISCIPLINING CHILDREN WITH DISABILITIES

AUTHORITY OF SCHOOL PERSONNEL

Case-by-case determination

School personnel may consider any unique circumstances on a case-by-case basis, when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.

General

To the extent that they also take such action for children without disabilities, school personnel may, for not more than **10 school days** in a row, remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate

interim alternative educational setting (which must be determined by the child's individualized educational program (IEP) committee), another setting, or suspension. School personnel may also impose additional removals of the child of not more than **10 school days** in a row in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see **CHANGE OF PLACEMENT BECAUSE OF DISCIPLINARY REMOVALS** for the definition, below). Once a child with a disability has been removed from his or her current placement for a total of **10 school days** in the same school year, the school district must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading **Services**.

Additional authority

If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see **Manifestation determination**, below) and the disciplinary change of placement would exceed **10 school days** in a row, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under **Services**. The child's IEP committee determines the interim alternative educational setting for such services.

Services

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided in an interim alternative educational setting. A school district is only required to provide services to a child with a disability who has been removed from his or her current placement for **10 school days or less** in that school year, if it provides services to a child without disabilities who has been similarly removed. A child with a disability who is removed from the child's current placement for **more than 10 school days** must:

1. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; **and**
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for **10 school days** in that same school year, and **if** the current removal is for **10 school days** in a row or less **and** if the removal is not a change of placement (see definition below), **then** school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP. If the removal is a change of placement (see definition below), the child's IEP committee determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

Manifestation determination

Within **10 school days** of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that is for **10 school days** in a row or less and not a change of placement), the school district, the parent, and relevant members of the IEP committee (as determined by the parent and the school district) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; **or**
2. If the conduct in question was the direct result of the school district's failure to implement the child's IEP.

If the school district, the parent, and relevant members of the child's IEP committee determine that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability. If the school district, the parent, and relevant members of the child's IEP committee determine that the conduct in question was the direct result of the school district's failure to implement the IEP, the school district must take immediate action to remedy those deficiencies.

Determination that behavior was a manifestation of the child's disability

If the school district, the parent, and relevant members of the IEP committee determine that the conduct was a manifestation of the child's disability, the IEP committee must either:

1. Conduct a functional behavioral assessment, unless the school district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; **or**
2. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading **Special circumstances**, the school district must return the child to the placement from which the child was removed, unless the parent and the district agree to a change of placement as part of the modification of the behavioral intervention plan.

Special circumstances

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP committee) for up to 45 school days, if the child:

1. Carries a weapon (see the definition below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the school district;
2. Knowingly has or uses illegal drugs (see the definition below), or sells or solicits the sale of a controlled substance (see the definition below), while at school, on school premises, or at a school function under the jurisdiction of the school district; **or**
3. Has inflicted serious bodily injury (see the definition below) upon another person while at school, on school premises, or at a school function under the jurisdiction of the school district.

Definitions

Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)). *Illegal drug* means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law. *Serious bodily injury* has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code. *Weapon* has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

Notification

On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of a code of student conduct, the school district must notify the parents of that decision, and provide the parents with a procedural safeguards notice (a copy of this document).

CHANGE OF PLACEMENT BECAUSE OF DISCIPLINARY REMOVALS

A removal of a child with a disability from the child's current educational placement is a **change of placement** if:

1. The removal is for more than 10 school days in a row; **or**
2. The child has been subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than 10 school days in a school year;
 - b. The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; **and**
 - c. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the school district and, if challenged, is subject to review through due process and judicial proceedings.

DETERMINATION OF SETTING

The individualized educational program (IEP) committee must determine the interim alternative educational setting for removals that are **changes of placement**, and removals under the headings **Additional authority** and **Special circumstances**, above.

APPEAL

General

The parent of a child with a disability may file a due process complaint (see above) to request a due process hearing if he or she disagrees with:

1. Any decision regarding placement made under these discipline provisions; **or**
2. The manifestation determination described above.

The school district may file a due process complaint (see above) to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

Authority of hearing officer

A hearing officer that meets the requirements described under the sub-heading **Impartial hearing officer** must conduct the due process hearing and make a decision. The hearing officer may:

1. Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading **AUTHORITY OF SCHOOL PERSONNEL**, or that the child's behavior was a manifestation of the child's disability; **or**
2. Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

These hearing procedures may be repeated, if the school district believes that returning the child to the original placement is substantially likely to result in injury to the child or to others. Whenever a parent or a school district files a due process complaint to request such a hearing, a hearing must be held that meets the requirements described under the headings **DUE PROCESS COMPLAINT PROCEDURES**, **HEARINGS ON DUE PROCESS COMPLAINTS**, and **Appeal of decisions; impartial review**, except as follows:

1. The Nevada Department of Education or school district must arrange for an expedited due process hearing, which must occur within **20** school days of the date the hearing is requested and must result in a determination within **10** school days after the hearing.
2. Unless the parents and the school district agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within **seven** calendar days of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within **15** calendar days of receipt of the due process complaint.
3. A State may establish different procedural rules for expedited due process hearings than it has established for other due process hearings, but except for the timelines, those rules must be consistent with the rules in this document regarding due process hearings.

A party may appeal the decision in an expedited due process hearing in the same way as the party may appeal decisions in other due process hearings (see **APPEALS**, above).

PLACEMENT DURING APPEALS

When, as described above, the parent or school district has filed a due process complaint related to disciplinary matters, the child must (unless the parent and the school district agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the time period of removal as provided for and described under the heading **AUTHORITY OF SCHOOL PERSONNEL**, whichever occurs first.

PROTECTIONS FOR CHILDREN NOT YET ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES

General

If a child has not been determined eligible for special education and related services and violates a code of student conduct, but the school district had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred, that the child was a child with a disability, then the child may assert any of the protections described in this notice.

Basis of knowledge for disciplinary matters

A school district must be deemed to have knowledge that a child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:

1. The parent of the child expressed concern in writing that the child is in need of special education and related services to supervisory or administrative personnel of the appropriate educational agency, or a teacher of the child;
2. The parent requested an evaluation related to eligibility for special education and related services under Part B of the IDEA; **or**
3. The child's teacher, or other school district personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to the school district's director of special education or to other supervisory personnel of the school district.

Exception

A school district would not be deemed to have such knowledge if:

1. The child's parent has not allowed an evaluation of the child or refused special education services; **or**
2. The child has been evaluated and determined to not be a child with a disability under Part B of the IDEA.

Conditions that apply if there is no basis of knowledge

If prior to taking disciplinary measures against the child, a school district does not have knowledge that a child is a child with a disability, as described above under the sub-headings **Basis of knowledge for disciplinary matters** and **Exception**, the child may be subjected to the disciplinary measures that are applied to children without disabilities who engaged in comparable behaviors. However, if a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the school district, and information provided by the parents, the school district must provide special education and related services in accordance with Part B of the IDEA, including the disciplinary requirements described above.

REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

Part B of the IDEA does not:

1. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; **or**
2. Prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

Transmittal of records

If a school district reports a crime committed by a child with a disability, the school district:

1. Must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime; **and**
2. May transmit copies of the child's special education and disciplinary records only to the extent permitted by FERPA.

REQUIREMENTS FOR UNILATERAL PLACEMENT BY PARENTS OF CHILDREN IN PRIVATE SCHOOLS AT PUBLIC EXPENSE

GENERAL

Part B of the IDEA does not require a school district to pay for the cost of education, including special education and related services, of your child with a disability at a private school or facility if the school district made a free appropriate public education (FAPE) available to your child and you choose to place the child in a private school or facility. However, the school district where the private school is located must include your child in the population whose needs are addressed under the Part B provisions regarding children who have been placed by their parents in a private school under 34 CFR §§300.131 through 300.144.

Reimbursement for private school placement

If your child previously received special education and related services under the authority of a school district, and you choose to enroll your child in a private preschool, elementary school, or secondary school without the consent of or referral by the school district, a court or a hearing officer may require the agency to reimburse you for the cost of that enrollment if the court or hearing officer finds that the agency had not made a free appropriate public education (FAPE) available to your child in a timely manner prior to that enrollment and that the private placement is appropriate. A hearing officer or court may find your placement to be appropriate, even if the placement does not meet the State standards that apply to education provided by the Nevada Department of Education and school districts.

Limitation on reimbursement

The cost of reimbursement described in the paragraph above may be reduced or denied:

1. If: (a) At the most recent individualized educational program (IEP) meeting that you attended prior to your removal of your child from the public school, you did not inform the IEP committee that you were rejecting the placement proposed by the school district to provide FAPE to your child, including stating your concerns and your intent to enroll your child in a private school at public expense; or (b) At least 10 business days (including any holidays that occur on a business day) prior to your removal of your child from the public school, you did not give written notice to the school district of that information;
2. If, prior to your removal of your child from the public school, the school district provided prior written notice to you, of its intent to evaluate your child (including a statement of the purpose of the evaluation that was appropriate and reasonable), but you did not make the child available for the evaluation; **or**
3. Upon a court's finding that your actions were unreasonable.

However, the cost of reimbursement:

1. Must not be reduced or denied for failure to provide the notice if: (a) The school prevented you from providing the notice; (b) You had not received notice of your responsibility to provide the notice described above; or (c) Compliance with the requirements above would likely result in physical harm to your child; **and**
2. May, in the discretion of the court or a hearing officer, not be reduced or denied for the parent's failure to provide the required notice if: (a) The parent is not literate or cannot write in English; or (b) Compliance with the above requirement would likely result in serious emotional harm to the child.

DERECHOS DE EDUCACIÓN ESPECIAL DE PADRES E HIJOS

Si su hijo(a) no recibe actualmente servicios de educación especial, usted recibió este folleto ya sea porque solicitó que su hijo(a) reciba servicios de educación especial o porque creemos que los servicios de educación especial pueden ser necesarios. Nuestro objetivo común es asegurar que su hijo(a) reciba el programa gratuito de educación pública adecuado (FAPE) que necesite, si hubiera. Para lograr este objetivo, deseamos evaluar (“examinar”) a su hijo(a) para identificar y registrar si su hijo(a) tiene discapacidad y, si es así, determinar cuáles servicios y programas de educación especial se necesitan. Estos exámenes utilizarán materiales y procedimientos que se seleccionaron específicamente para su hijo(a) y no incluirán exámenes o procedimientos básicos que se utilizan rutinariamente para todos los estudiantes dentro de una clase, grado o escuela. Esta evaluación se realizará estrictamente de acuerdo con los requisitos de las leyes federales y estatales. Después de la evaluación, le proporcionaremos los resultados completos y lo invitaremos a participar en una reunión del equipo de elegibilidad para determinar si su hijo(a) es elegible para educación especial y servicios afines. Si su hijo(a) es elegible, solicitaremos su ayuda para desarrollar un programa de educación individualizada (“IEP”) e identificar servicios de apoyo diseñados para las necesidades de su hijo(a). Puede solicitar que otras personas se encuentren presentes en la reunión de IEP que usted desee.

Si su hijo(a) ya recibe servicios de educación especial, se le proporciona este folleto porque se nos requiere entregarlo al menos una vez cada año, debido a que por primera vez este año escolar usted solicitó un debido proceso de audiencia o una investigación de queja del Estado, porque proponemos un cambio disciplinario de ubicación o porque usted solicitó una copia.

Este proceso espera su participación y cooperación activa. *Nadie tiene la oportunidad de conocer a su hijo(a) mejor que usted.* La ley también ofrece métodos para ayudarle a asegurarse de que se considera su aporte. Además, la ley establece medios para que usted realice objeciones a nuestras propuestas o rechazos y disponga que una persona imparcial resuelva cualquier disputa. Generalmente, este extenso y complejo grupo de derechos conferidos por las leyes federales y estatales de educación especial, se denominan “garantías procesales”. El propósito de este folleto es presentarle una visión general de estos derechos. Una explicación más completa está disponible en su distrito escolar local o en el Departamento de Educación de Nevada.

EN DÓNDE OBTENER MÁS AYUDA

Su distrito escolar local es su primera parada para obtener ayuda e información adicional. Debe hablar con el maestro(a) de su hijo(a) o con el director(a) de la escuela, el director(a) de educación especial de su distrito escolar local o el superintendente de su distrito escolar. También puede comunicarse con:

Departamento de Educación del estado de Nevada
Nevada Department of Education
Office of Special Education, Elementary and Secondary Education, and
School Improvement Programs
700 East Fifth Street, Suite 113
Carson City, Nevada 89701-5096
(775) 687-9171, Relay Nevada: 1-800-326-6888 o Llamada gratuita: 1-800-992-0900, extensión 9171

Este documento está disponible en versión electrónica en:
http://www.doe.nv.gov/SpecialEducation_Resources.htm

AVISO ESCRITO PREVIO

Aviso

Su distrito escolar¹ debe darle aviso por escrito (proporcionarle cierta información por escrito), cuando:

1. Propone iniciar o cambiar la identificación, evaluación o ubicación educativa de su hijo(a) o proporcionar educación pública adecuada y gratuita (FAPE) a su hijo(a); **o**
2. Se niega a iniciar o a cambiar la identificación, evaluación o ubicación educativa de su hijo(a) o proporcionar FAPE a su hijo(a).

Contenido del aviso

El aviso escrito debe:

1. Describir la medida que su distrito escolar propone o se rehúsa a tomar;
2. Explicar por qué su distrito escolar propone o rechaza la medida;
3. Describir cada procedimiento de evaluación, registro o informe que utiliza su distrito escolar al decidir proponer o rechazar la medida;
4. Incluir una declaración que usted tiene protecciones de conformidad con las disposiciones de las garantías procesales en la Parte B de la Ley de Educación de las Personas Discapacitadas (IDEA);
5. Informarle cómo puede obtener una descripción de las garantías procesales (una copia de este documento) si la medida que su distrito escolar propone o rechaza no es una referencia inicial para evaluación;
6. Incluir recursos para que usted contacte ayuda para comprender la Parte B de la IDEA;
7. Describir cualesquiera otras opciones que el comité para el programa de educación individualizada (IEP) de su hijo(a) consideró y los motivos por los que se rechazaron dichas opciones; **y**
8. Proporcionar descripción de otros motivos por los que su distrito escolar propuso o rechazó la medida.

Aviso en idioma comprensible

El aviso debe:

1. Estar escrito en un idioma comprensible para el público general; **y**
2. Proporcionarse en su lengua materna u otra forma de comunicación que usted utilice, a menos que claramente no sea factible.

Si su lengua materna u otra forma de comunicación no es un lenguaje escrito, su distrito escolar debe asegurarse de que:

1. Se le traduzca el aviso, ya sea en forma oral o por otros medios, a su lengua materna u otra forma de comunicación;
2. Usted comprende el contenido del aviso; **y**
3. Haya evidencia escrita de que se cumplió con 1 y 2.

LENGUA MATERNA

Lengua materna, cuando se utiliza con un individuo cuyo dominio del inglés es limitado, significa lo siguiente:

1. El idioma que normalmente utiliza esa persona o, en el caso de un menor, el lenguaje que normalmente utilizan sus padres;
2. En todo contacto directo con un menor (incluyendo la evaluación del menor), el idioma que normalmente utiliza el menor en su hogar o ambiente de aprendizaje.

Para una persona con sordera o ceguera, o para una persona sin lenguaje escrito, la forma de comunicación es aquella que la persona utiliza normalmente (tal como lenguaje de señas, Braille o comunicación oral).

CORREO ELECTRÓNICO

Si su distrito escolar ofrece a los padres de familia la opción de recibir documentos por correo electrónico, usted puede escoger recibir lo siguiente por esta vía:

1. Aviso escrito previo;
2. Aviso de garantías procesales; **y**
3. Avisos relacionados con debidos procesos de queja.

¹ A lo largo de este documento el término "distrito escolar" se utiliza aunque las disposiciones aplican a otras agencias públicas responsables de proporcionar educación pública gratuita y apropiada a su hijo(a).

CONSENTIMIENTO DE LOS PADRES DE FAMILIA

Consentimiento

Consentimiento significa que:

1. Se le informó completamente en su lengua materna u otra forma de comunicación (tal como lenguaje de señas, Braille o comunicación oral) acerca de toda la información sobre la medida para la cual usted da su consentimiento;
2. Comprende y está de acuerdo, por escrito, con tal medida y el consentimiento describe dicha medida y enumera los registros (si los hay) que se divulgarán y a quién; **y**
3. Comprende que el consentimiento es voluntario de su parte y que puede retirar su consentimiento en cualquier momento.

El retiro de su consentimiento no niega (deshace) una medida que se llevó a cabo luego de dar su consentimiento y previo a su retiro. Si revoca su consentimiento por escrito para que su hijo(a) reciba servicios de educación especial después de que su hijo(a) ha recibido inicialmente educación especial y servicios relacionados, el distrito no tendrá que enmendar los expedientes académicos de su hijo(a) para eliminar referencias a la recepción por parte de su hijo(a) de educación especial y servicios relacionados debido a la revocación del consentimiento.

Consentimiento para evaluación inicial

Su distrito escolar no puede conducir una evaluación inicial de su hijo(a) para determinar si es elegible o no de conformidad con la Parte B de la IDEA para recibir educación especial y servicios afines sin antes haberle proporcionado a usted un aviso previo, por escrito, de la medida propuesta y sin obtener su consentimiento como está descrito bajo el encabezado **CONSENTIMIENTO DE LOS PADRES DE FAMILIA**. Su distrito escolar debe hacer esfuerzos razonables para obtener su consentimiento informado para una evaluación inicial, para decidir si su hijo(a) es o no un menor con una discapacidad. Su consentimiento para una evaluación inicial no significa que también dio su consentimiento para que el distrito escolar comience a proporcionarle a su hijo(a) educación especial y servicios afines.

Si su hijo(a) está inscrito en una escuela pública o usted busca inscribirlo(a) en una escuela pública y usted se niega a dar consentimiento o no cumplió con responder al requerimiento de dar consentimiento para una evaluación inicial, su distrito escolar puede, pero no está requerido a, buscar conducir una evaluación inicial de su hijo(a) con mediación de la IDEA, debido proceso de queja, reunión de resolución o procedimientos de debido proceso de audiencia imparcial. Su distrito escolar no violará sus obligaciones para localizar, identificar y evaluar a su hijo(a) si no busca una evaluación de su hijo(a) en estas circunstancias.

Reglas especiales para evaluación inicial de menores bajo la tutela del estado

Si un menor está bajo la tutela del estado y no vive con sus padres, el distrito escolar no necesita consentimiento del padre de familia para una evaluación inicial para determinar si el menor es un menor con una discapacidad si:

1. A pesar de esfuerzos razonables para hacerlo, el distrito escolar no puede encontrar los padres del menor;
2. Los derechos de los padres de familia se cancelan de conformidad con la ley del estado; **o**
3. Un juez asignó el derecho de tomar decisiones educativas y consentir una evaluación inicial a un individuo que no es el padre de familia.

Menor bajo la tutela de estado, como se utiliza en la IDEA, significa un niño(a) quien, como determinado por el estado en donde el niño(a) vive, es:

1. Un niño de cuidado temporal;
2. Considerado un menor bajo la tutela del Estado bajo ley estatal; **o**
3. Bajo la custodia de una agencia de asistencia pública.

Menor bajo la tutela del estado no incluye a un menor bajo cuidado temporal que tiene padres adoptivos.

Consentimiento de los padres de familia para servicios

Su distrito escolar debe obtener su consentimiento informado antes de proporcionarle a su hijo(a) educación especial y servicios afines por primera vez. El distrito escolar debe realizar esfuerzos razonables para obtener su consentimiento informado antes de proporcionarle a su hijo(a) educación especial y servicios afines por primera vez. Si no responde a una solicitud de otorgar su consentimiento para que su hijo(a) reciba educación especial y servicios relacionados por primera vez, o si se rehúsa a otorgar dicho consentimiento, su distrito escolar:

1. No podrá utilizar las garantías de procedimientos (por ejemplo, mediación, reclamo de debido proceso, reunión de resolución o un debido proceso de audiencia imparcial) para obtener un acuerdo o un fallo que estipule que se puede proporcionar educación especial y servicios relacionados a su hijo(a) sin su consentimiento.

2. No se encuentra en infracción al requerimiento de dar educación pública adecuada y gratuita (FAPE) disponible para su hijo(a) por su incumplimiento de proporcionar esos servicios a su hijo(a) y
3. No requiere tener una reunión del programa de educación especializada (IEP) o desarrollar un IEP para su hijo(a).

Si, en cualquier momento, después de que su hijo(a) reciba educación especial y servicios relacionados por primera vez, usted revoca su consentimiento por escrito para la prestación continua de educación especial y servicios relacionados, su distrito escolar:

1. No podrá continuar brindando educación especial y servicios relacionados a su hijo(a), pero debe presentar una notificación previa por escrito antes de cesar los servicios;
2. No podrá utilizar las garantías de procedimientos (por ejemplo, mediación, reclamo de debido proceso, reunión de resolución o una audiencia de debido proceso imparcial) para obtener un acuerdo o un fallo que indique que se puede proporcionar educación especial y servicios relacionados a su hijo(a) sin su consentimiento;
3. No se encuentra en infracción al requerimiento de dar educación pública adecuada y gratuita (FAPE) disponible para su hijo(a) por su incumplimiento de proporcionar esos servicios a su hijo(a) y
4. No requiere tener una reunión del IEP o desarrollar un IEP para continuar brindando servicios de educación especial.

Consentimiento de los padres de familia para reevaluaciones

Su distrito escolar debe obtener su consentimiento informado antes de reevaluar a su hijo(a), a menos que su distrito escolar pueda demostrar que:

1. Tomó medidas razonables para obtener su consentimiento para la reevaluación de su hijo(a); y
2. Usted no respondió.

Si usted se niega a consentir la reevaluación de su hijo(a), el distrito escolar puede, pero no se le requiere, proseguir con la reevaluación de su hijo(a) mediante el uso de la mediación, debido proceso de queja, reunión de resolución o debido proceso de audiencia en vías de pasar sobre su rechazo para consentir la reevaluación de su hijo(a). Como con evaluaciones iniciales, su distrito escolar no infringe sus obligaciones bajo la Parte B de IDEA si declina continuar la reevaluación de esta manera.

Documentación de esfuerzos razonables para obtener consentimiento de los padres de familia

Su escuela debe mantener documentación sobre los esfuerzos razonables para obtener consentimiento de los padres de familia para evaluaciones iniciales, brindar educación especial y servicios afines por primera vez, reevaluar y localizar a los padres de familia de menores bajo la tutela del estado para evaluaciones iniciales. La documentación debe incluir un registro de los intentos del distrito escolar en estas áreas, tales como:

1. Registros detallados de llamadas telefónicas hechas o que se intentaron y el resultado de esas llamadas;
2. Copias de la correspondencia que se envió a los padres de familia y cualquier respuesta que se recibió; y
3. Registros detallados de visitas que se hicieron al hogar de los padres de familia o a su lugar de trabajo y los resultados de dichas visitas.

Otros requisitos de consentimiento

No se requiere su consentimiento antes de que su distrito escolar pueda:

1. Revisar datos existentes como parte de la evaluación de su hijo(a) o una reevaluación; o
2. Administrar a su hijo(a) una prueba u otra evaluación que se administre a todos los niños(as), a menos que antes de esa prueba o evaluación, se requiera el consentimiento de todos los padres de familia de todos los niños(as).

Su distrito escolar no puede usar su rechazo a consentir un servicio o actividad para negarle a usted o su hijo(a) cualquier otro servicio, beneficio o actividad.

Si usted inscribió a su hijo(a) en una escuela privada y usted cubre los gastos o si usted educa a su hijo(a) en casa, y no proporciona su consentimiento para la evaluación inicial de su hijo(a) o su reevaluación, o si falla en responder al requerimiento de proporcionar su consentimiento, el distrito escolar no puede utilizar los procedimientos para pasar sobre el consentimiento (por ejemplo: mediación, debido proceso de queja, reunión de resolución o debido proceso de audiencia imparcial) y no se le requiere que considere a su hijo(a) como elegible para recibir servicios equitativos (servicios disponibles para niños con discapacidad a quienes sus padres ubicaron en una escuela privada).

EVALUACIONES EDUCATIVAS INDEPENDIENTES

General

Como se describe a continuación, usted tiene derecho a obtener una evaluación educativa independiente (IEE) de su hijo(a) si no está de acuerdo con la evaluación de su hijo(a) que obtuvo su distrito escolar. Si usted solicita una evaluación educativa independiente, el distrito escolar debe brindarle la información acerca de dónde puede obtener una evaluación educativa independiente y acerca de los criterios del distrito escolar que se aplican a las evaluaciones educativas independientes.

Definiciones

Evaluación educativa independiente se refiere a una evaluación que realiza un examinador calificado que no es empleado del distrito escolar responsable de la educación de su hijo(a). *Gasto público* se refiere a que el distrito escolar paga el costo total de la evaluación o se asegura que se proporcione la evaluación de otra manera sin costo alguno para usted, consistente con las disposiciones de la Parte B de la IDEA, que permite a cada estado utilizar cualquier recurso estatal, local, federal o privado de apoyo disponible en el estado para cumplir con los requisitos de la Parte B de la Ley.

Derecho del padre de familia para evaluación con gasto público

Usted tiene derecho a una evaluación educativa independiente de su hijo(a) con gasto público si no está de acuerdo con la evaluación de su hijo(a) que obtuvo su distrito escolar, sujeto a las siguientes condiciones:

1. Si usted solicita una evaluación educativa independiente de su hijo(a) con gasto público, su distrito escolar debe, sin retraso innecesario, **ya sea**: (a) presentar un debido proceso de queja para solicitar una audiencia que muestre que la evaluación de su hijo(a) es apropiada; **o** (b) proporcionar una evaluación educativa independiente con gasto público, a menos que el distrito escolar demuestre en una audiencia que la evaluación de su hijo(a) que usted obtuvo no cumplió con los criterios del distrito escolar.
2. Si su distrito escolar solicita una audiencia y la decisión final es que la evaluación de su hijo(a) por parte de su distrito escolar es apropiada, usted aún tiene derecho a una evaluación educativa independiente, pero no con gasto público.
3. Si usted solicita una evaluación educativa independiente de su hijo(a), el distrito escolar puede preguntar por qué objeta la evaluación de su hijo(a) que obtuvo su distrito escolar. Sin embargo, su distrito escolar no puede solicitar una explicación y no puede retrasar sin razón el proporcionar la evaluación educativa independiente de su hijo(a) con gasto público o presentar un debido proceso de queja para solicitar un debido proceso de audiencia para defender la evaluación de su hijo(a) por el distrito escolar.

Usted tiene derecho únicamente a una evaluación educativa independiente de su hijo(a) con gasto público cada vez que su distrito escolar realice una evaluación de su hijo(a) con la que usted no esté de acuerdo.

Evaluaciones por iniciativa del padre de familia

Si usted obtiene una evaluación educativa independiente de su hijo(a) con gasto público o si comparte con el distrito escolar una evaluación de su hijo(a) que usted obtuvo por gasto propio:

1. Su distrito escolar debe considerar los resultados de la evaluación de su hijo(a), si cumple con los criterios del distrito escolar para evaluaciones educativas independientes, en cualquier decisión que se tome con respecto a la disposición de educación pública adecuada y gratuita (FAPE) para su hijo(a); **y**
2. Usted o su distrito escolar puede presentar la evaluación como evidencia en el debido proceso de audiencia referente a su hijo(a).

Requisitos para evaluaciones por oficiales de la audiencia

Si un oficial de la audiencia solicita una evaluación educativa independiente de su hijo(a) como parte del debido proceso de audiencia, el costo de la evaluación debe ser con gasto público.

Criterios del distrito escolar

Si una evaluación educativa independiente es con gasto público, los criterios bajo los cuales se obtiene la evaluación, incluyendo el lugar de la evaluación y la calificación del examinador, deben ser iguales a los criterios que utiliza el distrito escolar cuando inicia una evaluación (al punto que esos criterios sean congruentes con su derecho a una evaluación educativa independiente). Con excepción de los criterios descritos anteriormente, el distrito escolar no puede imponer condiciones o plazos para obtener una evaluación educativa independiente con gasto público.

CONFIDENCIALIDAD DE INFORMACIÓN

Definiciones

Tal como se usan en el encabezado **CONFIDENCIALIDAD DE INFORMACIÓN**:

- *Destrucción* se refiere a la destrucción física o retiro de identificadores personales de la información para que la información ya no sea de identificación personal.
- *Registros educativos* se refiere al tipo de registros cubiertos bajo la definición de "registros educativos" en 34 CFR Parte 99 (los reglamentos que implementan la Ley de privacidad y derechos educacionales de la familia de 1974, 20 U.S.C. 1232g (FERPA)).
- *Agencia participante* se refiere a cualquier distrito escolar, agencia o institución que recopila, mantiene o utiliza información de identificación personal o de quien se obtiene dicha información, bajo la Parte B de la IDEA.

Identificación personal

Identificación personal se refiere a la información que tiene:

- (a) El nombre y apellido de su hijo(a), su nombre como padre de familia o el nombre de algún otro miembro de la familia;
- (b) La dirección de su hijo(a);
- (c) Un identificador personal, tal como el número de seguro social de su hijo(a) o su número de estudiante; **o**
- (d) Una lista de características personales u otra información que pueda hacer posible la identificación de su hijo(a) con una certeza razonable.

Aviso a los padres de familia

El Departamento de Educación de Nevada debe dar aviso que es apropiado informar completamente a los padres de familia acerca de la confidencialidad de la información de identificación personal, incluyendo:

1. Una descripción de la extensión en la que el aviso se da en la lengua materna de los diversos grupos de población en el Estado;
2. Una descripción de los niños(as) de quienes se conserva información de identificación personal, el tipo de información que se busca, los métodos que el estado pretende utilizar para recopilar la información (incluyendo las fuentes de quienes se obtiene la información) y los usos que se darán a la información;
3. Un resumen de las políticas y procedimientos que las agencias participantes deben seguir con respecto al almacenaje, divulgación a terceras personas, retención y destrucción de información de identificación personal; **y**
4. Una descripción de todos los derechos de los padres de familia y sus hijos(as) con respecto a esta información, incluyendo los derechos bajo FERPA y los reglamentos de implementación en 34 CFR Parte 99.

Previo a cualquier identificación, ubicación o actividad principal de evaluación (que también se conoce como "búsqueda del niño(a)"), se debe publicar o anunciar el aviso en los periódicos u otro medio de comunicación o ambos, con una circulación adecuada para informar a los padres de familia a lo largo del estado acerca de la actividad de localizar, identificar y evaluar a niños(as) con necesidad de educación especial y servicios afines.

Derechos de acceso

El distrito escolar² debe permitirle inspeccionar y revisar cualesquiera registros educativos relacionados con su hijo(a) que su distrito escolar haya recolectado, guardado o utilizado de conformidad con la Parte B de la IDEA. El distrito escolar debe cumplir con su solicitud de inspeccionar y revisar cualesquiera registros educativos acerca de su hijo(a) sin retraso innecesario y antes de cualquier reunión con respecto a un programa de educación individualizada (IEP, por sus siglas en inglés), o cualquier debido proceso de audiencia imparcial (incluyendo una reunión de resolución o una audiencia con respecto a disciplina) y en ningún caso más de 45 días calendario después que usted hizo la solicitud. Su derecho a inspeccionar y revisar registros educativos incluye:

1. Su derecho para una respuesta por parte del distrito escolar a su solicitud razonable de explicaciones e interpretaciones de los registros;
2. Su derecho a solicitar que el distrito escolar le proporcione copias de los registros si usted no puede inspeccionar o revisar los registros de manera efectiva a menos que reciba dichas copias; **y**
3. Su derecho a que su representante inspeccione y revise los registros.

² Los reglamentos de la IDEA federal utilizan el término "*agencias participantes*" para definir cualquier distrito escolar, agencia o institución que recaba, guarda o mantiene información de identificación personal o de la cual se obtiene la información, de conformidad con la Parte B de la IDEA. Debido a que este documento hace énfasis en la participación de los padres de familia con el distrito escolar local, "distrito escolar" se utiliza en esta sección en lugar del término más amplio "*agencia participante*."

El distrito escolar puede presumir que usted tiene autoridad para inspeccionar y revisar registros relacionados con su hijo(a) a menos que se advierta que usted no tiene dicha autoridad de conformidad con la ley estatal aplicable que rige asuntos tales como tutela o separación y divorcio.

Registro de acceso

Cada distrito escolar debe mantener un registro de las partes que obtienen acceso a registros educativos que se recaban, conservan o utilizan de conformidad con la Parte B de la IDEA (excepto el acceso por parte de padres de familia y empleados autorizados del distrito escolar), incluyendo el nombre y apellido de la parte, la fecha en que se dio el acceso y el propósito por el cual la parte tiene autorización para utilizar los registros.

Registros acerca de más de un hijo(a)

Si cualquier registro educativo incluye información acerca de más de un niño(a), los padres de esos niños(as) tienen el derecho a inspeccionar y revisar solamente la información relacionado con su hijo(a) o a que se le informe acerca de esa información específica.

Lista de tipos y ubicaciones de información

Bajo solicitud, cada distrito escolar debe proporcionarle una lista de los tipos y ubicaciones de los registros educativos que recolecta, mantiene o utiliza el distrito escolar.

Cuotas

El distrito escolar puede cobrar una cuota por las copias de los registros que se hicieron para usted de conformidad con la Parte B de la IDEA, si la cuota no evita que usted ejerza sus derechos de inspeccionar y revisar dichos registros. Un distrito escolar no puede cobrar una cuota por buscar o retirar información de conformidad con la Parte B de la IDEA.

Enmienda de registros a solicitud de los padres de familia

Si usted cree que la información en los registros educativos acerca de su hijo(a), que se recaba, guarda o utiliza de conformidad con la Parte B de la IDEA es inexacta, engañosa o viola la privacidad u otros derechos de su hijo(a), usted puede solicitar que el distrito escolar que conserva la información la cambie. El distrito escolar debe decidir si cambia o no la información de acuerdo con su solicitud dentro de un período de tiempo razonable desde la recepción de su solicitud. Si el distrito escolar rechaza cambiar la información de acuerdo a su solicitud, debe informarle sobre su rechazo y advertirle acerca del derecho a una audiencia para este propósito, tal como está descrito bajo el encabezado **Oportunidad de audiencia**.

Oportunidad de audiencia

El distrito escolar debe, a su solicitud, darle una oportunidad para una audiencia con el fin de desafiar información en los registros educativos referentes a su hijo(a) para asegurar que no es inexacta, engañosa o, de otra manera, violatoria de la privacidad u otros derechos de su hijo(a).

Procedimientos de audiencia

Una audiencia para desafiar información en registros educativos se debe conducir de acuerdo a los procedimientos para tales audiencias de conformidad con la FERPA.

Resultados de la audiencia

Si, como resultado de la audiencia, el distrito escolar decide que la información es inexacta, engañosa o, de otra manera, violatoria de la privacidad u otros derechos de su hijo(a), debe cambiar la información que corresponda e informarle por escrito. Si, como resultado de la audiencia, el distrito escolar decide que la información no es inexacta, engañosa o, de otra manera, violatoria de la privacidad u otros derechos de su hijo(a), debe informarle acerca de su derecho de colocar en los registros que mantiene acerca de su hijo(a) una declaración en la que comenta la información o que proporciona cualesquiera motivos por los que no está de acuerdo con la decisión del distrito escolar. Tal explicación que se coloca en los registros de su hijo(a) debe:

1. Guardarla el distrito escolar como parte de los registros de su hijo(a) por el tiempo en que el distrito escolar mantenga el registro o porción en debate; **y**
2. Si el distrito escolar divulga a cualquier parte los registros de su hijo(a) o la porción en debate, también debe divulgar la explicación a dicha parte.

Consentimiento para divulgación de información de identificación personal

A menos que la información se contenga en registros educativos y la divulgación se autorice sin el consentimiento de los padres de familia de conformidad con la FERPA, se debe obtener su consentimiento antes de divulgar información de identificación personal a partes que no sean funcionarios de las agencias participantes. Excepto bajo las circunstancias que se especifican a continuación, no se

requiere su consentimiento antes de divulgar información de identificación personal a funcionarios de las agencias participantes con el propósito de cumplir con un requisito de la Parte B de la IDEA. Su consentimiento o el consentimiento de un niño(a) elegible que alcanzó la mayoría de edad conforme la ley estatal, se debe obtener antes de divulgar información de identificación personal a funcionarios de las agencias participantes que proporcionan o pagan los servicios de transición. Si su hijo asiste o asistirá a una escuela privada que no está localizada en el mismo distrito escolar en que usted reside, se debe obtener su consentimiento antes de divulgar cualquier información de identificación personal de su hijo(a) entre funcionarios del distrito escolar donde se ubica la escuela privada y los funcionarios del distrito escolar donde usted reside.

Garantías

Cada distrito escolar debe proteger la confidencialidad de la información de identificación personal en las etapas de recopilación, almacenaje, divulgación y destrucción. Un funcionario de cada distrito escolar debe asumir la responsabilidad de asegurar la confidencialidad de cualquier información de identificación personal; Todas las personas que recaban o utilizan información de identificación personal deben recibir capacitación o instrucción referente a las políticas y procedimientos de Nevada con respecto a la confidencialidad de conformidad con la Parte B de la IDEA y la FERPA. Cada distrito escolar debe mantener, para inspección pública, una lista actualizada con los nombres y puestos de los empleados dentro del distrito que pueden tener acceso a la información de identificación personal.

Destrucción de información

Su distrito escolar debe informarle cuando la información de identificación personal recabada, guardada o utilizada ya no es necesaria para proporcionar servicios educativos a su hijo(a). La información se debe destruir a solicitud suya. Sin embargo, un registro permanente del nombre y apellido de su hijo(a), dirección y número de teléfono, sus calificaciones, registro de asistencia, clases a las que asistió, grado escolar que completó y año que completó, se puede mantener sin limitación de tiempo.

PROCEDIMIENTO PARA PRESENTAR UNA QUEJA FORMAL ANTE EL ESTADO

DIFERENCIA ENTRE DEBIDO PROCESO DE AUDIENCIA POR QUEJA Y PROCEDIMIENTOS DE QUEJA DEL ESTADO

Los reglamentos de la Parte B de la IDEA establecen procedimientos separados para quejas del estado y debido proceso de quejas y audiencias. Como se explica a continuación, cualquier individuo u organización puede presentar una queja del estado en la que argumenta una infracción a cualquier requisito de la Parte B por un distrito escolar, el Departamento de Educación de Nevada o cualquier dependencia pública. Solamente usted o un distrito escolar puede presentar un debido proceso de queja por cualquier asunto relacionado con una propuesta o un rechazo para iniciar o cambiar la identificación, evaluación o ubicación educativa de un niño(a) con una discapacidad, o la provisión de una educación pública adecuada y gratuita (FAPE) al menor. Mientras el Departamento de Educación de Nevada generalmente debe resolver una queja del estado dentro de un plazo de 60 días calendario, a menos que el plazo se extienda apropiadamente, un oficial de debido proceso de audiencia imparcial debe escuchar un debido proceso de queja (si no se resolvió por medio de una reunión de resolución o a través de mediación) y emitir una decisión por escrito dentro de los 45 días calendario siguientes al final del período de resolución, tal como está descrito en este documento bajo el encabezado **PROCESO DE RESOLUCIÓN**, a menos que el oficial de audiencia otorgue una extensión específica del plazo a su solicitud o la del distrito escolar. Los procedimientos de queja del estado y el debido proceso de queja, resolución y audiencia están descritos más detalladamente a continuación.

PROCEDIMIENTOS DE ADOPCIÓN DE QUEJA DEL ESTADO

General

El Departamento de Educación de Nevada debe tener procedimientos escritos para:

1. Resolver cualquier queja, incluyendo una queja que presente una organización o individuo de otro estado,
2. La presentación de una queja con el Departamento de Educación de Nevada; **y**
3. La amplia difusión de los procedimientos de queja del estado a los padres de familia y otros individuos interesados, incluyendo los centros de capacitación e información para padres de familia, agencias de protección y defensa, centros de vida independiente y otras entidades apropiadas.

Remedios para el rechazo de servicios apropiados

Al resolver una queja del estado en la que el Departamento de Educación de Nevada encontró incumplimiento al proporcionar servicios apropiados, el Departamento de Educación debe abordar:

1. El incumplimiento al proporcionar servicios apropiados, incluyendo una acción correctiva apropiada para abordar las necesidades del niño(a); **y**
2. El proporcionar apropiadamente, en el futuro, los servicios para todos los niños(as) con discapacidades.

PROCEDIMIENTOS MÍNIMOS DE QUEJA DEL ESTADO

Límite de tiempo; procedimientos mínimos

El Departamento de Educación de Nevada debe incluir en sus procedimientos de queja del estado un límite de 60 días calendario después que se presenta la queja para:

1. Llevar a cabo una investigación independiente en las instalaciones, si el Departamento de Educación de Nevada determina que es necesaria una investigación;
2. Darle al denunciante la oportunidad de suministrar información adicional, ya sea oralmente o por escrito, acerca de los alegatos de la queja;
3. Proporcionar al distrito escolar la oportunidad de responder a la queja, incluyendo, como mínimo: (a) una propuesta para resolver la queja, como opción del distrito escolar; **y** (b) una oportunidad para que el padre de familia que presentó la queja y el distrito escolar estén de acuerdo, voluntariamente, a participar en una mediación;
4. Revisar toda la información relevante y hacer una determinación independiente de si el distrito escolar está o no en infracción con un requisito de la Parte B de la IDEA; **y**
5. Emitir una decisión por escrito para el demandante, la cual aborde cada alegato en la queja y contenga: (a) hallazgos de hechos y conclusiones; **y** (b) el motivo de la decisión final del Departamento de Educación de Nevada.

Extensión de tiempo; decisión final; implementación

Los procedimientos del Departamento de Educación de Nevada que se describieron anteriormente también deben:

1. Permitir una extensión del límite de tiempo de 60 días calendario únicamente si: (a) existen circunstancias excepcionales con respecto a una queja del estado en particular; **o** (b) el padre de familia y el distrito escolar u otra agencia pública que se involucró voluntariamente están de acuerdo en ampliar el tiempo para resolver el asunto por medio de la mediación o medios alternativos de resolución de disputa.

2. Incluir los procedimientos para la implementación efectiva de la decisión final del Departamento de Educación de Nevada, si fuera necesario, incluyendo: (a) actividades de asistencia técnica; (b) negociaciones; **y** (c) las acciones correctivas necesarias para alcanzar el cumplimiento.

Audiencias de quejas del estado y debido proceso de ley

Si se recibe una queja del estado, por escrito, que también es motivo de un debido proceso de audiencia tal como se describe bajo el encabezado **PRESENTACIÓN DE DEBIDO PROCESO DE QUEJA**, o la queja del estado contiene múltiples asuntos en los cuales uno o más son parte de dicha audiencia, el Departamento de Educación de Nevada debe dejar a un lado la queja del estado, o cualquier parte de la misma que se trata en el debido proceso de audiencia hasta que la audiencia finalice. Cualquier asunto en la queja del estado que no es parte del debido proceso de audiencia se debe resolver dentro del límite de tiempo y los procedimientos que se describieron anteriormente. Si un asunto que surgió en una queja del estado se decidió previamente en un debido proceso de audiencia que involucró a las mismas partes (usted y el distrito escolar), entonces la decisión del debido proceso de audiencia es vinculante con ese asunto y el Departamento de Educación de Nevada debe informar al demandante que la decisión es vinculante. El Departamento de Educación de Nevada debe resolver una queja que alegue el incumplimiento del distrito escolar en implementar la decisión del debido proceso de audiencia.

PRESENTACIÓN DE UNA QUEJA

Una organización o individuo puede presentar una queja del estado, por escrito y con firma, de conformidad con los procedimientos que se describen a continuación. La queja del estado debe incluir:

1. Declaración que un distrito escolar infringió un requisito de la Parte B de la IDEA o sus reglamentos;
2. Los hechos en los que se basa esta declaración.
3. Firma e información de contacto del demandante; y
4. Si hay supuestas infracciones con respecto a un niño(a) específico:
 - (a) Nombre y apellido del niño(a) y dirección de su domicilio;
 - (b) Nombre de la escuela a la que asiste el niño(a);
 - (c) En caso de un niño(a) o joven desamparado, la información de contacto disponible del niño(a), y el nombre de la escuela a la que asiste;
 - (d) Descripción de la naturaleza del problema del niño(a), incluyendo los hechos que se relacionan con el mismo; **y**
 - (e) Solución propuesta al problema hasta donde se tenga conocimiento y disponible a la parte que presenta la queja al momento en que dicha queja se presenta.

La queja debe alegar una infracción que ocurrió en un tiempo no mayor a un año previo a la fecha en que se recibe la queja, tal como se describe bajo el encabezado **PROCEDIMIENTOS DE ADOPCIÓN DE QUEJA DEL ESTADO**. La parte que presenta la queja del estado debe enviar una copia de la queja al distrito escolar que atiende al niño(a), al mismo tiempo que la parte presenta la queja ante el Departamento de Educación de Nevada.

MEDIACIÓN

General

El distrito escolar debe hacer la mediación disponible para permitirle a usted y al distrito escolar que resuelvan los desacuerdos que involucren cualquier asunto de conformidad con la Parte B de la IDEA, incluyendo aquello que surgió previo a la presentación del debido proceso de queja. Así, la mediación está disponible para resolver disputas de conformidad con la Parte B de la IDEA, ya sea que usted presente o no un debido proceso de queja para solicitar un debido proceso de audiencia tal como está descrito bajo el encabezado **PRESENTACIÓN DEL DEBIDO PROCESO DE QUEJA**.

Requisitos

Los procedimientos deben asegurar que el proceso de mediación:

1. Es voluntario, tanto de su parte como del distrito escolar;
2. No es usual el denegar o retrasar su derecho a un debido proceso de audiencia, o denegar cualesquiera otros derechos que usted tenga de conformidad con la Parte B de la IDEA; **y**
3. Lo conduce un mediador calificado e imparcial, quien tiene capacitación en técnicas efectivas de mediación.

El distrito escolar puede desarrollar procedimientos que ofrecen a los padres y escuelas que eligen no hacer uso del proceso de mediación, una oportunidad para reunirse, a una hora y en una ubicación de su conveniencia, con un tercero sin intereses:

1. Quien está bajo contrato con una entidad apropiada de resolución alternativa de disputa, o un centro de capacitación e información para padres de familia, o un centro comunitario de recursos para padres de familia en el estado; **y**
2. Quien le explicará los beneficios y alentará a hacer uso del proceso de mediación.

El Departamento de Educación de Nevada debe tener una lista de personas que son mediadores calificados y que conocen las leyes y reglamentos relacionados con la provisión de educación especial y servicios afines. El Departamento de Educación de Nevada debe seleccionar mediadores al azar, de forma rotativa u otras bases imparciales. El Departamento de Educación de Nevada es responsable del costo del proceso de mediación, incluyendo el costo de las reuniones. Cada reunión en el proceso de mediación se debe programar en un horario oportuno y realizarse en un lugar conveniente para usted y el distrito escolar. Si usted y el distrito escolar resuelven una disputa a través del proceso de mediación, ambas partes deben suscribir un acuerdo legalmente vinculante que establece la resolución y que:

1. Establece que todas las discusiones que se dieron durante el proceso de mediación permanecerán confidenciales y no podrán utilizarse como evidencia en cualquier debido proceso de audiencia o procedimiento civil posterior; y
2. Lo firman tanto usted como un representante del distrito escolar que tiene la autoridad de vincular al distrito escolar.

Un acuerdo de mediación por escrito y con firma es de cumplimiento obligatorio en cualquier tribunal estatal de jurisdicción competente (un tribunal que tiene la autoridad bajo la ley estatal de conocer este tipo de casos) o en un tribunal de distrito de los Estados Unidos. Las discusiones que se dieron durante el proceso de mediación deben ser confidenciales. No podrán utilizarse como evidencia en ningún debido proceso de audiencia o procedimiento civil futuro de cualquier tribunal federal o tribunal estatal en Nevada.

Imparcialidad del mediador

El mediador:

1. No puede ser empleado del Departamento de Educación de Nevada o del distrito escolar que está involucrado o que cuida a su hijo(a); y
2. No puede tener interés personal o profesional que impliquen un conflicto con la objetividad del mediador.

La persona que de otra manera califique como mediador no se considera un empleado de un distrito escolar o del Departamento de Educación de Nevada únicamente porque le paga el Departamento de Educación de Nevada o el distrito escolar para fungir como mediador.

PROCEDIMIENTOS DE DEBIDO PROCESO DE QUEJA

PRESENTACIÓN DE DEBIDO PROCESO DE QUEJA

General

Usted o el distrito escolar puede presentar un debido proceso de queja sobre cualquier asunto relacionado con una propuesta o a un rechazo para iniciar o cambiar la identificación, evaluación o ubicación educativa de su hijo(a), o la provisión de una educación pública adecuada y gratuita (FAPE) a su niño(a). El debido proceso de queja debe alegar una infracción que ocurrió en un tiempo no mayor de dos años previo a que usted o el distrito escolar supiera o debiera haber sabido acerca de la supuesta acción que conforma la base del debido proceso de queja. El plazo anterior no se aplica si usted no pudo presentar un debido proceso de queja durante el mismo debido a que:

1. El distrito escolar específicamente tergiversó que había resuelto los asuntos que se identifican en la queja; o
2. El distrito escolar retuvo información que está requerido a entregarle de conformidad con la Parte B de la IDEA

Información para padres de familia

El distrito escolar debe informarle acerca de cualquier servicio legal gratuito o de bajo costo y otros servicios relevantes disponibles en el área si usted solicita la información, o si usted o el distrito escolar presentan un debido proceso de queja.

DEBIDO PROCESO DE QUEJA

General

Para poder solicitar una audiencia, usted o el distrito escolar (o su abogado o el abogado del distrito escolar) deberá presentar a la otra parte un debido proceso de queja. La queja debe incluir todo el contenido que se detalla a continuación y se debe mantener confidencial. Usted o el distrito escolar, quien presentó la queja, deberá a su vez proporcionarle una copia de la queja al Departamento de Educación de Nevada.

Contenido de la queja

El debido proceso de queja debe incluir:

1. Nombre del niño(a);
2. Dirección del domicilio del niño(a);
3. Nombre de la escuela del niño(a)
4. Si el niño(a) es un niño(a) o joven desamparado, la información de contacto del niño(a) y el nombre de la escuela del niño(a);
5. Descripción de la naturaleza del problema del niño(a) en relación con la acción que se propone o rechaza, incluyendo los hechos que se relacionan con el problema; y
6. Una propuesta de resolución del problema hasta donde se pueda conocer y estar disponible para usted o el distrito escolar en ese momento.

Aviso requerido previo a una audiencia en un debido proceso de queja

Usted o el distrito escolar no puede tener un debido proceso de audiencia hasta que usted o el distrito escolar (o su abogado o el abogado del distrito escolar), presente un debido proceso de queja que incluya la información que se detalló anteriormente.

Suficiencia de queja

Para que continúe un debido proceso de queja, es necesario que se le considere suficiente. El debido proceso de queja se considerará suficiente (que cumplió con los requisitos de contenido anteriores) a menos que la parte que recibe el debido proceso de queja (usted o el distrito escolar) notifique por escrito al oficial de audiencias y a la otra parte, dentro de los 15 días calendario siguientes a la recepción de la queja, que la parte receptora considera que el debido proceso de queja no cumple con los requisitos que se detallaron anteriormente. Dentro de los cinco días calendario siguientes a la recepción del aviso que la parte receptora (usted o el distrito escolar) considera insuficiente un debido proceso de queja, el oficial de audiencias debe decidir si el debido proceso de queja cumple con los requisitos que se detallaron anteriormente e informarles inmediatamente, por escrito, a usted y al distrito escolar.

Enmienda a la queja

Usted o el distrito escolar puede realizarle cambios a la queja únicamente si:

1. La otra parte aprueba los cambios por escrito y se le da oportunidad de resolver el debido proceso de queja a través de una reunión de resolución, que se describe más adelante; o
2. A más tardar cinco días antes del inicio del debido proceso de audiencia, el oficial de audiencias otorga la autorización para los cambios.

Si la parte demandante (usted o el distrito escolar) realizan cambios al debido proceso de queja, las fechas límite para la reunión de resolución (dentro de los 15 días calendario siguientes a la recepción de la queja) y el período de tiempo para la resolución (dentro de los 30 días calendario siguientes a la recepción de la queja) inician de nuevo en la fecha en que se presenta la enmienda a la queja.

Respuesta del distrito escolar a un debido proceso de queja

Si el distrito escolar no le envió un aviso escrito previo, tal como se describe bajo el encabezado **AVISO ESCRITO PREVIO**, con respecto al asunto de interés de su debido proceso de queja, el distrito escolar debe enviarle, dentro de los 10 días calendario siguientes a la recepción del debido proceso de queja, una respuesta que incluya:

1. Una explicación de por qué el distrito escolar propuso o rechazó la acción que se planteó en el debido proceso de queja;
2. Una descripción de otras opciones que consideró el comité del programa de educación individualizada (IEP) de su hijo(a), y las razones por las cuales esas se rechazaron esas opciones;
3. Una descripción de cada procedimiento de evaluación, análisis, registro o informe que el distrito escolar utilizó como base para la acción que se propuso o rechazó; y
4. Una descripción de los otros factores que son relevantes para la acción que propuso o rechazó el distrito escolar.

Proporcionar la información de los incisos anteriores, 1 a 4, no evita que el distrito escolar sostenga que su debido proceso de queja fue insuficiente.

Respuesta de la otra parte a un debido proceso de queja

Excepto lo que se establece en el subtítulo inmediatamente anterior, **Respuesta del distrito escolar a un debido proceso de queja**, la parte que recibe el debido proceso de queja debe, dentro de los 10 días calendario siguientes a la recepción de la queja, enviar a la otra parte una respuesta que aborde específicamente los problemas de la queja.

MODELO DE FORMULARIO

El Departamento de Educación de Nevada debe desarrollar modelos de formulario que le ayuden a presentar un debido proceso de queja y una queja del estado. Sin embargo, el Departamento de Educación de Nevada o el distrito escolar no pueden requerir que utilice estos modelos de formulario. De hecho, usted puede utilizar este formulario u otro modelo de formulario apropiado, siempre y cuando contenga la información que se requiere para presentar un debido proceso de queja o una queja del estado.

PROCESO DE RESOLUCIÓN

Reunión de resolución

Dentro de los 15 días calendario siguientes a la recepción del aviso de su debido proceso de queja y antes que inicie el debido proceso de audiencia, el distrito escolar debe convocar una reunión con usted y el miembro o miembros pertinentes del comité del programa de educación individualizada (IEP) que posean conocimiento específico de los hechos que se identifican en su debido proceso de queja. La reunión:

1. Debe incluir un representante del distrito escolar que tenga autoridad para tomar decisiones en nombre del distrito escolar; **y**
2. No puede incluir un abogado del distrito escolar a menos que a usted lo acompañe un abogado.

Usted y el distrito escolar determinan los miembros pertinentes del comité del IEP que asistirán a la reunión.

El propósito de la reunión es que usted pueda discutir su debido proceso de queja y los hechos que son la base de la queja, de manera que el distrito escolar tenga la oportunidad de resolver la disputa.

La reunión de resolución no es necesaria si:

1. Usted y el distrito escolar acuerdan, por escrito, renunciar a la reunión; **o**
2. Usted y el distrito escolar acuerdan utilizar el proceso de mediación, tal como se describe bajo el encabezado **MEDIACIÓN**.

Período de resolución

El debido proceso de audiencia puede realizarse si el distrito escolar no resuelve a su satisfacción el debido proceso de queja dentro de los 30 días calendario siguientes a la recepción del debido proceso de queja (durante el período de tiempo para el proceso de resolución). El plazo de 45 días calendario para emitir una decisión final inicia al vencimiento del período de resolución de 30 días calendario, con ciertas excepciones por ajustes hechos al período de resolución de 30 días calendario, tal como se describe a continuación. Excepto cuando usted y el distrito escolar acuerden renunciar al proceso de resolución o utilizar la mediación, su incumplimiento de participar en la reunión de resolución atrasará los plazos para el proceso de resolución y la audiencia del debido proceso hasta que usted acuerde participar en la reunión. Si después de hacer esfuerzos razonables y documentar dichos esfuerzos el distrito escolar no es capaz de lograr su participación en la reunión de resolución, el distrito escolar puede, al finalizar el período de resolución de 30 días calendario, solicitar que un oficial de audiencias declare sin lugar su debido proceso de queja. La documentación de dichos esfuerzos debe incluir un registro de los intentos del distrito escolar por llegar a un mutuo acuerdo sobre el lugar y hora, tales como:

1. Registros detallados de llamadas telefónicas hechas o que se intentaron y el resultado de esas llamadas;
2. Copias de la correspondencia que se le envió y cualquier respuesta que se recibió; y
3. Registros detallados de las visitas hechas a su casa o lugar de trabajo y el resultado de esas visitas.

Si el distrito escolar incumple en realizar la reunión de resolución dentro de los 15 días calendario siguientes a la recepción del aviso de su debido proceso de queja **o** incumple en participar en la reunión de resolución, usted puede solicitar que un oficial de audiencia ordene que dé inicio el plazo de 45 días calendario para el debido proceso.

Ajustes para el período de resolución de 30 calendario

Si usted y el distrito escolar acuerdan por escrito renunciar a la reunión de resolución, el plazo de 45 días calendario para el debido proceso de audiencia inicia al día siguiente. Después que la mediación o la reunión de resolución inicie y antes que finalice el período de resolución de 30 días calendario, si usted y el distrito escolar acuerdan por escrito que ningún acuerdo es posible, el plazo de 45 días calendario para el debido proceso de audiencia inicia al día siguiente. Si usted y el distrito escolar acuerdan utilizar el proceso de mediación, al finalizar el período de resolución de 30 días calendario, ambas partes pueden acordar por escrito continuar la mediación hasta que se llegue a un acuerdo. Sin embargo, si usted o el distrito escolar se retira del proceso de mediación, el plazo de 45 días calendario para el debido proceso de audiencia inicia al día siguiente.

Convenio resolutorio escrito

Si en la reunión de resolución se alcanza una resolución a la disputa, usted y el distrito escolar deben celebrar un acuerdo legalmente vinculante que:

1. Lo firme usted y un representante del distrito escolar que tenga la autoridad de vincular al distrito escolar; **y**

2. Es ejecutable en cualquier tribunal del estado de la jurisdicción competente (un tribunal de estado que posea la autoridad de escuchar este tipo de caso) o en un tribunal de distrito de los Estados Unidos de América.

Período de revisión del acuerdo

Si usted y el distrito escolar celebran un acuerdo como resultado de una reunión de resolución, cualquiera de las partes (usted o el distrito escolar) puede anular el acuerdo dentro de los tres días hábiles siguientes al momento en que tanto usted como el distrito escolar firmaron el acuerdo.

AUDIENCIAS EN LOS DEBIDOS PROCESOS DE QUEJAS

DEBIDO PROCESO DE AUDIENCIA IMPARCIAL

General

Siempre que se presente un debido proceso de queja, usted o el distrito escolar involucrado en la disputa debe tener la oportunidad de tener un debido proceso de audiencia imparcial a la que convoque el distrito escolar, tal como se describe en las secciones anteriores: **DEBIDO PROCESO DE QUEJAS** y **PROCESO DE RESOLUCIÓN**.

Oficial de audiencia imparcial

Como mínimo, un oficial de audiencias:

1. No debe ser empleado del Departamento de Educación del Estado de Nevada o del distrito escolar involucrado en la educación o cuidado del niño(a). Sin embargo, una persona no es empleado del Departamento de Educación de Nevada únicamente porque el Departamento de Educación de Nevada le paga por fungir como oficial de audiencias;
2. No debe tener interés personal o profesional que cause conflictos con la objetividad del oficial en la audiencia.
3. Debe estar bien informado y comprender las disposiciones de la IDEA y los reglamentos federales y estatales correspondientes a la IDEA, e interpretaciones legales de la IDEA hechas por tribunales federales y estatales; **y**
4. Debe tener conocimiento y capacidad para dirigir audiencias, y para tomar y escribir decisiones consecuentes con la práctica legal estándar y apropiada.

El Departamento de Educación de Nevada mantiene un listado de aquellas personas que fungen como oficiales de audiencia, la cual incluye una declaración de las calificaciones de cada oficial de audiencia.

Tema en cuestión del debido proceso de audiencia

La parte (usted o el distrito escolar) que solicitó el debido proceso de audiencia no puede presentar asuntos en el debido proceso de audiencia que no se abordaron en el debido proceso de queja, a menos que la otra parte esté de acuerdo.

Plazo para solicitar una audiencia

Usted o el distrito escolar debe solicitar una audiencia imparcial para un debido proceso de queja dentro de los dos años siguientes a la fecha en que usted o el distrito escolar tuvo conocimiento o debió tener conocimiento del asunto que se abordó en la queja.

Excepciones al plazo

El plazo anterior no se le aplica si usted no pudo presentar un debido proceso de queja porque:

1. El distrito escolar específicamente tergiversó que había resuelto el problema o asunto que usted presentó en su queja; **o**
2. El distrito escolar retuvo información que está requerido a entregarle de conformidad con la Parte B de la IDEA.

DERECHOS DE AUDIENCIA

General

Cualquier parte en el debido proceso de audiencia (incluyendo una audiencia en relación con procedimientos disciplinarios) o en una apelación, tal como se describe bajo el subtítulo **Apelación de decisiones; revisión imparcial** tiene derecho a:

1. Que lo represente un consejero;
2. Que lo acompañe y aconsejen personas con conocimientos especiales o capacitación con respecto a los problemas de los niños con discapacidades.
3. Presentar evidencia y confrontar, interrogar y solicitar la asistencia de testigos;
4. Prohibir que en la audiencia se presente cualquier evidencia que se le presentó a la otra parte al menos cinco días hábiles antes de la audiencia;
5. Obtener un registro escrito o electrónico, si lo solicita, palabra por palabra, de la audiencia; **y**
6. Obtener por escrito o, si lo solicita, de manera electrónica los hallazgos del hecho y las decisiones.

Divulgación adicional de la información

Al menos cinco días hábiles antes del debido proceso de audiencia, usted y el distrito escolar deben divulgar mutuamente todas las evaluaciones completadas hasta esa fecha y las recomendaciones con base en aquellas evaluaciones que usted o el distrito escolar pretenden utilizar en la audiencia. Un oficial de audiencia puede impedir que cualquier parte que incumpla con este requisito presente en la audiencia la evaluación o recomendación pertinente sin el consentimiento de la otra parte.

Derechos de los padres en las audiencias

A usted se le debe dar el derecho de:

1. Tener presente a su hijo(a);
2. Abrir la audiencia al público; **y**
3. Obtener, sin ningún costo, el registro de la audiencia, los hallazgos del hecho y las decisiones.

DECISIONES DE LA AUDIENCIA

Decisión del oficial de audiencias

La decisión del oficial de audiencias sobre si su hijo(a) recibió una educación pública adecuada y gratuita (FAPE) o no, se debe basar en fundamentos reales. En los asuntos que argumentan una infracción al procedimiento, el oficial de audiencias puede encontrar que su hijo(a) no recibió FAPE únicamente si las insuficiencias procesales:

1. Interfirieron con el derecho de su hijo(a) a una educación pública adecuada y gratuita (FAPE);
2. Interfirieron significativamente con su oportunidad de participar en el proceso de toma de decisiones acerca de la provisión de una educación pública adecuada y gratuita (FAPE) para su hijo(a); **o**
3. Provocaron la privación de un beneficio educativo.

Ninguna de las disposiciones descritas anteriormente puede interpretarse para evitar que un oficial de audiencias ordene al distrito escolar que cumpla con los requisitos en la sección de garantías procesales de las normas federales de conformidad con la Parte B de la IDEA (34 CFR §§300.500 al 300.536).

Ninguna de las disposiciones bajo los encabezados: **CÓMO PRESENTAR UN DEBIDO PROCESO DE QUEJA; DEBIDO PROCESO DE QUEJA; MODELO DE FORMULARIOS; PROCESO DE RESOLUCIÓN; DEBIDO PROCESO DE AUDIENCIA IMPARCIAL; DERECHOS DE AUDIENCIA; y DECISIONES DE LA AUDIENCIA** (34 CFR §§300.507 al 300.513) puede afectar su derecho a presentar una apelación a la decisión de la audiencia del debido proceso ante el Departamento de Educación del Estado de Nevada.

Solicitud separada para un debido proceso de audiencia

Nada en la sección de garantías procesales de las normas federales de conformidad con la Parte B de la IDEA (34 CFR §§300.500 al 300.536) se puede interpretar para evitar que usted presente un debido proceso de queja separado con respecto a un asunto diferente al debido proceso de queja que ya presentó.

Hallazgos y decisión al panel consultivo y público general

Después de eliminar cualquier información de identificación personal, el Departamento de Educación de Nevada debe:

1. Proporcionar al panel consultivo de educación especial del estado los hallazgos y decisiones del debido proceso de audiencia o apelación; **y**
2. Poner a disposición del público dichos hallazgos y decisiones.

APELACIONES

FINALIDAD DE LA DECISIÓN; APELACIÓN; REVISIÓN IMPARCIAL

Finalidad de la decisión de la audiencia

La decisión que se toma en un debido proceso de audiencia (incluyendo una audiencia en relación con procedimientos disciplinarios) es final, excepto que cualquier parte involucrada en la audiencia (usted o el distrito escolar) apele la decisión ante el Departamento de Educación de Nevada.

Apelación de decisiones; revisión imparcial

Si los hallazgos y la decisión de la audiencia dañan a una parte (usted o el distrito escolar), se puede llevar una apelación ante el Departamento de Educación de Nevada. Una parte puede apelar la decisión del oficial de audiencias dentro de los 30 días siguientes a la recepción de la decisión. Una parte de la audiencia puede presentar una contra apelación dentro de los 10 días siguientes a que la parte reciba el aviso de la apelación inicial.

Si hay una apelación, el Superintendente del Departamento de Educación de Nevada asignará un oficial de revisión estatal, quien dirigirá una revisión imparcial de los hallazgos y la decisión que se apelan. El oficial de revisión estatal que realiza la revisión deberá:

1. Examinar todo el registro de la audiencia;
2. Asegurar que los procedimientos en la audiencia fueron consistentes con los requisitos del debido proceso;
3. Buscar evidencia adicional, si fuera necesario. Si se lleva a cabo una audiencia para recibir evidencia adicional, aplican los derechos de audiencia que se describieron anteriormente bajo el encabezado **DERECHOS DE AUDIENCIA**;
4. Dar a las partes la oportunidad de presentar un argumento oral o escrito, o ambos, a discreción del oficial de revisión;
5. Tomar una decisión independiente al completar la revisión; **y**
6. Darle a usted y al distrito escolar una copia escrita o, a solicitud, una copia electrónica de los hallazgos del hecho y las decisiones.

Hallazgos y decisión al panel consultivo y público general

Después de eliminar cualquier información de identificación personal, el Departamento de Educación de Nevada debe:

1. Proporcionar al panel consultivo de educación especial del estado los hallazgos y decisiones de la apelación; **y**
2. Poner a disposición del público dichos hallazgos y decisiones.

Finalidad de la decisión de la revisión

La decisión que tome el oficial de revisión estatal es definitiva, a menos que usted o el distrito escolar presente una acción civil, tal como se describe a continuación.

PLAZOS Y CONVENIENCIA DE LAS AUDIENCIAS Y REVISIONES

El distrito escolar debe asegurarse de que, a más tardar 45 días calendario después del vencimiento del período de 30 días calendario para las reuniones de resolución, **o**, tal como se describe en el subtítulo **Ajustes para el período de resolución de 30 días calendario**, a más tardar 45 días calendario después del vencimiento del período de tiempo ajustado:

1. Se alcance una decisión final en la audiencia; **y**
2. Se le envíe por correo una copia de la decisión, tanto a usted como al distrito escolar.

El Departamento de Educación de Nevada debe asegurarse de que, a más tardar 30 días calendario después de recibir la solicitud para una revisión:

1. Se alcance una decisión final en la revisión; **y**
2. Se le envíe por correo una copia de la decisión, tanto a usted como al distrito escolar.

Un oficial de audiencias o de revisión puede otorgar extensiones de tiempo específicas más allá de los períodos que se establecieron anteriormente (45 días calendario para una decisión de audiencia y 30 días calendario para una decisión de revisión) si usted o el distrito escolar solicitan una extensión específica del plazo. Cada audiencia y revisión que incluya argumentos orales se debe realizar en un lugar y hora razonablemente convenientes para usted y su hijo(a).

ACCIONES CIVILES, INCLUYENDO EL PERÍODO DE TIEMPO PARA PRESENTAR DICHAS ACCIONES

General

Cualquier parte (usted o el distrito escolar) que no esté de acuerdo con los hallazgos y la decisión de la revisión a nivel estatal, tiene el derecho de llevar a cabo una acción civil con respecto al asunto que se trató en el debido proceso de audiencia (incluyendo una audiencia en relación con procedimientos disciplinarios). La acción se puede llevar a un tribunal del estado de jurisdicción competente (un tribunal del estado que tenga la autoridad de escuchar este tipo de caso) o a un tribunal de distrito de los Estados Unidos sin importar el monto en disputa.

Limitación de tiempo

La parte (usted o el distrito escolar) que lleva la acción deberá tener 90 días calendario a partir de la recepción de la decisión del oficial de revisión estatal para presentar una acción civil.

Procedimientos adicionales

En cualquier acción civil, el tribunal:

1. Recibe los registros de los procedimientos administrativos;
2. Escucha la evidencia adicional a su solicitud o a solicitud del distrito escolar; **y**

3. Fundamenta su decisión en la preponderancia de la evidencia y otorga la compensación que el tribunal determine que es apropiada.

Jurisdicción de los tribunales de distrito

Los tribunales de distrito de los Estados Unidos tienen la autoridad para dictaminar en acciones que se lleven a cabo de conformidad con la Parte B de la IDEA sin importar el monto en disputa.

Reglamento de construcción

Nada en la Parte B de la IDEA restringe o limita los derechos, procedimientos y recursos disponibles de conformidad con la Constitución de EE.UU., la Ley de americanos con discapacidades de 1990, el Título V de la Ley de rehabilitación de 1973 (Sección 504), u otras leyes federales que protegen los derechos de los niños con discapacidades, excepto que antes de presentar una acción civil de conformidad con estas leyes en busca de compensación que también esté disponible de conformidad con la Parte B de la IDEA, se deben agotar los procedimientos del debido proceso que se describieron anteriormente, en la misma medida en que se requeriría si la parte presentara la acción de conformidad con la Parte B de la IDEA. Esto quiere decir que usted puede tener a su disponibilidad recursos de conformidad con otras leyes que se traslapan con aquellas disponibles de conformidad con la IDEA, pero en general, para obtener compensación conforme a estas otras leyes, usted primero debe utilizar los recursos administrativos disponibles de conformidad con la IDEA (por ejemplo: debido proceso de queja, reunión de resolución y procedimientos del debido proceso de audiencia) antes de dirigirse directamente a un tribunal.

LA UBICACIÓN DEL NIÑO(A) DURANTE EL DEBIDO PROCESO DE QUEJA Y LA AUDIENCIA, ESTÁ PENDIENTE

Excepto lo que se estipula a continuación, bajo el encabezado ***PROCEDIMIENTOS PARA DISCIPLINAR A NIÑOS CON DISCAPACIDADES***, una vez se envió el debido proceso de queja a la otra parte, durante el período de tiempo del proceso de resolución y mientras se espera la decisión de cualquier debido proceso de audiencia imparcial o procedimientos del tribunal, su hijo(a) debe permanecer en su actual ubicación educativa. Si el debido proceso de queja involucra una solicitud para iniciar la admisión a una escuela pública, su hijo(a), con su consentimiento, deberá ubicarse en el programa regular de escuela pública hasta la terminación de todos dichos procedimientos. Si el debido proceso de queja involucra una solicitud para iniciar los servicios de conformidad con la parte B de la IDEA para un niño(a) que se encuentra en transición de estar bajo los servicios conforme a la Parte C de la IDEA a la Parte B de la IDEA, y ya no es elegible para los servicios de la Parte C porque ya cumplió tres años de edad, no se requiere que el distrito escolar brinde los servicios de la Parte C que el niño(a) recibía. Si se considera que el niño es elegible de conformidad con la Parte B de la IDEA y usted autoriza que el niño(a) reciba educación especial y servicios relacionados por primera vez, mientras se esperan los resultados de los procedimientos el distrito escolar debe brindar dicha educación especial y servicios relacionados que no están en disputa (aquellos que usted y el distrito escolar acordaron).

HONORARIOS DEL ABOGADO

General

En cualquier acción o procedimiento que se lleve de conformidad con la Parte B de la IDEA, si usted prevalece, el tribunal, a su discreción, le puede otorgar una cantidad razonable por los honorarios del abogado como parte de los costos a su favor. En cualquier acción o procedimiento que se lleve de conformidad con la Parte B de la IDEA, el tribunal, a su discreción, le puede otorgar al distrito escolar que prevalezca una cantidad razonable por los honorarios del abogado como parte de los costos, para que lo pague su abogado si este: (a) presentó una queja o caso judicial que el tribunal considere frívolo, irracional o sin fundamento; o (b) continuó litigando después que el litigio se tornara claramente frívolo, irracional o sin fundamento.

En cualquier acción o procedimiento que se lleve de conformidad con la Parte B de la IDEA, el tribunal, a su discreción, puede otorgar al distrito escolar que prevalezca una cantidad razonable por los honorarios del abogado como parte de los costos, para que lo pague usted o su abogado, si presenta una solicitud para un debido proceso de audiencia o un caso judicial posterior por un propósito no apropiado, tal como acoso, provocar retrasos innecesarios o aumentar innecesariamente el costo del procedimiento.

Adjudicación de honorarios

Un tribunal otorga honorarios razonables para el abogado de la siguiente manera:

1. Los honorarios se deben basar en las tarifas que prevalecen en la comunidad en donde surgió la acción o audiencia, por el tipo y calidad de los servicios que prestó. No se pueden utilizar bonificaciones o multiplicadores al calcular los honorarios que se otorgan.
2. No se pueden otorgar honorarios y no se pueden rembolsar costos relacionados en cualquier acción o procedimiento de

conformidad con la Parte B de la IDEA por servicios que realizó después que se le presente a usted una oferta escrita de avenencia si:

- a. La oferta se hizo dentro del plazo prescrito por la Regla 68 de las Reglas Federales del Procedimiento Civil o, en caso de un debido proceso de audiencia o una revisión a nivel estatal, en cualquier momento más de 10 días calendario antes del inicio del procedimiento;
- b. La oferta no se acepta dentro de un plazo de 10 días calendario; y
- c. El tribunal u oficial de audiencias administrativas encuentra que la compensación que usted obtuvo finalmente no es más favorable que la oferta de avenencia.

A pesar de estas restricciones, se le pueden otorgar honorarios y costos relacionados al abogado si usted prevalece y se le justificó sustancialmente al rechazar la oferta de avenencia.

3. No se pueden otorgar honorarios con relación a cualquier reunión de comité del Programa de educación individualizada (IEP), a menos que la reunión se lleve a cabo como resultado de un procedimiento administrativo o una acción judicial. No se pueden otorgar honorarios para una mediación tal como se describe bajo el encabezado **MEDIACIÓN**.

Una reunión de resolución, tal como se describe bajo el encabezado **Reunión de resolución**, no se considera una reunión a la que se convocó como resultado de una audiencia administrativa o acción judicial, y tampoco se le considera una audiencia administrativa o acción judicial para propósitos de estas disposiciones de honorarios para el abogado.

El tribunal reduce, si es apropiado, el monto de los honorarios que se otorgaron para el abogado de conformidad con la Parte B de la IDEA, si el tribunal encuentra que:

1. Usted o su abogado, durante el curso de la acción o del procedimiento, retrasaron sin razón la resolución final de la disputa;
2. El monto de los honorarios para el abogado que de otra manera se autorizó para otorgarla, excede irracionalmente la tarifa por hora que prevalece en la comunidad por servicios similares para abogados de similar destreza, reputación y experiencia.
3. El tiempo que se invirtió y los servicios legales que se prestaron se consideran excesivos, considerando la naturaleza de la acción o procedimiento; o
4. El abogado que lo(a) representó no le proporcionó al distrito escolar la información apropiada en el aviso de solicitud del debido proceso, tal como se describe bajo el encabezado **DEBIDO PROCESO DE QUEJA**. Sin embargo, el tribunal no puede reducir los honorarios si encuentra que el distrito escolar retrasó irracionalmente la resolución final de la acción o procedimiento, o si hubo una infracción a las disposiciones de las garantías procesales de conformidad con la Parte B de la IDEA.

PROCEDIMIENTOS AL DISCIPLINAR NIÑOS CON DISCAPACIDADES

AUTORIDAD DEL PERSONAL DE LA ESCUELA

Determinación caso por caso

El personal de la escuela puede considerar cualquier circunstancia única con base en cada caso al determinar si un cambio de ubicación, hecho de acuerdo con los siguientes requisitos en relación con la disciplina, es apropiado para un niño(a) con discapacidad que infringe el Código de conducta del estudiante de la escuela.

General

En la medida en que tomen dicha acción para niños con discapacidades, el personal de la escuela puede, por no más de **10 jornadas escolares** consecutivas, retirar a un niño con discapacidad, quien infringió el código de conducta de su actual ubicación, hacia un entorno educativo alterno provisional y adecuado (el cual debe determinar el comité del Programa de educación individualizada (IEP, por sus siglas en inglés) del niño(a)), otro ambiente o suspenderlo. El personal de la escuela también puede imponer retiros adicionales al niño(a) por no más de **10 jornadas escolares** consecutivas en ese mismo año escolar por diferentes incidentes de mala conducta, siempre que esos retiros no constituyan un cambio de ubicación (consulte **CAMBIO DE UBICACIÓN DEBIDO A RETIROS DISCIPLINARIOS** para su definición, a continuación). Una vez se retiró el niño(a) con discapacidad de su actual ubicación por un total de **10 jornadas escolares** en el mismo año escolar, el distrito escolar debe, durante cualquiera de los días posteriores al retiro en ese año escolar, proporcionar los servicios en la medida que se exige bajo el subtítulo **Servicios**.

Autoridad adicional

Si el comportamiento que infringió el código de conducta del estudiante no fue una manifestación de la discapacidad del niño(a) (consulte **Determinación de la manifestación**, a continuación) y el cambio disciplinario de ubicación excediera **10 jornadas escolares** consecutivas, el personal de la escuela puede aplicar los procedimientos disciplinarios a ese niño(a) con discapacidades de la misma manera y por el mismo tiempo que se le aplicarían a un niño(a) sin discapacidades, excepto que la escuela debe proporcionar los servicios a ese niño(a) tal como se describe a continuación bajo **Servicios**. El comité del IEP del niño(a) determina el entorno educativo alterno provisional para dichos servicios.

Servicios:

Los servicios que se le deben proporcionar a un niño(a) con discapacidad al que se retiró de su ubicación actual se pueden proporcionar en un entorno educativo alterno provisional. El distrito escolar solamente tiene obligación de proporcionar los servicios a un niño(a) con discapacidad al que se le retiró de su ubicación actual por **10 jornadas escolares o menos** en ese mismo año escolar, si proporciona los servicios a un niño(a) sin discapacidades al que se retiró de manera similar. Un niño(a) con discapacidad al que se retiró de su ubicación actual por **más de 10 jornadas escolares** debe:

1. Continuar recibiendo los servicios educativos, de manera que le permitan al niño(a) participar en el plan de estudios de educación general, aunque en otro entorno, y progresar en el cumplimiento de las metas que se establecieron en el IEP del niño(a); **y**
2. Recibir, según sea apropiado, una evaluación funcional del comportamiento y los servicios de intervención y modificaciones del comportamiento, que se diseñaron para abordar las infracciones de comportamiento para que no vuelvan a ocurrir.

Luego de que a un niño(a) con discapacidad se le retiró de su actual ubicación por **10 jornadas escolares** en el mismo año escolar, y **si** el retiro actual es por **10 jornadas escolares** consecutivas o menos **y** si el retiro no es un cambio de ubicación (consulte la definición a continuación), **entonces** el personal de la escuela, en colaboración con al menos un maestro del niño(a), determina la extensión con la que se necesitan los servicios para permitir que el niño(a) participe en el plan de estudios de educación general, aunque en otro entorno, y que progrese hacia el cumplimiento de las metas que se establecieron en el IEP del niño(a). Si el retiro es un cambio de ubicación (consulte la definición a continuación), el comité del IEP del niño(a) determina los servicios apropiados para permitir que el niño(a) participe en el plan de estudios de educación general, aunque en otro entorno, y progrese hacia el cumplimiento de las metas que se establecieron en el IEP del niño(a).

Determinación de la manifestación

En un plazo de **10 jornadas escolares** a partir de cualquier decisión de cambio de ubicación del niño(a) con discapacidad debido a una infracción al código de conducta del estudiante (excepto por un retiro que es por **10 jornadas escolares** consecutivas o menos y no un cambio de ubicación), el distrito escolar, los padres de familia y los miembros pertinentes del comité del IEP (según lo determinaron los padres de familia y el distrito escolar) deben revisar toda la información relevante del expediente del estudiante, incluyendo el IEP del niño(a), cualquier observación del maestro y cualquier otra información relevante provista por los padres para determinar:

1. Si la conducta en cuestión la ocasionó o tuvo relación directa y sustancial con la discapacidad del estudiante; **o**
2. Si la conducta en cuestión fue resultado directo de la falta de implementación del IEP del niño(a) por parte del distrito escolar.

Si el distrito escolar, los padres de familia y los miembros del comité del IEP del niño(a) determinan que ninguna de estas condiciones se cumplieron, la conducta se debe determinar como una manifestación de la discapacidad del niño(a). Si el distrito escolar, los padres de familia y los miembros pertinentes del comité del IEP del niño(a) determinan que la conducta en cuestión fue resultado directo de la falta de implementación del IEP por parte del distrito escolar, el distrito escolar debe tomar medidas inmediatas para remediar esas deficiencias.

Determinación que la conducta fue una manifestación de la discapacidad del niño(a)

Si el distrito escolar, los padres de familia y los miembros pertinentes del comité del IEP determinan que la conducta fue una manifestación de la discapacidad del niño(a), el comité del IEP debe:

1. Realizar una evaluación funcional del comportamiento, a menos que el distrito escolar haya realizado una evaluación funcional del comportamiento antes que ocurriera la conducta que provocó el cambio de ubicación, e implementar un plan de intervención del comportamiento para el niño(a); **o**
2. Si ya se desarrolló un plan de intervención para el comportamiento, revisarlo y modificarlo conforme sea necesario para abordar la conducta.

Excepto a lo que se describe bajo el subtítulo **Circunstancias Especiales**, el distrito escolar debe regresar al niño(a) a la ubicación de donde se le retiró, a menos que los padres de familia y el distrito estén de acuerdo en con un cambio de ubicación como parte de la modificación del plan de intervención para el comportamiento.

Circunstancias especiales

Sea o no que el comportamiento fue una manifestación de la discapacidad del niño(a), el personal de la escuela puede retirar al estudiante a un entorno educativo alterno provisional (determinado por el comité del IEP del niño(a)) hasta por 45 jornadas escolares, si el niño:

1. Lleva un arma (consulte la definición a continuación) a la escuela o tiene un arma en la escuela, en las instalaciones de la escuela o en un acto escolar bajo la jurisdicción del distrito escolar;
2. Se sabe que tiene o utiliza drogas ilegales (consulte la definición a continuación), o vende o incita la venta de sustancias

controladas (consulte la definición a continuación) mientras se encuentra en la escuela, en las instalaciones de la escuela o en un acto escolar bajo la jurisdicción del distrito escolar; g

3. Infringió serias lesiones corporales (consulte la definición a continuación) sobre otra persona mientras se encuentra en la escuela, en las instalaciones de la escuela o en un acto escolar bajo la jurisdicción del distrito escolar.

Definiciones

Sustancia controlada se refiere a una droga u otra sustancia identificada bajo los catálogos I, II, III, IV o V de la sección 202(c) de la Ley de Sustancias Controladas (21 U.S.C. 812(c)). *Droga ilegal* se refiere a una sustancia controlada pero no incluye una sustancia controlada que se posee o utiliza legalmente bajo la supervisión de un profesional con licencia del cuidado de la salud o se posee o utiliza bajo cualquier otra autoridad de conformidad con esa Ley o de conformidad con cualquier otra disposición de la ley federal. *Seria lesión corporal* tiene el significado que se da al término "serias lesiones corporales" en el párrafo (3) de la subsección (h) de la sección 1365 del Título 18, Código de Estados Unidos. *Arma* tiene el significado que se le da al término "armas peligrosas" en el párrafo (2) de la primera subsección (g) de la sección 930 del Título 18, Código de Estado Unidos.

Notificación

En la fecha que se toma la decisión de realizar un retiro que es un cambio de ubicación del niño(a) debido a una infracción a un código de conducta del estudiante, el distrito escolar debe informarles a los padres de familia acerca de esa decisión y proporcionarles un aviso de las garantías procesales (una copia de este documento).

CAMBIO DE UBICACIÓN DEBIDO A RETIROS DISCIPLINARIOS

El retiro de un niño(a) con discapacidad de su actual ubicación educativa es un **cambio de ubicación** si:

1. El retiro es por más de 10 jornadas escolares consecutivas; g
2. El niño(a) estuvo sujeto a una serie de retiros que constituyen un patrón porque:
 - a. La serie de retiros suma más de 10 jornadas escolares en un año escolar;
 - b. La conducta del niño(a) es sustancialmente similar a la conducta del niño(a) en incidentes previos que provocaron una serie de retiros; y
 - c. Tales factores adicionales como la duración de cada retiro, la cantidad total de tiempo que se retiró al niño(a) y la proximidad entre cada uno de los retiros.

El distrito escolar determina, caso por caso, si el patrón de retiros constituye o no un cambio de ubicación y, si se desafía, es sujeto a revisión por medio del debido proceso y los procedimientos judiciales.

DETERMINACIÓN DEL ENTORNO

El comité del Programa de educación individualizada (IEP) debe determinar el entorno educativo alterno provisional para los retiros que son **cambios de ubicación** y retiros bajo los encabezados **Autoridad adicional** y **Circunstancias especiales**, anteriormente.

APELACIÓN

General

Los padres de un niño(a) con discapacidad pueden presentar un debido proceso de queja (consulte anteriormente) para solicitar un debido proceso de audiencia si no están de acuerdo con:

1. Cualquier decisión que se tome referente a la ubicación, de conformidad con estas disposiciones de disciplina; g
2. La determinación de manifestación descrita anteriormente.

El distrito escolar puede presentar un debido proceso de queja (consulte anteriormente) para solicitar un debido proceso de audiencia si considera que mantener la ubicación actual del niño(a) podría sustancialmente provocar una lesión al niño(a) o a otros.

Autoridad del oficial de audiencias

El oficial de audiencias que cumpla con los requisitos descritos bajo el subtítulo **Oficial de audiencia imparcial** debe realizar el debido proceso de audiencia y tomar una decisión. El oficial de audiencias puede:

1. Regresar al niño(a) con discapacidad a la ubicación de donde se le retiró si el oficial de audiencias determina que el retiro fue una infracción a los requisitos que se describen bajo el encabezado **AUTORIDAD DEL PERSONAL DE LA ESCUELA**, o que el comportamiento del niño(a) fue una manifestación de su discapacidad; u

2. Ordenar un cambio de ubicación del niño(a) con discapacidad a un entorno educativo alternativo provisional y apropiado por no más de 45 jornadas escolares si el oficial de audiencias determina que mantener la ubicación actual del niño(a) podría sustancialmente provocar una lesión al niño(a) o a otros.

Estos procedimientos de audiencia se pueden repetir si el distrito escolar considera que regresar al niño(a) a su ubicación original podría sustancialmente provocar una lesión al niño(a) o a otros. Cuando un padre de familia o un distrito escolar presente un debido proceso de queja para solicitar dicha audiencia, se debe realizar una audiencia que cumpla con los requisitos que se describen bajo los encabezados **PROCEDIMIENTOS DEL DEBIDO PROCESO DE QUEJA, AUDIENCIAS EN LOS DEBIDOS PROCESOS DE QUEJA**, y **Apelación de decisiones; revisión imparcial**, excepto lo siguiente:

1. El Departamento de Educación de Nevada o el distrito escolar debe hacer arreglos para un debido proceso de audiencia acelerada, el cual debe llevarse a cabo dentro de las **20** jornadas escolares siguientes a la fecha en que se solicitó la audiencia y debe provocar una determinación dentro de las **10** jornadas escolares siguientes a la audiencia.
2. A menos que los padres y el distrito escolar acuerden por escrito renunciar a la reunión o acuerden usar mediación, una reunión de resolución debe llevarse a cabo dentro de los **siete** días calendario siguientes a la fecha en que se recibió el aviso del debido proceso de queja. La audiencia puede proceder a menos que el asunto se resuelva a satisfacción de ambas partes dentro de los **15** días calendario siguientes a la recepción del debido proceso de queja.
3. Un Estado puede establecer diferentes reglas de procedimiento para un debido proceso de audiencia acelerada que se estableció para otros debidos procesos de audiencia, pero a excepción de las fechas límite, esas reglas deben ser consistentes con las reglas en este documento con respecto a los debidos procesos de audiencia.

Una parte puede apelar la decisión del debido proceso de audiencia acelerada de la misma forma en que la parte puede apelar decisiones en otros debidos procesos de audiencia (consulte **APELACIONES**, anteriormente).

UBICACIÓN DURANTE LAS APELACIONES

Cuando, tal como se describe anteriormente, los padres de familia o el distrito escolar presentaron un debido proceso de queja en relación con asuntos disciplinarios, el niño(a) (a menos que los padres de familia y el distrito escolar acuerden lo contrario) debe permanecer en el entorno educativo alternativo provisional en espera de la decisión del oficial de audiencias o hasta el vencimiento del plazo del retiro, tal como se establece y describe bajo el encabezado **AUTORIDAD DEL PERSONAL DE LA ESCUELA**, cualquiera que suceda primero.

PROTECCIONES PARA NIÑOS NO APTOS AÚN PARA RECIBIR EDUCACIÓN ESPECIAL Y SERVICIOS RELACIONADOS

General

Si aún no se determina que un niño(a) es elegible para recibir educación especial y servicios relacionados e infringe un código de conducta del estudiante, pero el distrito escolar tenía conocimiento (según se determina a continuación) antes que ocurriera el comportamiento que provocó la acción disciplinaria, que el niño(a) es un niño(a) con discapacidad, el niño(a) puede hacer valer cualquiera de las protecciones que se describen en este aviso.

Bases de conocimiento para asuntos disciplinarios

Se debe considerar que un distrito escolar tiene conocimiento que un niño(a) es un niño(a) con discapacidad si, antes que ocurriera la conducta que provocó la acción disciplinaria:

1. Los padres del niño(a) expresan por escrito, al personal supervisor o administrativo de la agencia educativa apropiada o al maestro del niño(a), su inquietud con respecto a que su hijo(a) necesite educación especial y servicios relacionados;
2. Los padres de familia solicitan una evaluación con respecto a los requisitos para recibir educación especial y servicios relacionados de conformidad con la Parte B de la IDEA; **o**
3. El maestro del niño(a), o cualquier otro miembro del personal del distrito escolar, expresó directamente al director de educación especial del distrito escolar o a otro personal de supervisión del distrito escolar, sus inquietudes específicas con respecto a un patrón de comportamiento que demostró el niño(a).

Excepción

No se considerará que el distrito escolar tiene dicho conocimiento si:

1. Los padres del niño(a) no permitieron una evaluación del niño(a) o rechazaron los servicios de educación especial; **o**
2. El se evaluó al niño(a) y se determinó que no es un niño(a) con discapacidad de conformidad con la Parte B de la IDEA.

Condiciones que aplican si no hay una base de conocimiento

Si antes de tomar medidas disciplinarias en contra del niño(a), el distrito escolar no tiene conocimiento que el niño(a) es un niño(a) con discapacidad, tal como se describió anteriormente bajo los subtítulos **Bases de conocimiento para asuntos disciplinarios** y **Excepción**, se puede someter al niño(a) a las medidas disciplinarias que se aplican a los niños sin discapacidad que se involucran en comportamientos comparables. Sin embargo, si se hace una solicitud para evaluar a un niño(a) durante el período de tiempo en que está sujeto a medidas disciplinarias, la evaluación se debe realizar de manera acelerada. Hasta que se complete la evaluación, el niño(a) permanece en la ubicación educativa que determinaron las autoridades escolares, que puede incluir suspensión o expulsión sin servicios educativos. Si se determina que el niño(a) es un niño(a) con discapacidad, tomando en consideración la información de la evaluación que realizó el distrito escolar y la información que proporcionaron por los padres de familia, el distrito escolar debe proporcionarle educación especial y servicios relacionados de acuerdo con la Parte B de la IDEA, incluyendo los requisitos disciplinarios que se describieron anteriormente.

REFERENCIA A Y ACCIÓN POR AUTORIDADES DE CUMPLIMIENTO DE LA LEY Y JUDICIALES

La Parte B de la IDEA no:

1. Prohíbe que una agencia denuncie ante las autoridades pertinentes un crimen que cometió un niño(a) con discapacidad; **ni**
2. Evita el cumplimiento de la ley estatal y que las autoridades judiciales ejerzan sus responsabilidades con respecto a la aplicación de la ley federal y estatal a los crímenes que comete un niño(a) con discapacidad.

Transmisión de registros

Si un distrito escolar denuncia un crimen que cometió un niño(a) con discapacidad, el distrito escolar:

1. Debe asegurarse de que se transmitan las copias de los registros disciplinarios y de educación especial del niño(a), para que los consideren las autoridades a quienes la agencia denuncie el crimen; **y**
2. Puede transmitir copias de los registros disciplinarios y de educación especial del niño(a) únicamente en la medida que lo permita la FERPA.

REQUISITOS PARA LA UBICACIÓN UNILATERAL POR LOS PADRES DEL NIÑO(A) EN UNA ESCUELA PRIVADA CON GASTO PÚBLICO

GENERAL

La Parte B de la IDEA no exige que el distrito escolar pague el costo de educación, incluyendo educación especial y servicios relacionados, de su hijo(a) con discapacidad en una escuela o establecimiento privado si el distrito puso a disposición de su hijo(a) una educación pública adecuada y gratuita (FAPE) y si usted elige ubicar a su hijo(a) en una escuela o establecimiento privado. Sin embargo, el distrito escolar en donde se ubica la escuela privada debe incluir a su hijo(a) en la población cuyas necesidades se abordan de conformidad con las disposiciones de la Parte B con respecto a niños que sus padres los ubicaron en una escuela privada conforme a 34 CFR §§300.131 al 300.144.

Reembolso por ubicación en una escuela privada

Si su hijo(a) recibió anteriormente educación especial y servicios relacionados bajo la autoridad de un distrito escolar y usted elige inscribir a su hijo(a) en un establecimiento privado de educación preescolar, escuela primaria o secundaria sin el consentimiento o referencia del distrito escolar, el tribunal o el oficial de audiencias puede exigirle a la agencia que le reembolse el costo de esa inscripción si el tribunal o el oficial de audiencias encuentra que la agencia no puso a disposición de su hijo(a) una educación pública apropiada y gratuita (FAPE, por sus siglas en inglés) de manera oportuna antes a la inscripción y que la ubicación privada es apropiada. Un oficial de audiencias o tribunal puede considerar que su ubicación es apropiada, aún si la ubicación no cumple con los estándares estatales que aplican a la educación que proporciona el Departamento de Educación de Nevada y los distritos escolares.

Limitación del reembolso

El costo de reembolso que se describió en el párrafo anterior se puede reducir o rechazar:

1. Si: (a) En la reunión más reciente del Programa de educación individualizada (IEP, por sus siglas en inglés) a la que usted asistió antes de retirar a su hijo(a) de la escuela pública, usted no le informó al comité del IEP que rechazaba la ubicación propuesta por el distrito escolar para proporcionarle FAPE a su hijo(a), incluyendo la declaración de sus inquietudes y su intención de inscribir a su hijo(a) en una escuela privada con gasto público; o (b) si al menos 10 días hábiles (incluyendo cualesquiera feriados que ocurran en un día hábil) antes de retirar a su hijo(a) de la escuela pública, usted no dio aviso por escrito al distrito escolar acerca de esa información;
2. Si, antes de retirar a su hijo(a) de la escuela pública, el distrito escolar le proporcionó aviso escrito previo, acerca de su

intención de evaluar a su hijo(a) (incluyendo una declaración del propósito de la evaluación que era apropiada y razonable), pero usted no puso a disposición a su hijo(a) para la evaluación; **o**

3. Ante los hallazgos del tribunal que sus acciones fueron irracionales.

Sin embargo, el costo de reembolso:

1. No se debe reducir o rechazar por no cumplir con proporcionar el aviso si: (a) la escuela lo previno de proporcionar el aviso; (b) usted no recibió aviso de su responsabilidad de proporcionar el aviso que se describió anteriormente; o (c) si el cumplimiento de los requisitos que se mencionaron anteriormente podría provocar daño físico a su hijo(a); **y**
2. No se puede, a discreción del tribunal o de un funcionario de audiencias, reducir o rechazar porque los padres de familia no cumplieron con proporcionar el aviso que se requiere si: (a) los padres de familia son analfabetas o no pueden escribir en inglés; o (b) si el cumplimiento de los requisitos que se mencionaron anteriormente podría provocar serio daño emocional al niño(a).

**NYE COUNTY SCHOOL DISTRICT
SPECIAL EDUCATION SUPPORT SERVICES**

**Services Plan
for Parentally-Placed Private School & Home-Schooled Students**

Student Name: _____ Date of Birth: _____ Age: _____

Guardian/Parent Name: _____ Grade: _____ School Year: _____

Address: _____ Phone: (h) _____

_____ Phone: (w) _____

Service Plan Meeting Date: _____

Team Signatures:

| NAME | POSITION | SIGNATURE |
|-------|----------|-----------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

I. DATES

A. Projected date when services and programs will begin: ____/____/____
Month Day Year

B. Anticipated duration of services and programs ____/____/____
Month Day Year

II. PRESENT LEVELS OF EDUCATIONAL PERFORMANCE

A. Summary of performance in current program:

III. GOALS AND OBJECTIVES

A. Measurable annual goal: _____

B. Short-term instructional objectives or benchmarks:

1. Objective/Benchmark:

(Only one objective/benchmark is listed here for brevity. List as many on your own form as is appropriate for each student)

IV. SPECIAL EDUCATION AND RELATED SERVICES

A. Specially designed instruction:

B. Related services:

C. Supplementary aids and services:

V. PROGRESS REPORTING

A. How progress toward the annual goals will be reported: _____

B. How frequently progress toward the annual goals will be reported: _____

VI. SERVICE DELIVERY

A. Where services will be provided: _____

Re-determination of Eligibility

The IEP Team should consider the following information when determining if a student no longer requires speech and language intervention to benefit from his educational program.

- The IEP Team determines that the student no longer meets the criteria for eligibility under the category of speech and language handicapped.
- Preschooler's speech intelligibility approximates age-appropriate levels and no longer meets the criteria for eligibility.
- The student has demonstrated to no longer profit from speech and language services.
- Intensive remedial techniques or strategies are no longer required to improve his communication skills.
- Preschoolers receiving primary speech intervention are not made available to receive services.

NEVADA DEPARTMENT OF EDUCATION

Model Form to Assist Parents in Filing a Due Process Request¹

Name
Address
Telephone Number
Date

Superintendent of Schools
School District
Address

Dear (Name of Superintendent of Schools) :

The purpose of this letter is to request an impartial due process hearing for (name of child) , born on (birth date) , enrolled at (name of school) , who currently resides at (address) .² I am/We are requesting this hearing in order to resolve the issue(s) of the (identification/evaluation/placement/Free Appropriate Public Education) of my/our child.

The specific reasons for this request are as follows:

(Parent(s): State the nature of the problem relating to the proposed initiation or change in the identification, evaluation, or educational placement of your child, or the provision of a free appropriate public education to your child)

Facts that support this request include:

(Parent(s): Describe the facts related to the problem, including when the problem occurred.)

¹ Even if you do not use this model form, the Individuals with Disabilities Education Act requires you or your attorney to file a notice that meets certain requirements in order to have a hearing. (See the statement of your rights for additional information.) If the school district is the requesting party, the district must also file the required notice.

² If you and your child are homeless, just include available contact information and the name of the school your child is attending.

Our proposed resolution of this disagreement is:

(Parent(s): To the extent you can at the present time, please propose a resolution of the problem.)

In order for us to prepare for this hearing, would you please provide us with the following information:

- a. The procedure to follow in order to examine and copy my/our child's educational records.
- b. A list of the agencies where I/we can obtain free or inexpensive legal assistance and other relevant services in the area.

Check either, if appropriate:

- a. ____ In addition, I understand if this is my/our first request for a hearing, I will receive a statement of my/our rights under the provisions of the Individuals with Disabilities Education Act and Nevada state law and regulations.
- b. ____ Although this is not my/our first request for a hearing, I am requesting another copy of a statement of my/our rights under the provisions of the Individuals with Disabilities Education Act and Nevada state law and regulations.

Sincerely,

(Parent(s)/Guardian(s) Signature)

[At your discretion, send a carbon or Xerox copy of this letter to individuals who have substantial interest in this dispute. For example, you may wish to send copies to the local principal and to anyone you have engaged to represent you, such as an attorney or a member of a parent advisory group.]

Cc. Nevada Department of Education

DEPARTAMENTO DE EDUCACIÓN DEL ESTADO DE NEVADA
Formulario modelo para ayudar a los padres de familia a presentar la solicitud del debido proceso¹

Nombre
Dirección
Número de teléfono
Fecha

Superintendente de Escuelas
Distrito Escolar
Dirección

Estimado (Nombre del Superintendente de las Escuelas):

El propósito de esta carta es solicitar un debido proceso de audiencia imparcial para (nombre del menor), quien nació el (fecha de nacimiento), inscrito en (nombre de la escuela), quien vive actualmente en (dirección).² Estoy/Estamos solicitando esta audiencia para resolver el(los) problema(s) de (identificación/evaluación/colocación/ de Educación pública apropiada gratuita).

Las razones específicas de esta solicitud son las siguientes:

(Padre(s) de familia: Indicar la naturaleza del problema relacionado con el inicio o cambio propuesto en la identificación, evaluación o colocación educativa de su hijo(a) o la provisión de una educación pública gratuita apropiada para su hijo(a))

Los hechos que respaldan esta solicitud incluyen:

(Padre(s) de familia: Describir los hechos relacionados con el problema, inclusive cuándo ocurrió el problema).

¹ Aún si no utiliza este formulario modelo, la Ley de Educación para Personas Discapacitadas requiere que usted o su abogado presenten un aviso que cumpla con ciertos requisitos con el fin de tener una audiencia. (Consulte la declaración de sus derechos para obtener información adicional). Si el distrito escolar es la parte que presenta la solicitud, el distrito también debe presentar el aviso solicitado.

² Si usted y su hijo(a) están desamparados, solamente incluya la información de contacto disponible y el nombre de la escuela a la que asiste su hijo(a).



NYE COUNTY SCHOOL DISTRICT CHECKLIST OF ITEMS REQUIRED FOR STUDENT SPEECH INTERVENTION REFERRAL FOR SPECIAL EDUCATION SERVICES

- Copy of NCSD Speech/Language Program Intervention Referral Form
- Copy of NCSD Speech/Language Written Intervention Plan
- Signed copy of NDE Policy Statement Response To Scientific Research-Based Intervention April 2007
- Vision/Hearing Report
- Speech Data Sheets (i.e. RTI progress data)
- Summary of Progress Form
- Send this checklist and all completed paperwork to the **Director of Special Education Support Services**

Speech RTI Procedures

- Teacher fills out intervention form.
 - **Kindergarten students will be given eight to ten weeks to adjust to academic settings.*
- Speech therapist screens and emails teacher.
 - If no concerns, e-mail teacher recommendations.
 - If concerns get RTI teacher & Admin to sign intervention form. (Copies may be distributed to involved parties such as the SIIT team leader/principal.)
- Get vision and hearing screening.
- Call parent and explain the RTI process.
- Send attachment (Response to Scientific, Research-Based Intervention) for parent's signature.
 - **Parent may request an evaluation of their child to determine eligibility for special education speech services if the parent suspects their child has a speech disability. "Y j gp 'vj ku'j crr gpu. 'c" ur ggej 'gxcnwtkqp'cpf 'vj g'ur ggej 'RTI process't wp'uko wncpgqwurf.*
- Once the signed copy of (Response to Scientific, Research-Based Intervention) has been received, fill out written speech intervention plan.
- Send parent a copy of Response to Scien and written speech intervention plan
- Parent approves plan – email Admin/RTI leader/Teacher
- Use our data sheets – RTI 10 mpw is recommended for 6 to 8 weeks
- Send to SESS copies of all RTI paperwork including SIIT packet (signed Response to Scien . . . & Int plan, data sheets, intervention form, vision and hearing screening, and summary of progress form for signature to move forward with speech/language testing.)

If RTI goals are achieved and no further evaluation is needed, a copy of the SIIT packet will be made for the cumulative file and SESS. Main RTI folder will remain in building.

NYE COUNTY SCHOOL DISTRICT
SPEECH AND LANGUAGE PROGRAM INTERVENTION FORM

Name: _____

Date: _____

Referring teacher: _____

Grade: _____

Please rate your student on the following scale:

| | |
|---------------------------|--------------------------------|
| Within the class range | Weaker than 90% of class |
|---------------------------|--------------------------------|

Articulation, Phonological Development (*Pronunciation of words*)

| | | |
|--|-------|-------|
| Demonstrates Error Sounds in conversation. | _____ | _____ |
| Has difficulty with multisyllabic words. | _____ | _____ |
| Intelligibility of speech is reduced or limited. | _____ | _____ |

Receptive and Expressive Language

| | | |
|---|-------|-------|
| Misunderstands meaning of words used in class. | _____ | _____ |
| Sentences have grammatical errors such as misuse of pronouns, verbs, conjunctions, etc. | _____ | _____ |
| Has difficulty with classifying, describing, and following directions. | _____ | _____ |
| Uses improper word order in sentences. | _____ | _____ |
| Sentence length seems inappropriate for age. | _____ | _____ |
| Misunderstands/misuses conceptual vocabulary. | _____ | _____ |

Functional Communication/Pragmatics

| | | |
|--|-------|-------|
| Child fails to demonstrate conversational skills such as maintaining eye contact, using conversational greetings and closings, and other social rituals. | _____ | _____ |
| Child is unable to initiate, maintain, and question. | _____ | _____ |
| Child does not stay on topic during conversation. | _____ | _____ |
| | _____ | _____ |
| | _____ | _____ |

Fluency (*Stuttering*)

| | | |
|--|-------|-------|
| Child hesitates, repeats, and/or prolongs words in conversation. | _____ | _____ |
| Child uses an inappropriate rate. | _____ | _____ |
| Child appears to block on words in conversation. | _____ | _____ |

Voice (*Voice Quality*)

| | | |
|---|-------|-------|
| Voice quality is harsh, hoarse, breathy, nasal, or breaks. | _____ | _____ |
| Child has voice habits such as screaming, clearing their throat, coughing, or whispering. | _____ | _____ |

The following signatures are required to begin RTI.

Administrator: _____

SIIT/Intervention Leader: _____

Date: _____

Date: _____

Summary of Progress Form

Results of RTI SLP intervention

Comments of SLP

Possible Recommendations

NYE COUNTY SCHOOL DISTRICT
SIIT SPEECH/LANGUAGE INTERVENTION PLAN

Student Name _____ Date _____
School _____ Teacher _____
Grade _____ Age _____
Parent/Guardian _____ Home Phone _____
Address _____
Ethnicity _____ Student's Primary Language _____ Parent/Guardian's Primary Language _____

Identify speech/language concern(s):

Describe the impact on student's communication and education:

Describe the interventions provided (previous & future):

Describe the progress data that will be collected to measure the level & rate of learning:

Describe the frequency of the data collection, how the data will be summarized, the criteria for evaluating the effectiveness, and schedule for evaluating the effectiveness:

Articulation and phonology

The following procedures will be used to identify students with Speech and language concerns. An assessment that includes either standardized testing and/or a speech sample to determine if there are phonological or articulation concerns. Intelligibility of the student's speech that is developmentally age appropriate, which includes oral motor and/or oral structures. Cognitive abilities and a student's level of language development should all be considered.

Language

A language assessment will include receptive and expressive components. The therapist will use two standardized tests to determine eligibility. Students who qualify for services should perform at a standard score of 78 or below. No one subtest should be used to qualify a student for language services, a composite score of receptive, expressive, and pragmatic areas should be used. However the cognitive abilities of the student need to be considered to determine if language competence is equivalent to expected cognitive ability. The student may qualify in either areas of language such as comprehension of language, expressive language and pragmatics. Consideration of the child's overall skills within the classroom setting and informal observations should be a part of the evaluation process. When student's data approaches the mastery level the SLP will send out a PPT & a PWN to the parents to determine student's current level of performance. If standardized score and informal observations indicate the student is above a standard score of 78 then the student will be placed on consult for 6 months then the SLP will contact parents and send PTT and PWN home. Then SLP will complete the testing and prepare report and an S/L statement of eligibility report. The team will then meet then final determination will be made at that meeting. If the team determines that the student is not eligible then the report and the statement of eligibility will be filed in the students SpEd folder. It is up to the SLP to determine how much service and who will administer the services, to better provide the student with the least restrictive environment as well as to achieve generalization.

Fluency

Fluency assessment will include a standardized assessment as well as informal speech samples that show dysfluencies in two or more environments with severity that impacts their overall communication skills.

Voice

Voice assessment will include a recommendation for voice therapy by a physician or specialist in oral, nasal, and laryngeal anomalies. The SLP will complete a voice screener to help identify an area of need prior to student seeing a physician or specialist in oral, nasal, and laryngeal anomalies. Clearance from a physician or specialist in oral, nasal, and laryngeal anomalies for voice therapy as well as report and eligibility statement will be completed.

Voice Referral Procedures

- SLP will complete a speech therapist voice screener (Attachment 1) and voice referral form (Attachment 2) and complete the evaluation procedure and report.
- Call parent and send home forms.
- Parents sign a release of confidential information.
- After receiving the physician clearance for voice therapy, SLP and team will meet, determine if the child is eligible, and complete IEP.

Student's ability to profit from continued S/L services

Per ASHA guidelines students who disability precludes normal expressive language is eligible for dismissal when s/he can communicate with an augmentive communication system.

The SLP needs to consider the benefit of services for students who have had little progress in data or scores. These students will be placed on a 6 month consult and be reassessed for dismissal at the end of 6 months.

Students who show a lack of motivation & will not participate in therapy will be placed on consult until the behavior or motivation changes.

Nye County School District
Special Education Support Services
Voice Referral

Student: _____ Date _____

DOB: _____ Age: _____ Grade: _____ School: _____

Address: _____

Parent: _____

Telephone: _____

Home

work

cell

Presenting problems and relevant medical/behavioral history:

Referral (check all that apply)

- 0 Is the anatomy of the velopharyngeal port normal?
0 Does the velopharyngeal port functionally during speaking tasks?
0 Is the anatomy of the larynx normal?
0 Do the vocal folds function normally during speaking tasks?
0 Other:

Is voice therapy recommended?

Yes _____ No _____

Physician/Specialist or ENT Signature

Date

Nye District Use Only:

Signed:

NCSD Speech/Language Pathologist

Date

Attachment ?

Nye County School District
Special Education Support Services
Speech Therapist Voice Screener

Student Name: _____

Date: _____

DOB: _____

Respiration (circle one)

Breathing Pattern: Clavicular Thoracic or Diaphragmatic

Audibleness: Very audible slightly or inconsistent audible Silent

Effort of Breathing: Labored Easy Excessive tension associated with breathing

Comments: _____

Phonation & Resonance

Maximum phonation time:

Sustain /a/ three trials _____ Average: _____

(Normal average =10 sec)

Vocal Quality: Clear Dysphonic (breathy/hoarse/strained) Aphonic

Resonance: normal hypernasal hyponasal

(Have them phonate on /a/ or a non-nasal sound)

Comments: _____

Suprasegmentals

Pitch: appropriate too high too low extremely variable

Prosody: appropriate monotone awkward or unusual

Intensity: appropriate too loud too quiet

Rate: appropriate too fast too slow

Comments: _____

Vocal Abuse

Throat clearing coughing yelling hard glottal attack vocal noise

Comments: _____

Refer for Evaluation

Yes No Reason _____

Attachment ?

Student: _____

Grade: _____

Date: _____

School: _____

Check the box that applies

This student is currently receiving speech and language intervention services at this time.

This student has been through the speech and language intervention process; and has been evaluated for a Speech and Language Impairment. At this time the student was not found eligible for services under the funding category of Speech Language impairment.

This student has received speech and language intervention services and the targeted area of concern has been remediated.

Note: SpEd Records regarding the evaluation are kept at SESS office please contact them at (775) 751-4014

Speech Language Pathologist

Date

Speech Services for ELL Students

Once a student has been enrolled in the Early Childhood Special Education Program and received speech/language services, the Bilingual Intervention Teacher Information Form and Parent Information Form may be completed if necessary. – Tips for Teachers of Second Language Learners may be given to help guide the teacher. If it is determined the student needs bilingual intervention, the student may be referred to the ELL department. If no ELL services are available, as in the Northern Nye County schools, then speech assessment may be used to determine if the student needs continued help in developing age appropriate English language skills. All eligibility decisions should be decided by the Multi-Disciplinary Team (MDT). It is critical that students with bilingual issues receive assessment and/or intervention before third grade. Assessments for speech and language will be conducted in the English language and be an English language assessment. There may be specific occasions when a student may need a native language interpreter during assessment, but it is not the procedural norm. The following form may be used to identify and/or continue ELL services:

Bilingual Intervention Teacher Information Form

Name: _____ Date: _____

School: _____ Teacher: _____

DOB: _____ Grade: _____

1. Most recent ELL Department scores (LAS LINKS)
 - a. Speaking Level _____ Score _____
 - b. Listening Level _____ Score _____
 - c. Reading Level _____ Score _____
 - d. Writing Level _____ Score _____

2. Last years ELL department scores (LAS LINKS)
 - a. Speaking Level _____ Score _____
 - b. Listening Level _____ Score _____
 - c. Reading Level _____ Score _____
 - d. Writing Level _____ Score _____

3. Has the ELL Specialist for the school been contacted? _____
4. Has the vision and hearing screening been conducted? Results: _____
5. Has a classroom observation been completed? _____ Yes _____ No
6. Areas of concern: _____
 - a. Strengths _____

7. Has the child ever been retained? _____ Yes _____ No
8. Has there been a PLC/Intervention meeting where the SLP & School Psychologist Have been there to discuss the concern with this child? _____ Yes _____ No

9. If the child is not yet in 2nd grade, what is the main concern with this student?

Appendix F-2

The following is the Intervention Form for parents to complete:

Nye County School District
Bilingual Intervention Parent Information Form

Name: _____ Date: _____
School: _____ Teacher: _____
DOB: _____ Grade: _____

1. Home Language
 - a. First language learned by the student English _____ Spanish _____ Other _____
 - b. Language used at home: English _____ Spanish _____ Other _____
If other language, please specify: _____
2. Are there siblings in the home? _____ Yes _____ No
 - a. Older _____
 - b. Younger _____
3. At what age was the second language introduced? _____
4. Has vision and hearing screening been conducted? Results: _____
5. Areas of concern: _____
 - a. Strengths: _____
6. Has the child attended preschool? _____ Yes _____ No
7. Has the child ever been retained in a certain grade? _____ Yes _____ No
 - a. If yes, what grade? _____
8. Has the child had academic instruction in the primary language? _____ Yes _____ No
9. Has your child attended any schools in a different country? _____ Yes _____ No
 - a. If yes, did he/she ever have problems in school? _____ Yes _____ No
 - b. Was your child ever retained in a native language school? _____ Yes _____ No
10. Please list all family members in your home and what languages they speak:

11. Any relevant background information that provides accurate English exposure at home:

Tips for Teachers of English Language Learners

- * Use visual and gestural cues.
- * Be aware that students may be conversationally fluent, but not able to complete academic requirements in English.
- * Check for comprehension frequently.
- * Label objects in the classroom.
- * Speak slowly.
- * Find ways to relate learning to the student's experiences.
- * Understand the cultural background of the student.
- * Provide student with bilingual dictionary (can be picture).
- * Seat student next to peer who speaks the same primary language.
- * Repeat often.
- * Use simple language.
- * Encourage participation, even if it is silent.
- * Keep anxiety for the student and the teacher low.

NCS D Service Plans

A service Plan is used when a speech/language pathologist has a student who is being home schooled, attending a private school or has been expelled from school with an active IEP. This Service Plan is in place of an IEP.

A service Plan is valid for an entire school year (beginning date of Service Plan and ending last day of school year.) If services are to continue the following year, a new Service Plan needs to be completed. Service Plans are stored in SESP under "pending" files. These Service Plans need to be placed in a file, but not a Speech/Language Confidential Folder.

Some procedures that need to be followed with a service plan are: completing a Parental Prior Written Notice with Permission To Evaluate form attached. Testing needs to be completed, a report must be written and meeting with parent and SESS administrator needs to be set up and conducted. If the student qualifies for services, then an eligibility form must be completed and signed. In addition, a Consent For Special Education Placement form must be signed by the parent indicating their approval for special education services. If found eligible, homeschooled, private school students receive a percentage share of services they would receive if attending Nye County public schools. This percentage share is approximately half of what a comparable student would receive on an active IEP attending NCS D public schools. If the situation warrants, the SLP may request a vision and hearing screening if vision and/or hearing issues are suspected with a student. Then parent will be notified of screening results.

**NYE COUNTY SCHOOL DISTRICT
SPECIAL EDUCATION SUPPORT SERVICES**

**Services Plan
for Parentally-Placed Private School & Home-Schooled Students**

Student Name: _____ Date of Birth: _____ Age: _____

Guardian/Parent Name: _____ Grade: _____ School Year: _____

Address: _____ Phone: (h) _____

_____ Phone: (w) _____

Service Plan Meeting Date: _____

Team Signatures:

| NAME | POSITION | SIGNATURE |
|-------|----------|-----------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

I. DATES

A. Projected date when services and programs will begin: ____/____/____
Month Day Year

B. Anticipated duration of services and programs ____/____/____
Month Day Year

II. PRESENT LEVELS OF EDUCATIONAL PERFORMANCE

A. Summary of performance in current program:

III. GOALS AND OBJECTIVES

A. Measurable annual goal: _____

B. Short-term instructional objectives or benchmarks:

1. Objective/Benchmark:

(Only one objective/benchmark is listed here for brevity. List as many on your own form as is appropriate for each student)

IV. SPECIAL EDUCATION AND RELATED SERVICES

A. Specially designed instruction:

B. Related services:

C. Supplementary aids and services:

V. PROGRESS REPORTING

A. How progress toward the annual goals will be reported: _____

B. How frequently progress toward the annual goals will be reported: _____

VI. SERVICE DELIVERY

A. Where services will be provided: _____

B. Times services will be provided: _____

C. Additional arrangements: _____



NYE COUNTY SCHOOL DISTRICT
 CHECKLIST OF ITEMS REQUIRED FOR
OCCUPATIONAL THERAPY INTERVENTION FORM

- Occupational Therapy Intervention Form completed with signature
- Intervention team plan completed
- Results of plan documented
- Conclusion – needs OT evaluation or doesn't needs OT evaluation
- Vision and hearing report
- Copy any medical documentation/prescription that may be available
- Send this checklist and all completed paperwork to the **Special Education and Support Services**

**NYE COUNTY SCHOOL DISTRICT
OCCUPATIONAL THERAPY INTERVENTION FORM**

| | |
|---|----------------------------|
| Student Name _____ | Date _____ |
| School _____ | Teacher _____ |
| Grade _____ DOB _____ | Age _____ |
| Parent/Guardian _____ | Home Phone _____ |
| Address _____ | |
| Ethnicity _____ Student's Primary Language _____ Parent/Guardian's Primary Language _____ | |
| Medical Diagnosis _____ | Eligibility Category _____ |

List IEP goals/objectives that the child is having difficulty meeting, pertaining to this referral that an Occupational Therapist might address:

List concerns from "Present Levels of Performance" pertaining to this referral:

What issues might be interfering with the child achieving these goals?

Occupational Therapy Checklist (check all that apply)

Sensory Awareness

- Identifies object or place on own body where sensation is received
- Discriminates between hugs, taps, tickles and pinches during play and interaction with peers/adults
- Discriminates between hot and cold water, foods, and heat sources within classroom
- Uses classroom tools (pencils, pens, scissors) skillfully

Vestibular and proprioceptive information

- Exhibits fluid movements and changes in body position
- Coordinates eye movements for reading and copying from the board
- Has good balance
- Maintains a normal posture in regular chair/wheelchair
- Maintains good head and neck control

Visual Information

- Recognizes colors
- Recognizes shapes
- Recognizes sizes of objects
- Can find classroom materials
- Can focus on page, chalkboard or worksheet

Auditory Information

- Responds appropriately to sounds, including loud and unexpected noises
- Responds appropriately to verbal direction
- Easily distracted by background noise

Gustatory and Olfactory information

- Notices and responds appropriately to tastes and scents encountered daily in school

Neuromuscular Functioning

- Holds head, torso, and shoulders steady to move hands and eyes to attend and participate in classroom activities
- Moves body parts easily to reach school supplies, manipulate tools, move throughout school environment
- Sits upright comfortably to use hands and eyes for desktop work
- Stands to write at chalkboard
- Carries lunch tray/books

Gross Motor Skills

- Easily transitions from one activity to another
- Uses both sides of the body simultaneously when appropriate for an activity
- Able to think of and plan a new motor act

Fine Motor Functioning

- | | |
|---|---|
| <input type="checkbox"/> Has established hand preference | <input type="checkbox"/> Uses dominant hand for skilled tasks and other to assist |
| <input type="checkbox"/> Can hold and manipulate small objects skillfully | <input type="checkbox"/> Can cut on lines |
| <input type="checkbox"/> Can color within boundaries | <input type="checkbox"/> Can trace on lines |
| <input type="checkbox"/> Completes puzzles | <input type="checkbox"/> Builds with blocks |
| <input type="checkbox"/> Writes within the lines of a page | <input type="checkbox"/> Uses correct pencil grip |

The following signatures are required prior to forwarding to appropriate personnel for special education referral.

Signed: **ADMINISTRATOR** _____ **DATE** _____

SIT COORDINATOR _____ **DATE** _____

Parent was notified of intention to refer to special education. YES NO Date _____

If NO, was reasonable attempt made to contact parent YES NO **(Please attach documentation)**

**Nye County School District
Physical Therapy Intervention Form**

Student Name: _____ Student Number: _____

Special Education Eligibility Category: _____

Diagnosis: _____

Medications: _____ Allergies: _____

School: _____ Teacher: _____

Case Manager: _____

Days Attending (Please Circle) M T W Th F Hours: AM PM All Day

Person requesting intervention: _____

Reason for referral (Description of concerns): _____

Strategies implemented to address current concerns: _____

Signature of person requesting intervention: _____

Printed name: _____ Date: _____

Nye County School District Physical Therapy Intervention Form

The following signatures are required prior to forwarding to appropriate personnel for special education referral.

SCHOOL ADMINISTRATOR _____

Date: _____

SIT COORDINATOR _____

Date: _____

Was parent notified of intention to refer to physical therapy? Y N

Date: _____ Please attach documentation of parent notification.

Send copy of completed form, along with copy of current IEP to:
Special Education Support Services
Attn: Physical Therapist

File original form in student confidential file:
“Additional In District Reports”
Section 4, Sub-section 3

CHILD FIND LOG

Date: _____

| Time | Child/Parent Name(s) | Date of Birth | Primary Language | Phone Number | Concern |
|------|----------------------|---------------|------------------|--------------|---------|
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ATTENTION PAHRUMP EARLY CHILDHOOD SCREENING

The Nye County School District has a responsibility to locate, assess, and identify children ages 3-5 who are not enrolled in any school program and who may have some kind of developmental delays. If your child is currently being served through Nevada Early Intervention, please contact us about 90 days prior to your child turning 3 years of age.

If you live in Pahrump, to make an appointment for an evaluation for your child for either Friday, Nov. 17, or Friday, Dec. 1, 2006, please call the Early Childhood Special Education (ECSE) office at 751-2638. The new office is located at 2200 S. Mt. Charleston Drive W.

ATENCION PAHRUMP EVALUACION DEL PROGRAMA DE TEMPRANA EDAD

El Distrito del Condado de Nye tiene la responsabilidad de localizar, evaluar, e identificar niños de 3 a 5 años de edad que no se encuentran matriculados en ningún programa escolar y que pueden tener un tipo de retraso en su desarrollo. Si su niño obtiene servicios del programa de Temprana Intervención de Nevada (Nevada Early Intervention) por favor pongase en contacto con nosotros 90 días antes de que su niño cumpla los 3 años.

Si usted vive en Pahrump, puede hacer una cita para una evaluación para su hijo(a) los días Viernes 17 de Noviembre o Viernes 1 de Diciembre, 2006, por favor llame a la oficina de Early Childhood Special Education (ECSE) (Educación Especial de Temprana Edad) al 751-2638. El Nuevo local está en 2200 S. Mt. Charleston Drive W.

G-2



**NEVADA DEPARTMENT OF EDUCATION STATEMENT POLICY
RESPONSE TO SCIENTIFIC, RESEARCH-BASED INTERVENTION
April 2013**

Student Name: _____

Birthdate: _____

School: _____

District: _____

The Nevada Department of Education supports the development of an overarching system of providing scientifically based curriculum and instruction that is guided by ongoing data analysis and other information regarding student performance and success.

To accomplish this objective, school districts and other public agencies have designed systems for providing scientific, research-based interventions. Scientific, research-based interventions involve modification of the classroom environment, curriculum, or delivery of instruction in general education settings. The interventions are based upon an examination of the characteristics of the student as a learner, the instruction being provided, and the curricular tasks to be accomplished. The interventions are targeted toward improving the student's level of performance and rate of learning.

If a student is experiencing an academic or behavioral difficulty but is not suspected of having a disability, the school district or public agency may attempt to remediate the difficulty through providing targeted scientific, research-based interventions. If so, an intervention plan based upon the individual needs of the student will be developed that includes:

- an identification of the academic and/or behavior concern(s)
- a description of the targeted scientific, research-based interventions(s) to be provided in general education settings
- the progress monitoring data to be collected to measure level of performance and rate of learning, including:
 - the frequency of data collection and the strategies for summarizing the data
 - the criteria to be used to evaluate the effectiveness of the intervention(s)
 - the schedule for evaluating the effectiveness of the intervention(s)

A copy of the intervention plan must be provided to the student's parents.

Parents have a right to request an evaluation of their child to determine eligibility for special education programs and services if the parents suspect their child has a disability. Upon such a request, the school district or public agency is required to provide parents with a copy of the procedural safeguards available to them under the Individuals with Disabilities Education Act. In addition, federal and state law require that the school district or public agency respond to a parent's request for an evaluation with written notice of any proposals or refusals to conduct the evaluation requested by the parent.

A copy of this information was provided to the parent on _____ (date)

Copy provided by: _____ (school personnel)

Copy received by: _____ (parent)

References: 34 CFR 300.311

NOTE: Please return this form to local school district

ESTADO DE NEVADA

DEPARTAMENTO DE EDUCACIÓN

700 E. Fifth street
Carson City, Nevada 89701-5096
(775) 687-9200 • Fax: (775) 687-9101

**RESPUESTA DE LA POLÍTICA DE INVESTIGACION CIENTÍFICA
DEL DEPARTAMENTO DE NEVADA A BASE DE INTERVENCIÓN
ABRIL 2007**

Nombre del Estudiante: _____ Fecha de Nacimiento: _____

Nombre de la Escuela: _____ Distrito Escolar: _____

El Departamento de Educación de Nevada apoya el desarrollo de un multi sistema de proveer currícula e instrucción conducido por analices de información en curso y otra información acerca de representación y éxito del estudiante.

Para realizar este objetivo, distritos escolares y otras agencias públicas han diseñado sistemas que proveen investigaciones científicas a base de intervención. Investigaciones científicas a base de intervención involucran modificación del ambiente del salón, currícula o presentación de instrucción en ambientes generales de educación. La intervención se base encima de un examen de las características del estudiante como principiante, las instrucciones proveídas y las tareas curriculares. La intervención se dirige a mejorar el nivel de representación y la velocidad en que aprenden.

Si un estudiante esta experimentando dificultad en académica o comportamiento pero no se sospecha minusvalía, el distrito escolar o la agencia publica intentara remediar su dificultad a través de investigaciones científicas a base de intervención. Si es así, un plan de intervención individuo a base de las necesidades del estudiante será diseñado. Incluye lo siguiente:

- Identificar las áreas de preocupación de comportamiento y/o académicas
- Una descripción del objetivo de instrucción científica a base de intervención en un ambiente general de educación
- Los datos coleccionados de controlar y medir el nivel de representación y velocidad en que aprenden que incluye:
 - La frecuencia de colección de datos y estrategias para el resumen de los datos
 - El criterio usado para evaluar la eficacia de la intervención
 - El horario para evaluar la eficacia de la intervención

Una copia del plan de intervención debe ser proveída a los padres del estudiante.

Los padres tienen el derecho de solicitar una evaluación de su hijo para determinar elegibilidad para programas y servicios de educación especial si sospechan minusvalía en su hijo. Encima de la solicitud, el distrito escolar u otra agencia pública se requiere proveerles a los padres una copia de los procedimientos de salvaguardia disponibles para ellos bajo el acto de "Individuos con Minusvalía Educativa". En adición, la le federal y estatal requiere que el distrito escolar u otra agencia publica responda a la solicitud de los padres para una evaluación por una noticia en escrito de cualquier propuesto e rehúso de conducir la evaluación solicitada por los padres.

Una copia de esta información fue proveída a los padres el _____ (fecha)

Copia proveída por: _____ (personal de la escuela)

Copia recibida por: _____ (padre)

Required Assessment for **Autism** Eligibility: Addressed in Attached Psychological Report

Minimum Assessment Components

- __Health and medical status;
- __developmental history, including rate and sequence of development and a clear
- __statement of strengths and weaknesses;
- __cognitive abilities;
- __social and emotional condition in multiple settings;
- __academic achievement;
- __adaptive skills;
- __speech, language and other communication skills.

Team must also consider:

- __sensory regulation;
- __self-help and independent living skills;
- __behavior problems;
- __symbolic and imaginative play;
- __activities and special interests;
- __motor skills

Psych Signature _____

Date: _____

Psych Report Cover Page - DO NOT Detach

Required Assessment for
Developmental Delay Eligibility:
Addressed in Attached Psychological Report

Minimum Assessment Components

__Health;

__developmental functioning;

__social and emotional condition

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

Psych Signature _____

Date: _____

Psych Report Cover Page - DO NOT Detach

Required Assessment for
Emotional Disturbance Eligibility:
Addressed in Attached Psychological Report

Minimum Assessment Components

- ___ Social and emotional condition, based in part upon information from the student;
- ___ health and cognitive abilities;
- ___ performance of student in current educational setting;
- ___ any previous intervention on behalf of student

Psych Signature _____

Date: _____

Required Assessment for **Health Impairment** Eligibility:
Addressed in Attached Psychological Report

Minimum Assessment Components

___ Health assessment;

___ analysis of the ability of the pupil to perform in a regular
classroom

Psych Signature _____

Date: _____

Required Assessment for **Hearing Impairment** Eligibility: Addressed in Attached Eligibility Report

Minimum Assessment Components

__ Comprehensive audiological examination,

__ including pure tone and

__ speech discrimination tests, performed by an
audiologist;

__ assessment of health,

which must include:

__ comprehensive examination of vision

__ academic achievement,

__ speech and language.

Psych Signature _____

Date: _____

Psych Report Cover Page - DO NOT Detach

Required Assessment for
Intellectually Disabled Eligibility:
Addressed in Attached Psychological Report

Minimum Assessment Components

__ Cognitive abilities;

__ adaptive skills,

__ **if appropriate** prevocational and vocational assessments;

__ health,

 __ including a developmental history;

 __ academic achievement;

 __ speech and language

Psych Signature _____

Date: _____

Required Assessment for
Multiple Impairments Eligibility:
Addressed in Attached Psychological Report

Minimum Assessment Components

__ See components for Intellectual disability

plus any other condition

other conditions _____

OTHER THAN

specific learning disabilities,

developmental delay, or

speech and language impairment



Psych Signature _____

Date: _____

Psych Report Cover Page - DO NOT Detach

Required Assessment for **Orthopedic Impairment**
Eligibility: Addressed in Attached Eligibility Report

Minimum Assessment Components

___ Health assessment, including physical examination;

___ student's functional limitations in relation to the demands
of a regular classroom

Psych Signature _____

Date: _____

Required Assessment for
Specific Learning Disabilities Eligibility:
Addressed in Attached Psychological Report

Minimum Assessment Components

- ___ Cognitive abilities (if using discrepancy analysis);
- ___ social and emotional condition;
- ___ academic achievement;
- ___ performance of student in current educational setting;
- ___ any scientific, research-based intervention provided to the student;
- ___ health and developmental history;
- ___ observation of academic performance;
- ___ data that demonstrate that prior to or as part of the referral process the pupil was provided appropriate instruction in regular education settings, delivered by qualified personnel;
- ___ data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of pupil progress during instruction, which was provided to the pupil's parents

Psych Signature _____

Date: _____

Speech Report Cover Page - DO NOT Detach

Required Assessment for
Speech and Language Impairment Eligibility:
Addressed in Attached SLP Report

Check this box if this report is secondary to another primary disability

Minimum Assessment Components

__ Performance relating to

__ language,

__ articulation,

__ fluency or voice, as relevant to the impairment;

__ health assessment;

__ **if relevant,**

__ cognitive abilities,

__ academic achievement,

__ and social and emotional condition

SLP Signature _____

Date: _____

Psych Report Cover Page - DO NOT Detach

Required Assessment for **Visual Impairment** Eligibility:
Addressed in Attached Eligibility Report

Minimum Assessment Components

___ Comprehensive examination of vision, performed by an
eye specialist;

___ assessment of health and

___ academic achievement

Psych Signature _____

Date: _____

Psych Report Cover Page - DO NOT Detach

Required Assessment for
Traumatic Brain Injury Eligibility:
Addressed in Attached Psychological Report

Minimum Assessment Components

Required considerations:

- medical documentation of injury;
- student's educational performance relative to a normative population;
- student's strengths and weaknesses;
- if possible, student's educational performance before and after injury.

Required assessments:

- health;
- developmental history;
- cognitive abilities;
- social and emotional condition;
- academic achievement;
- language and motor skills;
- sensory and perceptual abilities;
- attention, comprehension, judgment and problem-solving skills

Psych Signature _____

Date: _____

Required Membership for **Autism** Spectrum

Eligibility Team

IEP Team

Special Education Teacher;

Regular Education Teacher;

Parent;

School Psychologist;

Speech/Language Specialist;

If not otherwise a member of the team, one or more persons who have sufficient knowledge of the student to interpret information related to the student's social, emotional, developmental and familial condition.

LEA Representative;

Special Education Teacher;

Regular Education Teacher;

Parent;

Any applicable Related Service Providers (i.e., SLP, OT, PT, etc.)

Required Membership for
Developmental Delay
Eligibility & IEP Teams

Eligibility Team

IEP Team

Special Education Teacher;

Regular Education Teacher;

Parent;

School Psychologist;

If not otherwise a member of the team, one or more persons qualified because of personal knowledge of the student to interpret information relating to the student's health, family, and social and emotional condition

LEA Representative;

Special Education Teacher;

Regular Education Teacher;

Parent;

Any applicable Related Service Providers (i.e., SLP, OT, PT, etc.)

Required Membership for
Emotional Disturbance
Eligibility & IEP Teams

Eligibility Team

IEP Team

Special Education Teacher;

Regular Education Teacher;

Parent;

School Psychologist;

If not otherwise a member of the team, one or more persons qualified because of personal knowledge of the student to interpret information relating to the health, development, family, and social and emotional condition of the student

LEA Representative;

Special Education Teacher;

Regular Education Teacher;

Parent;

Any applicable Related Service Providers (i.e., SLP, OT, PT, etc.)

Required Membership for **Health Impairment** Eligibility & IEP Teams

Eligibility Team

IEP Team

Special Education Teacher;

Regular Education Teacher;

Parent;

School Psychologist;

School Nurse or other person
qualified to interpret an
assessment of health;

If not otherwise a member of the
team, one or more persons with
sufficient knowledge of the
student to interpret information
relating to the student's social,
emotional, developmental and
familial condition.

LEA Representative;

Special Education Teacher;

Regular Education Teacher;

Parent;

Any applicable Related Service Providers (i.e.,
SLP, OT, PT, etc.)

Required Membership for Hearing Impairment Eligibility & IEP Teams

Eligibility Team

IEP Team

Special Education Teacher;

Regular Education Teacher;

Parent;

Teacher or specialist in field of hearing impairment;

If not otherwise members of the Team; not fewer than three persons with expertise in one or more of the following areas:

(1) audiology or the interpretation of an audiological report,

(2) hearing impairment,

(3) the interpretation of an assessment of health, communication skills and disorders, and/or academic achievement.

LEA Representative;

Special Education Teacher;

Regular Education Teacher;

Parent;

Any applicable Related Service Providers (i.e., SLP, OT, PT, etc.)

Required Membership for
Intellectually Impaired
Eligibility & IEP Teams

Eligibility Team

IEP Team

- Special Education Teacher;
- Regular Education Teacher;
- Parent;
- School Psychologist;
- Speech and Language Specialist;
- If not otherwise a member of the team, one or more persons qualified because of personal knowledge of the student to interpret assessments of health and adaptive skills of the student and information relating to the family of the student

- LEA Representative;
- Special Education Teacher;
- Regular Education Teacher;
- Parent;
- Any applicable Related Service Providers (i.e., SLP, OT, PT, etc.)

Required Membership for Multiple Impairments Eligibility & IEP Teams

Eligibility Team

IEP Team

See requirements for Intellectual Disabilities

plus any other condition

other conditions _____

LEA Representative;

Special Education Teacher;

Regular Education Teacher;

Parent;

Any applicable Related
Service Providers
(i.e., SLP, OT, PT, etc.)

OTHER THAN

specific learning disabilities,
developmental delay, or
speech and language impairment



Required Membership for
Orthopedic Impairment
Eligibility & IEP Teams

Eligibility Team

IEP Team

Special Education Teacher;

Regular Education Teacher;

Parent;

School Nurse or other person qualified to interpret an assessment of health;

One of the following:

(1) physical therapist;

(2) occupational therapist;

(3) Any other specialist whose presence is deemed appropriate;

If not otherwise a member of the team, one or more persons having personal knowledge of the student

LEA Representative;

Special Education Teacher;

Regular Education Teacher;

Parent;

Any applicable Related Service Providers (i.e., SLP, OT, PT, etc.)

Required Membership for
Specific Learning Disabilities
Eligibility & IEP Teams

Eligibility Team

IEP Team

Special Education Teacher;

Regular Education Teacher;

Parent;

School Psychologist;

If not otherwise a member of the team, one or more persons qualified because of personal knowledge of the student to interpret information relating to the student's health, family, and social and emotional condition

LEA Representative;

Special Education Teacher;

Regular Education Teacher;

Parent;

Any applicable Related Service Providers (i.e., SLP, OT, PT, etc.)

Required Membership for
Speech and Language Impairment
Eligibility & IEP Teams

Eligibility Team for “Speech-Only”

IEP Team for “Speech-Only”

Speech Language Pathologist;

Regular Education Teacher;

Parent;

If not otherwise a member of the team, a person having personal knowledge of the student

LEA Representative;

Speech Language Pathologist;

Regular Education Teacher;

Parent;

Required Membership for Traumatic Brain Injury Eligibility & IEP Teams

Eligibility Team

- Special Education Teacher;
- Regular Education Teacher;
- Parent;
- School Psychologist;
- Speech and Language Specialist;
- School Nurse or other person qualified to assess the health of the student;
- If not otherwise a member of the team, one or more persons with sufficient knowledge of the student to interpret information relating to the social, emotional, developmental and familial condition of the pupil

IEP Team

- LEA Representative;
- Special Education Teacher;
- Regular Education Teacher;
- Parent;
- Any applicable Related Service Providers (i.e., SLP, OT, PT, etc.)

Required Membership for
Visual Impairment
Eligibility & IEP Teams

Eligibility Team

- Special Education Teacher;
- Regular Education Teacher;
- Parent;
- Teacher or specialist in field of vision impairment;
- If not otherwise members of the team, not fewer than three persons with expertise in one or more of the following areas:
 - (1) vision,
 - (2) vision impairment,
 - (3) the interpretation of an assessment of health or academic achievement

IEP Team

- LEA Representative;
- Special Education Teacher;
- Regular Education Teacher;
- Parent;
- Any applicable Related Service Providers (i.e., SLP, OT, PT, etc.)

IEP Team Meeting/Pre-Meeting Checklist

1. Prior written notice _____

(Ensure proper completion, statement of purpose of meeting, attendees, delivery, parent receipt.)

2. Procedural safeguards notice _____

(Provide copy, provide explanation, ask if explanation needed, or ask if there are questions regarding safeguards.)

3. Persons required for meeting _____

- Parent _____
- Student (if appropriate) _____
- Special education teacher/provider _____
- Regular education teacher _____
- LEA administrative/supervisory representative _____
- Assessment representative _____
- Other school staff persons (at school's discretion) _____

(Ensure availability and attendance, or determine if excusal provisions apply.)

4. Review of new evaluations or reevaluations _____

(Ensure familiarity with evaluation reports prior to meeting; at meeting, ensure review of new public or private evaluations, reevaluations, or review of existing evaluation data for determination of need for further evaluation.)

5. Eligibility _____

(Determine initial eligibility, continued eligibility under existing disability category, or change in disability category, based on evaluation review.)

6. IEP

Present levels of academic and functional performance _____

(Ensure levels address all relevant areas of academics and developmental function; ensure link to evaluation data, teacher reports, other data; include discussion of current educational performance in classroom.)

Annual goals _____

(Ensure draft goals are complete, measurable, clear, and specific.)

Short-term objectives (if needed) _____

(Ensure draft objectives are complete, measurable, clear, and specific.)

Progress measures _____

(Establish methods for measuring progress.)

Statement of services

Special education/specialized instruction _____

Related services _____

Program modifications _____

Classroom accommodations _____

Behavioral supports/intervention plan _____

Other supplementary aids/services _____

(Ensure specificity and clarity of commitment of resources; ensure logical linkage to annual goals and present levels of performance.)

Participation in regular classes/curriculum _____

(Address both physical placement in regular classes, as well as degree to which student will participate in general curriculum).

Statewide assessment _____

(Address participation, accommodations, need for alternate assessment, need for alternate assessment on alternate standards.)

Start and end dates for IEP services/supports _____

Transition services _____

(Ensure linkage to transition goals, links to outside agencies.)

7. Consideration of special factors

- Behavior issues, need for positive behavior supports _____
- Limited English proficiency _____
- Braille _____
- Communication needs _____
- Assistive technology and services _____

8. Schedule of services

(Not required under IDEA if otherwise addressed in IEP. If included, verify against statement of services above.)

9. Placement

(Ensure placement based on IEP, otherwise meets placement determination requirements.)

(Ensure various potential options for placement, and particularly parent-proposed options, are discussed fully.)

10. LRE assurances

(Complete and explain assurances sections/forms, participation in non-academics/extracurriculars.)

11. Other issues

- Extended school year services _____
- Lack of expected progress _____
- Graduation plans/diploma _____
- Other state-specific requirements/forms _____

(May have been addressed earlier as part of other requirements.)

12. Signatures

(Ensure attendees sign; follow state procedures if parent disagrees or refuses to sign; allow and document dissenting statements.)

13. Minutes/deliberation notes

(Not required under IDEA, but commonly done; review, seek consensus with parents on language, or offer parent opportunity for a separate statement.)

14. Post-meeting management/planning

Allocation of implementation tasks _____

Deadlines for task implementation _____

Monitoring duties/schedule _____

Issues for follow-up meetings: _____

DATE: _____

STATE OF NEVADA INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)

INFORMATION

| | | |
|---|--|---|
| <p>STUDENT/PARENT INFORMATION</p> <p>Student: _____ Sex: Select Gender _____ Birthdate _____ Grade _____ Student ID # _____ Student Primary Language _____ Student English Proficiency Status: Select LEP Status _____ Federal Placement Code: Select Placement Code _____ Federal Student Ethnicity Code: Select Ethnicity Code _____ Address: _____ Student Phone: _____</p> <p>Parent/Guardian/Surrogate: _____ Parent Phone (Home) _____ (Work) _____ Optional: Cell _____ Email _____ Primary Language Spoken at Home _____ Interpreter or Other Accommodations Needed <u>Select Y or N</u> _____ Emergency Contact/Phone Number _____ Current School _____ Zoned School _____</p> | <p>ELIGIBILITY CATEGORY</p> <p><input type="checkbox"/> Autism Spectrum Disorder <input type="checkbox"/> Deaf/Blind <input type="checkbox"/> Developmental Delay <input type="checkbox"/> Emotional Disturbance <input type="checkbox"/> Health Impairment <input type="checkbox"/> Hearing Impairment/Deaf <input type="checkbox"/> Intellectual Disability <input type="checkbox"/> Multiple Impairment <input type="checkbox"/> Orthopedic Impairment <input type="checkbox"/> Specific Learning Disability <input type="checkbox"/> Speech/Language Impairment <input type="checkbox"/> Traumatic Brain Injury <input type="checkbox"/> Visual Impairment/Blind</p> <p>ELIGIBILITY DATE _____ ANTICIPATED 3-YR REEVALUATION _____</p> | <p>MEETING INFORMATION</p> <p>DATE OF MEETING _____ DATE OF LAST IEP MEETING _____</p> <p>PURPOSE OF MEETING</p> <p><input type="checkbox"/> Interim IEP <input type="checkbox"/> Initial IEP <input type="checkbox"/> Annual IEP <input type="checkbox"/> IEP Following 3-Yr Reevaluation <input type="checkbox"/> Revision To IEP Dated _____ <input type="checkbox"/> Exit Select Exit Code _____ <input type="checkbox"/> IEP Revision Without A Meeting: _____</p> <p>At the request of : <input type="checkbox"/> Parent or <input type="checkbox"/> School District <input type="checkbox"/> Other _____</p> <p>IEP SERVICES WILL BEGIN _____ ANTICIPATED DURATION OF SERVICES _____ IEP REVIEW DATE _____ COMMENTS _____</p> |
|---|--|---|

IEP PARTICIPATION

| | |
|---|--|
| Parent/Guardian/Surrogate* _____ Student** _____ LEA Representative* _____ Special Education Teacher* _____ Regular Education Teacher*** _____ School Psychologist _____ | Speech/Language Therapist/Pathologist/Specialist _____ School Nurse _____ Interpreter _____ Other (name and role) _____ Other (name and role) _____ Other (name and role) _____ |
| <p>*Required participant. ** Student must be invited when transition is discussed (beginning at age 14 or younger if appropriate). ***The IEP team must include at least one regular education teacher of the student (if the student is, or may be, participating in the regular education environment).</p> | |

PROCEDURAL SAFEGUARDS

| |
|--|
| <p><input type="checkbox"/> I have received a statement of procedural safeguards under the Individuals with Disabilities Education Act (IDEA) and these rights have been explained to me in my primary language.</p> <p style="text-align: right;">Parent Signature _____</p> |
| <p>AT LEAST ONE YEAR PRIOR TO REACHING AGE 18, STUDENTS MUST BE INFORMED OF THEIR RIGHTS UNDER IDEA AND ADVISED THAT THESE RIGHTS WILL TRANSFER TO THEM AT AGE 18.</p> <p><input type="checkbox"/> Not applicable. Student will not be 18 within one year, and the student's next annual IEP meeting will occur no later than the student's 17th birthday.</p> <p><input type="checkbox"/> The student has been informed of his/her rights under IDEA and advised of the transfer of these rights at age 18.</p> |

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

Consider results of the initial evaluation or most recent reevaluation, and the academic, developmental, and functional needs of the student, which may include the following areas: academic achievement, language/communication skills, social/emotional/behavior skills, cognitive abilities, health, motor skills, adaptive skills, pre-vocational skills, vocational skills, and other skills as appropriate. For students who are 16 or older, or will turn 16 when this IEP is in effect, also consider the results of age appropriate transition assessments related to training/education, employment, and independent living skills (as appropriate).

| ASSESSMENTS CONDUCTED | ASSESSMENT RESULTS | EFFECT ON STUDENT'S INVOLVEMENT AND PROGRESS IN GENERAL EDUCATION CURRICULUM OR, FOR EARLY CHILDHOOD STUDENTS, INVOLVEMENT IN DEVELOPMENTAL ACTIVITIES |
|-----------------------|--------------------|--|
| | | |

STRENGTHS, CONCERNS, INTERESTS AND PREFERENCES

STATEMENT OF STUDENT STRENGTHS

STATEMENT OF PARENT EDUCATIONAL CONCERNS

STATEMENT OF STUDENT'S PREFERENCES AND INTERESTS *(required if transition services will be discussed, beginning at age 14 or younger if appropriate)*

If student was not in attendance, describe the steps taken to ensure that the student's preferences and interests were considered:

CONSIDERATION OF SPECIAL FACTORS

1. Does the student's behavior impede the student's learning or the learning of others? No. Yes.
If YES, IEP committee **must provide** positive behavioral strategies, supports and interventions, or other strategies, supports and interventions to address that behavior.
 Addressed in IEP.
2. Does the student require assistive technology devices and services? No. Yes.
If YES, IEP committee **must determine** nature and extent of devices and services.
 Addressed in IEP.
3. Does the student have limited English proficiency? No. Yes.
If YES, IEP committee **must consider** the following (check box if IEP committee considered the item):
 Language needs of the student as those needs relate to the student's IEP.
4. Is the student blind or visually impaired? No. Yes.
If YES, IEP committee must evaluate reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or use of Braille) and **must provide** for instruction in Braille and use of Braille **unless determined not appropriate** for the student.
 Braille instruction and use of Braille is not appropriate for student. Braille instruction and use of Braille is addressed in IEP.
5. Is the student deaf or hard of hearing? No. Yes.
If YES, IEP committee **must consider** the student's language and communication needs and consider the following (check box if IEP committee considered the item):
- The related services and program options that provide the student with an appropriate and equal opportunity for communication access.
 - The student's primary communication mode.
 - The availability to the student of a sufficient number of age, cognitive, academic and language peers of similar abilities.
 - The availability to the student of adult models who are deaf or hearing impaired and who use the student's primary communication mode.
 - The availability of special education teachers, interpreters and other special education personnel who are proficient in the student's primary communication mode.
 - The provision of academic instruction, school services and direct access to all components of the educational process, including, without limitation, advanced placement courses, career and technical education courses, recess, lunch, extracurricular activities and athletic activities.
 - The preferences of the parent or guardian of the student concerning the best feasible services, placement and content of the student's IEP.
 - The appropriate assistive technology necessary to provide the student with an appropriate and equal opportunity for communication access.
6. Does the student have a Specific Learning Disability and Dyslexia? No. Yes.
If YES, the IEP committee **must consider** the following instructional approaches (check box if IEP committee considered the item):
- Explicit, direct instruction that is systematic, sequential and cumulative and follows a logical plan of presenting the alphabetic principle that targets the specific needs of the student.
 - Individualized instruction to meet the specific needs of the student in an appropriate setting that uses intensive, highly-concentrated instruction methods and materials that maximize student engagement.
 - Meaning-based instruction directed at purposeful reading and writing, with an emphasis on comprehension and composition.
 - Multisensory instruction that incorporates the simultaneous use of two or more sensory pathways during teacher presentations and student practice.

TRANSITION

| | |
|---|--|
| DIPLOMA OPTION SELECTED FOR GRADUATION (Diploma option must be declared at age 14 and reviewed annually.) | |
| <input type="checkbox"/> Standard or Advanced High School Diploma. Must complete all applicable credit requirements and pass the High School Proficiency Examination (with permissible accommodations as needed). | <input type="checkbox"/> Adjusted High School Diploma. Must complete IEP requirements. |

STUDENT'S VISION FOR THE FUTURE
A short statement that directly quotes what the student wants for the future.

STATEMENT OF TRANSITION SERVICES: COURSE OF STUDY
Beginning at age 14 or younger if determined appropriate by the IEP team, describe the focus of the student's course of study.

STATEMENT OF MEASURABLE POSTSECONDARY GOALS
Beginning not later than the first IEP to be in effect when the student is 16, describe measurable postsecondary goals in the following areas:

- Training/Education

- Employment

- Independent Living Skills (As Appropriate)

- Other

TRANSITION (continued)

| |
|---|
| <p>STATEMENT OF TRANSITION SERVICES: COORDINATED ACTIVITIES Beginning not later than the first IEP to be in effect when the student is 16, develop a statement of needed transition services, including strategies or activities, for the student.</p> |
| <p>Instruction</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Related Services</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Community Experiences</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Employment and Other Post-School Adult Living Objectives</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Acquisition of Daily Living Skills and Functional Vocational Evaluation (if appropriate)</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Other</p> <p>Any Other Agency Involvement (Optional):</p> |

IEP GOALS, INCLUDING ACADEMIC AND FUNCTIONAL GOALS, AND BENCHMARKS OR SHORT-TERM OBJECTIVES

| | | | | | | | | | |
|--|--|------------|------------|------------|------------|----------|----------|----------|----------|
| <p>MEASURABLE ANNUAL GOAL (including how progress toward the annual goal will be measured)</p> <p><input type="checkbox"/> Check here if this goal supports the student's postsecondary goal(s) and identify the goal(s) to which it relates:</p> <p><input type="checkbox"/> Training/Education <input type="checkbox"/> Employment <input type="checkbox"/> Independent Living Skills <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Check here if this goal will be addressed during Extended School Year Services (ESY)</p> | <p>PROGRESS REPORT</p> <p>3. Satisfactory Progress Being Made (continue)</p> <p>2. Unsatisfactory Progress Being Made (need to review/revise)</p> <p>3. Goal Met (note date)</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 25%; text-align: center;">Date _____</td> <td style="width: 25%; text-align: center;">Date _____</td> <td style="width: 25%; text-align: center;">Date _____</td> <td style="width: 25%; text-align: center;">Date _____</td> </tr> <tr> <td style="text-align: center;">Progress</td> <td style="text-align: center;">Progress</td> <td style="text-align: center;">Progress</td> <td style="text-align: center;">Progress</td> </tr> </table> | Date _____ | Date _____ | Date _____ | Date _____ | Progress | Progress | Progress | Progress |
| Date _____ | Date _____ | Date _____ | Date _____ | | | | | | |
| Progress | Progress | Progress | Progress | | | | | | |
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|--|--|------------|------------|------------|------------|----------|----------|----------|----------|
| <p>MEASURABLE ANNUAL GOAL (including how progress toward the annual goal will be measured)</p> <p><input type="checkbox"/> Check here if this goal supports the student's postsecondary goal(s) and identify the goal(s) to which it relates:</p> <p><input type="checkbox"/> Training/Education <input type="checkbox"/> Employment <input type="checkbox"/> Independent Living Skills <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Check here if this goal will be addressed during Extended School Year Services (ESY)</p> | <p>PROGRESS REPORT</p> <p>4. Satisfactory Progress Being Made (continue)</p> <p>2. Unsatisfactory Progress Being Made (need to review/revise)</p> <p>3. Goal Met (note date)</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 25%; text-align: center;">Date _____</td> <td style="width: 25%; text-align: center;">Date _____</td> <td style="width: 25%; text-align: center;">Date _____</td> <td style="width: 25%; text-align: center;">Date _____</td> </tr> <tr> <td style="text-align: center;">Progress</td> <td style="text-align: center;">Progress</td> <td style="text-align: center;">Progress</td> <td style="text-align: center;">Progress</td> </tr> </table> | Date _____ | Date _____ | Date _____ | Date _____ | Progress | Progress | Progress | Progress |
| Date _____ | Date _____ | Date _____ | Date _____ | | | | | | |
| Progress | Progress | Progress | Progress | | | | | | |
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METHOD FOR REPORTING PROGRESS

| | |
|---|---|
| <p>METHOD FOR REPORTING THE STUDENT'S PROGRESS TOWARD MEETING ANNUAL GOALS (check all methods that will be used)</p> <p> <input type="checkbox"/> IEP Goals Pages <input type="checkbox"/> District Report Card <input type="checkbox"/> Specialized Progress Report <input type="checkbox"/> Parent Conferences <input type="checkbox"/> Other _____ </p> | <p>PROJECTED FREQUENCY OF REPORTS</p> <p> <input type="checkbox"/> Quarterly <input type="checkbox"/> Semester <input type="checkbox"/> Trimester <input type="checkbox"/> Other _____ </p> |
|---|---|

SPECIAL EDUCATION SERVICES

| SPECIALLY DESIGNED INSTRUCTION | BEGINNING AND ENDING DATES | FREQUENCY OF SERVICES | LOCATION OF SERVICES |
|--------------------------------|----------------------------|-----------------------|----------------------|
| | - | | |
| | - | | |
| | - | | |
| | - | | |
| | - | | |
| | - | | |

SUPPLEMENTARY AIDS AND SERVICES

Includes aids, services, and other supports provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate.

| MODIFICATION, ACCOMMODATION, OR SUPPORT FOR STUDENT OR PERSONNEL <small>Provide specific description(s) below.</small> | BEGINNING AND ENDING DATES | FREQUENCY OF SERVICES | LOCATION OF SERVICES |
|---|----------------------------|-----------------------|----------------------|
| | - | | |
| | - | | |
| | - | | |
| | - | | |
| | - | | |
| | - | | |

RELATED SERVICES

| RELATED SERVICE | SERVICE TYPE AND/OR DESCRIPTION <i>A - Assessment</i> <i>C - Consultative</i> <i>D - Direct</i> | BEGINNING AND ENDING DATES | FREQUENCY OF SERVICES | LOCATION OF SERVICES |
|------------------------|--|----------------------------|-----------------------|----------------------|
| Select Related Service | Select Service Type Description: | - | | |
| Select Related Service | Select Service Type Description: | - | | |
| Select Related Service | Select Service Type Description: | - | | |
| Select Related Service | Select Service Type Description: | - | | |
| Select Related Service | Select Service Type Description: | - | | |
| Select Related Service | Select Service Type Description: | - | | |

PARTICIPATION IN STATEWIDE AND/OR DISTRICT-WIDE ASSESSMENTS

| Indicate how the student will participate in statewide or district-wide assessments. | If the student will participate in an alternate assessment, explain why the student cannot participate in the regular assessment, and why the particular alternate assessment selected is appropriate | If the student will participate in a regular assessment, does the student require accommodations? |
|---|---|--|
| State Criterion-Referenced Test (CRT) <input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> Alternate | | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| End of Course Exams <input type="checkbox"/> Yes <input type="checkbox"/> N/A | | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| College and Career Readiness Assessment <input type="checkbox"/> Yes <input type="checkbox"/> N/A | | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| Other (List): _____ <input type="checkbox"/> Yes <input type="checkbox"/> N/A | | <input type="checkbox"/> No <input type="checkbox"/> Yes List Accommodation(s): |

EXTENDED SCHOOL YEAR SERVICES

Does the student require extended school year services?
 No Yes If YES, IEP goals and benchmarks/short-term objectives and/or related services to be implemented in ESY must be identified.
 If need for ESY is to be determined at a later date, indicate date by which IEP decision will be made: _

NEVADA Decision Tree for Coding Educational Environments for Children Ages 3 through 5 with IEPs

Report each child in only one category. Please refer to state guidance and the Protocol Form for specific reporting requirements when using this decision tree.

Does the child attend a regular early childhood program?

YES

NO

If **YES**, determine the following:
How many hours does the child attend a regular early childhood program?

If **NO**, determine the following:
Is the child attending a special education program?

At least **10 hours per week**

Less than **10 hours per week**

If **YES**,
E5 - Separate Class
E6 - Separate School
E7 - Residential Facility

If **NO**, Is the child receiving the majority of special education and related services in the residence of the child's family or care giver?

If at least 10 hours per week:
Where does the child receive the majority of hours of special education and related services?
E1 - In the regular early childhood program

If less than 10 hours per week:
Where does the child receive the majority of hours of special education and related services?
E3 - In the regular early childhood program

Definitions:
E5- Separate Class is a special education classroom which includes a majority (at least 50%) of children with disabilities (i.e., children on IEPs). This category may include, but is not limited to programs in:

If **YES**,
E8 - Home

E2 - In some other location

E4 - In some other location

- Regular school buildings
- Trailers. Portables
- Child care facilities
- Hospital facilities – out-patient
- Other community based settings

If **NO**,
E9 - Is the child receiving the majority of special education and related services in service provider location or other location not in any other category?

Definitions: Regular Early Childhood Program is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on IEPs). This category may include, but is not limited to:

- Head Start
- Kindergarten, public or private
- Preschool classes, public or private
- Group child development center or child care

E6- Separate School is designed for children with disabilities.
E7- Residential school or medical facility—inpatient.

SPP/APR Indicator 6: Percent of children 3 through 5 with IEPs attending:
Indicator 6A: regular early childhood program and receiving the majority of special education and related services in the regular early childhood program. **(E1+E3 divided by total number of children 3-5 with IEPs x 100)**

SPP/APR Indicator 6B: Separate special education class, separate school or residential facility. **(E5+E6+E7 divided by total number of children 3-5 with IEPs x 100)**

Nevada Department of Education
INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)
GUIDELINES
November
2015

This technical assistance document is designed to assist IEP teams in developing IEPs. It provides guidance for decision-making and explains technical requirements for completing forms. It provides specific instructions for completing the forms. Each section of the IEP is explained in order, section by section, page by page.

1. While the terms "general" and "regular" may seem synonymous, both terms are used in state and federal special education regulations. In this document, "regular" is used to describe teachers, environments, classes, and classrooms. The term "general" is used to describe curriculum.
2. The Nevada Department of Education publishes an annual form to record IEP team decisions regarding statewide testing accommodations. The form is published on the [NDOE Assessment webpage](#). Because the accommodations are subject to change each school year, the district must replace these forms as necessary.
3. Although the term "school district" is used throughout this document, the requirements pertain to school districts, public agencies, and state-sponsored charter schools.
4. A copy of each IEP must be provided to parents at no cost. ([34 CFR §300.322\(f\)](#))

REFERENCES

[Individuals with Disabilities Education Act \(IDEA\), including 2004 Reauthorization \(20 USC §§1400 et seq.\)](#)
[Congressional Committee Report, HR-5, 1997](#)
[Regulations, 34 CFR Part 300 \(as of November 9, 2015\)](#)
[Office of Special Education Programs' \(OSEP's\) IDEA website](#)

Nevada Administrative Code, [Chapter 388](#), [Chapter 389](#)

INFORMATION

| STUDENT/PARENT INFORMATION | ELIGIBILITY CATEGORY | MEETING INFORMATION |
|---|--|---|
| Student: _____ Sex: <u>Select Gender</u> Birthdate: _____ Grade: _____ Student ID #: _____ Student Primary Language: _____ Student English Proficiency Status: <u>Select LEP Status</u> Federal Placement Code: <u>Select Placement Code</u> Federal Student Ethnicity Code: <u>Select Ethnicity Code</u> Address: _____ Student Phone: _____ Parent/Guardian/Surrogate: _____ Parent Phone (Home) _____ (Work) _____ Optional: Cell _____ Email _____ Primary Language Spoken at Home: _____ Interpreter or Other Accommodations Needed <u>Select Y or N</u> Emergency Contact/Phone Number: _____ Current School: _____ Zoned School: _____ | <input type="checkbox"/> Autism Spectrum Disorder <input type="checkbox"/> Deaf/Blind <input type="checkbox"/> Developmental Delay <input type="checkbox"/> Emotional Disturbance <input type="checkbox"/> Health Impairment <input type="checkbox"/> Hearing Impairment/Deaf <input type="checkbox"/> Intellectual Disability <input type="checkbox"/> Multiple Impairment <input type="checkbox"/> Orthopedic Impairment <input type="checkbox"/> Specific Learning Disability <input type="checkbox"/> Speech/Language Impairment <input type="checkbox"/> Traumatic Brain Injury <input type="checkbox"/> Visual Impairment/Blind ELIGIBILITY DATE: _____ ANTICIPATED 3-YR REEVALUATION: _____ | DATE OF MEETING: _____ DATE OF LAST IEP MEETING: _____ PURPOSE OF MEETING <input type="checkbox"/> Interim IEP <input type="checkbox"/> Initial IEP <input type="checkbox"/> Annual IEP <input type="checkbox"/> IEP Following 3-Yr Reevaluation <input type="checkbox"/> Revision To IEP Dated: _____ <input type="checkbox"/> Edit <u>Select Edit Code</u> <input type="checkbox"/> IEP Revision Without A Meeting: At the request of: <input type="checkbox"/> Parent or <input type="checkbox"/> School District <input type="checkbox"/> Other: _____ IEP SERVICES WILL BEGIN: _____ ANTICIPATED DURATION OF SERVICES: _____ IEP REVIEW DATE: _____ COMMENTS: _____ |

INFORMATION

STUDENT/PARENT INFORMATION

- a. Complete the identifying information in this column.
- b. **For Student Primary Language, Student English Proficiency Status, Federal Placement Code, and Federal Student Ethnicity Code** please refer to Appendix A.
- c. **Interpreter or Other Accommodations Needed** refers to any special arrangements needed for the parent or student to participate in the IEP meeting. If the parent or student requires an interpreter or other accommodations to participate in the meeting, note the arrangements that were made. Write N/A if no accommodations were needed.

ELIGIBILITY CATEGORY

- a. Check the **ELIGIBILITY CATEGORY** that corresponds to the student's disability as determined by the Eligibility Team.
- b. Record the **ELIGIBILITY DATE** of the most recent eligibility determination (month/day/year).
- c. Project the **ANTICIPATED 3-YR REEVALUATION** three years from the most recent eligibility determination (month/day/year).

MEETING INFORMATION

- a. **Date of Meeting.** Record the DATE OF THE MEETING.
- b. **Date of Last IEP Meeting.** Record the DATE OF LAST IEP MEETING that was conducted as an annual review.
- c. Indicate the **PURPOSE OF MEETING** by checking the appropriate box. The purpose for the meeting should correspond to the purpose set forth in the written notice of the IEP meeting.
- d. **Interim IEP.** Select "Interim IEP" if the purpose of the meeting is for an interim individualized educational program is being developed by a public agency for a pupil with a disability, other than a gifted and talented pupil, who is being considered for special education services if the pupil was determined to be eligible for special education by another public agency or in another state. If the pupil was determined to be eligible for special education in another state, a determination of eligibility pursuant to this chapter must be made before the pupil is eligible to receive special education in this State.

- e. **Annual IEP.** Select “Annual IEP” if the purpose of the meeting is for the annual development a pupil’s individualized educational program
- f. **Initial IEP.** Select “Initial IEP” if the purpose of the meeting is for the initial development a pupil’s individualized educational program.
- g. **IEP Following 3-Yr Reevaluation.** Select “IEP Following 3-Yr Reevaluation” if the purpose of the meeting is for the development a pupil’s individualized educational program following 3-Year Reevaluation.
- h. **Revision to IEP Dated.** Select “Revision to IEP Dated” if the purpose of the meeting is for an addendum to a pupil’s individualized educational program.
***Note: The Date field should be the same as the Start Date of the IEP that is being revised.**
- i. **Exit.** Select the Exit code if the purpose of the meeting is to discuss the student exiting. See [Appendix A](#) for list of Exit codes.
- j. **IEP Revision Without a Meeting.** If the IEP is being REVISED WITHOUT AN IEP MEETING ([§300.324\(a\)\(4\)](#)), check the appropriate box and indicate whether the revision without an IEP meeting was requested by the parent or the school district.
- k. **Other** Select “Other” if the purpose of the meeting is for any other reason.
- l. Enter the date that **IEP SERVICES WILL BEGIN** (month/day/year).
- m. Enter the date which corresponds to the **ANTICIPATED DURATION OF SERVICES** (the expected length of time this IEP will be in effect) **(No more than one year)**.
- n. Enter the **IEP REVIEW DATE**. This date must be projected to be no more than one year from the date of this IEP meeting (month/day/year) **(No more than one year)**.
- o. If the IEP is being **REVISED WITHOUT AN IEP MEETING** ([§300.324\(a\)\(4\)](#)), check the appropriate box and indicate whether the revision without an IEP meeting was requested by the parent or the school district.
- p. Use the **COMMENTS** to note any additional important information, e.g., that the meeting was conducted via telephone, that the meeting is being held in response to a parental request, or that the parent is not in attendance. If this page is completed in conjunction with an IEP revision, comments should reflect that unrevised content in the student’s previous IEP (specify date) remain in effect.

IEP PARTICIPATION

| | |
|--|--|
| Parent/Guardian/Surrogate* _____ | Speech/Language Therapist/Pathologist/Specialist _____ |
| Student** _____ | School Nurse _____ |
| LEA Representative* _____ | Interpreter _____ |
| Special Education Teacher* _____ | Other (name and role) _____ |
| Regular Education Teacher*** _____ | Other (name and role) _____ |
| School Psychologist _____ | Other (name and role) _____ |
| *Required participant. | |
| ** Student must be invited when transition is discussed (beginning at age 14 or younger if appropriate). | |
| ***The IEP team must include at least one regular education teacher of the student (if the student is, or may be, participating in the regular education environment). | |

PARTICIPATION

Consider the requirements for IEP participation when arranging and providing written notice of the meeting. ([§300.321](#))

- a. Indicate the individuals who participated in the meeting and applicable explanatory notes (e.g., parent participated by telephone) [NAC 388.302](#). Write legibly.
*Note. The LEA rep cannot also be one of the required teachers.
- b. ATTENDANCE NOT NECESSARY: If the parent and the district agree that a required member’s attendance is not necessary at an IEP meeting ([§300.321\(e\)\(1\)](#)), the phrase “attendance not necessary” should be entered on the applicable participant line with a note describing where in the folder the parent’s written agreement is located.
- c. EXCUSAL: If the parent and district agree, and if the parent consents in writing, that a required member may be excused from attending an IEP meeting ([§300.321\(e\)\(2\)](#)), the phrase “excused” should be entered on the applicable participant line with a note describing in the folder where the parent’s written consent is located.
- d. IEP REVISION WITHOUT IEP MEETING: If the IEP is being revised without an IEP meeting ([§300.324\(a\)\(4\)](#)), indicate the individuals who participated in developing the revision.

IEP PAGE 1(continued)

PROCEDURAL SAFEGUARDS

| |
|---|
| <input type="checkbox"/> I have received a statement of procedural safeguards under the Individuals with Disabilities Education Act (IDEA) and these rights have been explained to me in my primary language. <p style="text-align: center;">Parent Signature _____</p> |
| AT LEAST ONE YEAR PRIOR TO REACHING AGE 18, STUDENTS MUST BE INFORMED OF THEIR RIGHTS UNDER IDEA AND ADVISED THAT THESE RIGHTS WILL TRANSFER TO THEM AT AGE 18. <input type="checkbox"/> Not applicable. Student will not be 18 within one year, and the student's next annual IEP meeting will occur no later than the student's 17th birthday. <input type="checkbox"/> The student has been informed of his/her rights under IDEA and advised of the transfer of these rights at age 18. |

PROCEDURAL SAFEGUARDS

- a. A copy of the procedural safeguards must be provided to the parent at least once per year. ([§300.504\(a\)](#)) However, during the IEP meeting these rights should be explained to the parent. After the parental rights have been explained, ask the parent to check the **first box** and sign the form.
- b. Check the appropriate box to indicate whether the student has been informed of the transfer of rights that will occur at age 18. ([§300.320\(c\)](#)) This process must occur at least one year prior to the student's 18th birthday. Consequently, if the student is 16 at the time an IEP is being developed, and there is no expectation that another IEP meeting will be held prior to the student turning 17, the rights transfer must be discussed when the student is 16; otherwise, it will not be discussed at least one year prior to reaching age 18.

| PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE | | |
|---|---------------------------|---|
| Consider results of the initial evaluation or most recent reevaluation, and the academic, developmental, and functional needs of the student, which may include the following areas: academic achievement, language/communication skills, social/emotional/behavior skills, cognitive abilities, health, motor skills, adaptive skills, pre-vocational skills, vocational skills, and other skills as appropriate. For students who are 16 or older, or will turn 16 when this IEP is in effect, also consider the results of age appropriate transition assessments related to training/education, employment, and independent living skills (as appropriate). | | |
| ASSESSMENTS CONDUCTED | ASSESSMENT RESULTS | EFFECT ON STUDENT'S INVOLVEMENT AND PROGRESS IN GENERAL EDUCATION CURRICULUM OR, FOR EARLY CHILDHOOD STUDENTS, INVOLVEMENT IN DEVELOPMENTAL ACTIVITIES |
| | | |

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

Write the student's **PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE** in the space provided. ([§300.320\(a\)\(1\)](#)) Functional performance generally refers to a student's ability to function in real-world environments. This information serves as the foundation for the development of the goals and objectives in the IEP. Data should be collected in a variety of areas (refer to the areas listed on the form), from a variety of sources. Federal law requires the IEP team to consider relevant results of the initial evaluation or most recent evaluation of the student and the academic, developmental, and functional needs of the student. For students who are 16 or older, or who will turn 16 when the IEP is in effect, also consider the results of age appropriate transition assessments related to training/education, employment, and independent living skills (as appropriate).

ASSESSMENTS CONDUCTED

Write the name of the assessments, and date assessment was conducted, that provide pertinent information for the development of the IEP. This may include formal or informal methods, norm- or criterion- referenced tests, classroom observations, student work samples, teacher-made or other achievement tests, recent evaluations, behavior rating scales, performance data from regular education teachers, parental input, etc.

ASSESSMENT RESULTS

Describe the assessment results corresponding to the assessments conducted. Build a profile of the student's current abilities that includes both academic achievement and functional performance.

EFFECT ON STUDENT'S INVOLVEMENT AND PROGRESS IN THE GENERAL CURRICULUM OR, FOR EARLY CHILDHOOD STUDENTS, INVOLVEMENT IN DEVELOPMENTAL ACTIVITIES

Describe how the student's disability affects his or her involvement and progress in the general curriculum. For early childhood students, focus on the student's involvement in appropriate developmental activities. Information recorded here should relate to the assessment results and describe how the student's disability will affect involvement/progress in general curriculum or appropriate developmental activities.

In describing the student's current and anticipated level of participation in the general curriculum, consider the following:

- a. If the student is currently participating in regular education classes, the regular education teacher(s) must be consulted regarding the student's performance relative to the classroom expectations. The regular education teacher(s) should share information regarding the accommodations, modifications, or supports that are currently being provided or might be required in order for the student to participate meaningfully in the general curriculum.
- b. If instruction in the general curriculum is being provided in a resource or self-contained setting, regular education teachers should be consulted regarding curriculum content and achievement level expectations.
- c. If the student has not participated in the general curriculum due to the nature and severity of his or her disability, information about the student's performance in applied academics, functional academics, vocational skills training, and other alternative programs will also be useful to the team.

This page is a continuation of the **PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE**. Continue to discuss and record data regarding the student's academic and functional performance in order to develop appropriate goals and objectives. This information may be collected before the IEP meeting or solicited from the participants during the meeting.

STRENGTHS, CONCERNS, INTERESTS AND PREFERENCES

| |
|---|
| STATEMENT OF STUDENT STRENGTHS |
| STATEMENT OF PARENT EDUCATIONAL CONCERNS |
| STATEMENT OF STUDENT'S PREFERENCES AND INTERESTS <i>(required if transition services will be discussed, beginning at age 14 or younger if appropriate)</i> |
| <i>If student was not in attendance, describe the steps taken to ensure that the student's preferences and interests were considered:</i> |

STRENGTHS, CONCERNS, INTERESTS AND PREFERENCES

STATEMENT OF STUDENT STRENGTHS ([§300.324\(a\)\(i\)](#))

Formulate a statement of student strengths to capture key information that can be utilized in developing goals and objectives. A student's strengths are revealed through assessments, observations, and other data; strengths are also revealed through input from parents, teachers, and others who have worked with the student. Input from the student is also important in reflecting strengths.

STATEMENT OF PARENT EDUCATIONAL CONCERNS ([§300.324\(a\)\(ii\)](#))

Complete the statement to reflect the parents' concerns as they relate to the student's educational success. This information should be taken into consideration when determining IEP services.

STATEMENT OF STUDENT'S PREFERENCES AND INTERESTS ([§300.321\(b\)\(2\)](#))

Write a statement of student's preferences and interests if transition services are being discussed, beginning when the student is 14 or younger if appropriate. This information may be collected before the meeting or solicited from the student during the meeting. If transition will be discussed at the meeting, the student must be invited. ([§300.321\(b\)\(1\)](#)) Also, the written notice of the IEP meeting must specify that transition services will be discussed and that the student is being invited. ([§300.322\(b\)\(i\)](#))

**Note if student was not in attendance the IEP must document steps taken to ensure student's preference sand interests were considered.*

CONSIDERATION OF SPECIAL FACTORS ([§300.324\(a\)\(2\)](#); [§300.324\(b\)\(2\)](#); [NAC388.284](#), [NRS §388.477](#), [AB 341](#))

Check **Yes** or **No** to indicate the team's consideration of each of the six special factors in this section. Each of these factors may impact the development of a student's IEP. If the team chooses **Yes** for any of the factors, address this factor in the student's IEP. The team may address special factors in a variety of ways, including goals and objectives, behavior plans, supplementary aids and services, related services, accommodations, or modifications.

- If the student is deaf or hard of hearing the IEP committee must consider all of the following options for item #5 in accordance with [NRS §388.477](#).
- If the student has been found eligible for a specific learning disability and dyslexia then the IEP committee must consider all of the following options for item #5 in accordance with [AB 341](#).

CONSIDERATION OF SPECIAL FACTORS

| | | | |
|----|--|------------------------------|-------------------------------|
| 1. | Does the student's behavior impede the student's learning or the learning of others? If YES, IEP committee must provide positive behavioral strategies, supports and interventions, or other strategies, supports and interventions to address that behavior. <input type="checkbox"/> Addressed in IEP. | <input type="checkbox"/> No. | <input type="checkbox"/> Yes. |
| 2. | Does the student require assistive technology devices and services? If YES, IEP committee must determine nature and extent of devices and services. <input type="checkbox"/> Addressed in IEP. | <input type="checkbox"/> No. | <input type="checkbox"/> Yes. |
| 3. | Does the student have limited English proficiency? If YES, IEP committee must consider the following (check box if IEP committee considered the item): <input type="checkbox"/> Language needs of the student as those needs relate to the student's IEP. | <input type="checkbox"/> No. | <input type="checkbox"/> Yes. |
| 4. | Is the student blind or visually impaired? If YES, IEP committee must evaluate reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or use of Braille) and must provide for instruction in Braille and use of Braille unless determined not appropriate for the student. <input type="checkbox"/> Braille instruction and use of Braille is not appropriate for student. <input type="checkbox"/> Braille instruction and use of Braille is addressed in IEP. | <input type="checkbox"/> No. | <input type="checkbox"/> Yes. |
| 5. | Is the student deaf or hard of hearing? If YES, IEP committee must consider the student's language and communication needs and consider the following (check box if IEP committee considered the item): <input type="checkbox"/> The related services and program options that provide the student with an appropriate and equal opportunity for communication access. <input type="checkbox"/> The student's primary communication mode. <input type="checkbox"/> The availability to the student of a sufficient number of age, cognitive, academic and language peers of similar abilities. <input type="checkbox"/> The availability to the student of adult models who are deaf or hearing impaired and who use the student's primary communication mode. <input type="checkbox"/> The availability of special education teachers, interpreters and other special education personnel who are proficient in the student's primary communication mode. <input type="checkbox"/> The provision of academic instruction, school services and direct access to all components of the educational process, including, without limitation, advanced placement courses, career and technical education courses, recess, lunch, extracurricular activities and athletic activities. <input type="checkbox"/> The preferences of the parent or guardian of the student concerning the best feasible services, placement and content of the student's IEP. <input type="checkbox"/> The appropriate assistive technology necessary to provide the student with an appropriate and equal opportunity for communication access. | <input type="checkbox"/> No. | <input type="checkbox"/> Yes. |
| 6. | Does the student have a Specific Learning Disability and Dyslexia? If YES, the IEP committee must consider the following instructional approaches (check box if IEP committee considered the item): <input type="checkbox"/> Explicit, direct instruction that is systematic, sequential and cumulative and follows a logical plan of presenting the alphabetic principle that targets the specific needs of the student. <input type="checkbox"/> Individualized instruction to meet the specific needs of the student in an appropriate setting that uses intensive, highly-concentrated instruction methods and materials that maximize student engagement. <input type="checkbox"/> Meaning-based instruction directed at purposeful reading and writing, with an emphasis on comprehension and composition. <input type="checkbox"/> Multisensory instruction that incorporates the simultaneous use of two or more sensory pathways during teacher presentations and student practice. | <input type="checkbox"/> No. | <input type="checkbox"/> Yes. |

TRANSITION

TRANSITION

| | |
|---|--|
| DIPLOMA OPTION SELECTED FOR GRADUATION (Diploma option must be declared at age 14 and reviewed annually.) | |
| <input type="checkbox"/> Standard or Advanced High School Diploma. Must complete all applicable credit requirements and pass the High School Proficiency Examination (with permissible accommodations as needed). | <input type="checkbox"/> Adjusted High School Diploma. Must complete IEP requirements. |

DIPLOMA OPTION SELECTED FOR GRADUATION ([NAC §389](#))

Check the box that reflects the IEP team's decision regarding the appropriate diploma option for the student. The team must select an option beginning at age 14 and review this choice annually.

| |
|---|
| STUDENT'S VISION FOR THE FUTURE A short statement that directly quotes what the student wants for the future. |
|---|

STUDENT'S VISION FOR THE FUTURE

Include the student's vision for the future--a short statement that directly quotes what the student wants for the future.

| |
|--|
| STATEMENT OF TRANSITION SERVICES: COURSE OF STUDY Beginning at age 14 or younger if determined appropriate by the IEP team, describe the focus of the student's course of study. |
|--|

STATEMENT OF TRANSITION SERVICES: COURSE OF STUDY ([NAC §388.284.1\(e\)](#))

Describe the anticipated course of study the student will be pursuing (such as participation in advanced placement courses or a vocational education program) that will promote movement to postsecondary goals. In completing this section, focus attention on how the student's educational program can be planned to help the student make a successful transition to his/her goals for life after secondary school. Consider the relationship of the course work selected to the student's preferences and interests [described in the vision statement and statement of measurable postsecondary goals] as well as present levels of academic achievement and functional performance. As indicated on the form the student's course of study is to be determined beginning at age 14 or younger if determined by the team.

STATEMENT OF MEASURABLE POSTSECONDARY GOALS

Beginning not later than the first IEP to be in effect when the student is 16, describe measurable postsecondary goals in the following areas:

- Training/Education
- Employment
- Independent Living Skills (As Appropriate)
- Other

STATEMENT OF MEASURABLE POSTSECONDARY GOALS [\(§300.320\(b\)\(1\)\)](#)

- a. Measurable postsecondary goals must be written, at a minimum, for Training/Education and Employment.
- b. The descriptions reflect what the student wants to do after high school—the descriptions are measurable if the accomplishment of the postsecondary goal could be verified at some point in the future (e.g., whether or not a student obtained employment as an electrician).

A Measureable Postsecondary Goal IS:

- An outcome that occurs after the student has exited high school.
- A statement based on age appropriate transition assessment.
- What the student would like to achieve AFTER high school.
- Measurable.

Measureable Postsecondary Goal Areas

Required by law:

- Training or Education
- Employment

Optional –use when appropriate based on student needs:

- Independent living

TRANSITION (continued)

| |
|--|
| <p>STATEMENT OF TRANSITION SERVICES: COORDINATED ACTIVITIES Beginning not later than the first IEP to be in effect when the student is 16, develop a statement of needed transition services, including strategies or activities, for the student.</p> |
| <p>Instruction</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Related Services</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Community Experiences</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Employment and Other Post-School Adult Living Objectives</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Acquisition of Daily Living Skills and Functional Vocational Evaluation (if appropriate)</p> <p>Any Other Agency Involvement (Optional):</p> |
| <p>Other</p> <p>Any Other Agency Involvement (Optional):</p> |

STATEMENT OF TRANSITION SERVICES: COORDINATED ACTIVITIES ([§300.320\(b\)\(2\)](#))

- a. Write a statement of transition strategies or activities to work toward the measurable postsecondary goals already. The statement must address each type of coordinated activity: instruction, related services, community experiences, the development of employment and other post-school adult living objectives; and, if appropriate, acquisition of daily living skills and a functional vocational evaluation.
- b. Develop measurable annual goals and benchmarks or short-term objectives in the IEP for each strategy or activity the district will provide.
- c. Consider the following information when completing this section:

- (1) Instruction is the use of formal techniques to impart knowledge. Describe the areas where specially designed instruction is being provided that supports attainment of postsecondary goals that is provided in schools (e.g., regular education classes, academic instruction, tutoring arrangements, etc.). Instructional activities may be provided by various entities or in other locations (e.g., adult basic education, 2+2 programming, and post-secondary schools).
- (2) Related Services Enter services necessary to assist the student to benefit from specially designed instruction. Describe areas where related services are being provided that support attainment of postsecondary goals. E.g.(RS in counseling supports positive student: peer interactions and positive student: adult interactions)
- (3) Community experiences are those services provided outside of the school building, in the community settings, or perhaps by schools or other agencies (e.g., community-based work experiences, job site training programs, banking, shopping, transportation, community counseling, recreational services, independent living centers, adult service providers, etc.).
- (4) Employment and other post-school adult living objectives are services that lead to a job or career. The objectives may also include adult activities that are done infrequently, such as registering to vote, doing taxes, renting a home, accessing medical services, SSI, filing for insurance, etc. The school or other entities could provide these activities.
- (5) Acquisition of Daily Living Skills and Functional Vocational Evaluation
 - Daily living skills are those activities adults do every day (e.g., preparing meals, budgeting, maintaining a home, paying bills, caring for clothes, personal grooming etc.). The school or other entities could provide these activities.
 - Functional vocational evaluation is an assessment process that provides information about job or career interests, aptitudes and skills. It may be gathered through situational assessments, observations, or formal measures. It should be practical. Schools or other entities could provide these activities.
- (6) Other: Use this area to add any other Agency involvement with the student (Optional)

*Note: The above options must be addressed but can say “none needed.”

INTERAGENCY RESPONSIBILITIES OR ANY NEEDED LINKAGES

At the option of the IEP team, any other anticipated agency involvement may be noted.

IEP GOALS, INCLUDING ACADEMIC AND FUNCTIONAL GOALS, AND BENCHMARKS OR SHORT-TERM OBJECTIVES

| | | | | |
|--|---|----------------------------------|----------------------------------|----------------------------------|
| <p>MEASURABLE ANNUAL GOAL (including how progress toward the annual goal will be measured)</p> <p><input type="checkbox"/> Check here if this goal supports the student's postsecondary goal(s) and identify the goal(s) to which it relates:</p> <p><input type="checkbox"/> Training/Education <input type="checkbox"/> Employment <input type="checkbox"/> Independent Living Skills <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Check here if this goal will be addressed during Extended School Year Services (ESY)</p> | <p>PROGRESS REPORT</p> <p>3. Satisfactory Progress Being Made (continue)</p> <p>2. Unsatisfactory Progress Being Made (need to review/revise)</p> <p>3. Goal Met (note date)</p> | | | |
| | <p>Date <input type="text"/></p> | <p>Date <input type="text"/></p> | <p>Date <input type="text"/></p> | <p>Date <input type="text"/></p> |
| | <p>Progress</p> | <p>Progress</p> | <p>Progress</p> | <p>Progress</p> |
| # <input type="text"/> | | | | |
| # <input type="text"/> | | | | |
| # <input type="text"/> | | | | |
| # <input type="text"/> | | | | |

IEP GOALS AND BENCHMARKS OR SHORT TERM OBJECTIVES

MEASURABLE ANNUAL GOAL ([§300.320\(a\)\(2\)](#))

- a. Annual goals are developed for each area of need identified by the IEP team in the **PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE; STRENGTHS, CONCERNS, INTERESTS, AND PREFERENCES;** and the **STATEMENT OF TRANSITION SERVICES.** There is a one-to-one correspondence between identified need, current performance level, and annual goal. Annual goals represent the IEP team's estimate of what the student can reasonably be expected to accomplish with specially designed instruction or support during the next 12 months. Annual goals reflect the IEP team's judgment, based on current levels of performance, potential for learning, and rate of development, regarding what the student should accomplish. The team answers the question, *"With specially designed instruction, what do we expect the student to do or know at the end of the next 12 months?"*
- b. Goal statements should have four parts:
 - (1) Direction of the behavior (e.g., increase, maintain, decrease);
 - (2) Area of needs (e.g., reading, social skills, communication);
 - (3) Level of attainment or success (e.g., to grade level, with 100% accuracy, or as appropriate for a typical six-year-old);
 - (4) How progress toward the annual goal will be measured.
- c. The measurable annual goals should relate to meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum and meeting each of the student's other educational needs that result from the student's disability.
- d. Beginning not later than the first IEP to be in effect when the student is 16, the IEP must include measurable goals that support the student's postsecondary goal(s) in the areas of training/education, employment, and (as appropriate) independent living skills. Check applicable boxes to indicate the areas addressed.
- e. If an IEP team determines that a student will receive Extended School Year (ESY) services, check applicable boxes to indicate the goal(s) that will be addressed during ESY.

REPORT OF PROGRESS

If the decision under **METHOD FOR REPORTING PROGRESS** (next section of the IEP) is to use **IEP Goals Pages** to report on progress, these cells will be used to periodically report on the student's progress. On each occasion that progress toward annual goals is reported using these goal pages, write the **Date** in the **Date** box, and in the space below, write the number (1, 2, or 3) that corresponds to the descriptor for the student's progress at that point in time. Duplicate the goal page and provide it to parents on each occasion that progress is reported.

BENCHMARK OR SHORT-TERM OBJECTIVE [\(NAC §388.284.1\(b\)\)](#)

Each annual goal must include either benchmarks or short-term objectives. The purpose of both is to enable a student's teachers, parents, and others involved in developing and implementing the IEP to gauge, at intermediate times during the year, how well the student is progressing toward achievement of the annual goal. An IEP team may use either short-term objectives or benchmarks or a combination of the two depending on the nature of the annual goals and the needs of the student.

- a. **BENCHMARK.** IEP teams may develop benchmarks, which can be thought of as describing the amount of progress the student is expected to make within specified segments of the year. Generally, benchmarks establish expected performance levels that allow for regular checks of progress that coincide with the reporting periods for informing parents of the student's progress toward achieving the annual goals.
- b. **SHORT-TERM OBJECTIVE.** Alternatively, IEP teams may develop short-term objectives that generally break the skills described in the annual goal down into discrete components.

METHOD FOR REPORTING PROGRESS

| | |
|--|---|
| <p>METHOD FOR REPORTING THE STUDENT'S PROGRESS TOWARD MEETING ANNUAL GOALS (check all methods that will be used)</p> <p><input type="checkbox"/> IEP Goals Pages <input type="checkbox"/> District Report Card</p> <p><input type="checkbox"/> Specialized Progress Report <input type="checkbox"/> Parent Conferences</p> <p><input type="checkbox"/> Other _____</p> | <p>PROJECTED FREQUENCY OF REPORTS</p> <p><input type="checkbox"/> Quarterly <input type="checkbox"/> Semester</p> <p><input type="checkbox"/> Trimester <input type="checkbox"/> Other _____</p> |
|--|---|

METHOD FOR REPORTING PROGRESS ([§300.320\(a\)\(3\)](#))

METHOD FOR REPORTING THE STUDENT'S PROGRESS TOWARD MEETING ANNUAL GOALS

- a. State and federal law require that the IEP team determine how the student's parents will be regularly informed (such as through the use of quarterly or other periodic reports, or other means) of their child's progress toward the annual goals. ([§300.347\(a\)\(7\)](#))
- b. Check the boxes to reflect the methods by which progress will be reported. More than one method may be selected.
**Note: Report cards do not necessarily report progress towards goals.*

PROJECTED FREQUENCY OF REPORTS

Check the box to project the frequency of reports.

SPECIAL EDUCATION SERVICES

| SPECIALLY DESIGNED INSTRUCTION | BEGINNING AND ENDING DATES | FREQUENCY OF SERVICES | LOCATION OF SERVICES |
|--------------------------------|----------------------------|-----------------------|----------------------|
| | | | |
| | | | |
| | | | |
| | | | |

SPECIAL EDUCATION SERVICES

SPECIALLY DESIGNED INSTRUCTION ([§300.320\(a\)\(4\)](#))

- a. Federal regulations require a statement of the special education services that will be provided for the student to advance appropriately toward attaining the annual goals; to be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities; and to be educated and participate with other students with disabilities and nondisabled students in these activities.
- b. This section summarizes the special education services to be provided to the student in the areas for which annual goals have been written. Describe the area in which specially designed instruction will be provided. While teaching and related service methodologies or approaches are appropriate topics for discussion and consideration by the IEP team, they are not expected to be written into the IEP. In general, changing a particular method or approach would not necessitate an additional IEP meeting. ([Congressional Committee Report, HR-5, 1997](#))
- c. If a student will receive specialized instruction in an academic content area, write the content area in this column (e.g., Math, English/Language Arts, and Science). If a student is receiving specially designed instruction in other areas, write the focus of the specially designed instruction in this column (e.g., study skills, vocational skills, community-based functional skills).

***Must have a NEED established in the PLOPS and list the curricular or developmental areas where goals are written**

BEGINNING AND ENDING DATES ([§300.320\(a\)\(7\)](#))

Write the dates when the specially designed instruction is scheduled to begin and end. In most instances, these dates will correspond to the IEP initiation and duration dates noted on the first page of the IEP.

FREQUENCY OF SERVICES ([§300.320\(a\)\(7\)](#))

Write how often the services will be provided. For example, if a student is receiving specially designed instruction in Math each day, write "one period per day." If the student is receiving adaptive physical education each week, write "one hour per week." The amount of services to be provided must be stated in the IEP, so that the level of the commitment of resources will be clear to parents and other IEP team members. The amount of a special education service to be provided to a student may be stated in the IEP as a range (e.g., 30-45 minutes per week) **only if** the IEP team determines that stating the amount of services as a range is necessary to meet the unique needs of the student. For example, the IEP may specify that particular services are needed only under specific circumstances, such as the occurrence of a seizure or of a particular behavior. A range may not be used because of personnel shortages or uncertainty regarding the availability of staff.

LOCATION OF SERVICES ([§300.320\(a\)\(7\)](#))

Describe the location where the services will be provided. The location of services in the context of an IEP generally refers to the type of environment that is the appropriate place for provision of the service. For example, the specially designed instruction may be provided in the student's regular classroom or in a resource room.

SUPPLEMENTARY AIDS AND SERVICES

Includes aids, services, and other supports provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate.

| MODIFICATION, ACCOMMODATION, OR SUPPORT FOR STUDENT OR PERSONNEL Provide specific description(s) below. | BEGINNING AND ENDING DATES | FREQUENCY OF SERVICES | LOCATION OF SERVICES |
|--|-------------------------------|--------------------------|-------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

SUPPLEMENTARY AIDS AND SERVICES ([§300.320\(a\)\(4\)](#))

MODIFICATION, ACCOMMODATION, OR SUPPORT FOR STUDENT OR PERSONNEL

- a. Federal regulations require a statement of the supplementary aids and services and program modifications or supports for school personnel that will be provided for the student to advance appropriately toward attaining the annual goals; to be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities; and to be educated and participate with other students with disabilities and nondisabled students in these activities.
- b. Describe each appropriate **MODIFICATION, ACCOMMODATION, OR SUPPORT FOR STUDENT OR PERSONNEL**; alternatively, select the number from the supplemental list titled "Modifications, Accommodations, and Supports" and enter the corresponding number in this row. If the modification, accommodation, or support is needed in a specific content area, specify the area(s). For example, if a student has difficulty in reading and requires more time to take tests that require reading, specify the content areas (e.g., history, social studies) where the accommodation for test-taking will be provided. Some of the items listed require additional descriptions. If these items are referred to by number on the IEP, the additional description must be provided. For example, number 7, "Special Seating," requires a description of the nature of the seating for an individual student. The row could be completed as follows: **#7, in front row for all regular classes.**
- c. If the supplemental list is used, a copy must be "stapled" to the IEP within the Student Information System and given to the parent so that the references are clear.
- d. In general, accommodation involves adapting instructional strategies (materials, manner of presentation, grouping format) and/or the classroom environment (seating arrangements, lighting, sound, etc.) for students with special needs. Classroom accommodations can be made across educational settings, such as the regular education classroom, the resource room, and special classes.
- e. In general, modification means changing the program/curriculum when reasonable accommodations will not be effective in allowing the student to participate in the regular education classroom. Modifications are greater or more extensive changes that significantly alter the scope or content of the general education curriculum and are based on the student's need for such changes.
- f. Nonacademic services [34 CFR 300.107\(a\)](#). Each public agency must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities and equal opportunity for participation in those services and activities.

BEGINNING AND ENDING DATES

FREQUENCY OF SERVICES

LOCATION OF SERVICES

Guidelines for beginning and ending dates, frequency of services, and location of services are provided above in the section titled [SPECIAL EDUCATION SERVICES](#).

| RELATED SERVICE | SERVICE TYPE AND/OR DESCRIPTION <i>A - Assessment</i> <i>C - Consultative</i> <i>D - Direct</i> | BEGINNING AND ENDING DATES | FREQUENCY OF SERVICES | LOCATION OF SERVICES |
|------------------------|--|----------------------------|-----------------------|----------------------|
| Select Related Service | Select Service Type Description: [] | [] - [] | [] | [] |
| Select Related Service | Select Service Type Description: [] | [] - [] | [] | [] |
| Select Related Service | Select Service Type Description: [] | [] - [] | [] | [] |
| Select Related Service | Select Service Type Description: [] | [] - [] | [] | [] |
| Select Related Service | Select Service Type Description: [] | [] - [] | [] | [] |
| Select Related Service | Select Service Type Description: [] | [] - [] | [] | [] |

RELATED SERVICES ([§300.320\(a\)\(4\)](#)), ([NAC 388.101](#))

RELATED SERVICE

- Federal regulations require a statement of the related services that will be provided for the student to advance appropriately toward attaining the annual goals; to be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities; and to be educated and participate with other students with disabilities and nondisabled students in these activities.
- Select the necessary related service that are necessary for the student to benefit from special education. Additions to this list may be described under "Other."
- If the same Related Service has multiple service types then you must add separate rows for A, C, D because frequency or location could vary.
- If no related Services are needed then use the option for "None Needed".
- A list of options for Related Services can be found in [Appendix A](#).

SERVICE TYPE AND/OR DESCRIPTION

Use **A** for assessment services, **C** for consultative services, or **D** for direct services. If other service delivery models are used, provide a description.

BEGINNING AND ENDING DATES

FREQUENCY OF SERVICES

LOCATION OF SERVICES

Guidelines for beginning and ending dates, frequency of services, and location of services are provided above in the section titled [SPECIAL EDUCATION SERVICES](#).

PARTICIPATION IN STATEWIDE AND/OR DISTRICT-WIDE ASSESSMENTS

| Indicate how the student will participate in statewide or district-wide assessments. | If the student will participate in an alternate assessment, explain why the student cannot participate in the regular assessment, and why the particular alternate assessment selected is appropriate | If the student will participate in a regular assessment, does the student require accommodations? |
|--|---|--|
| State Criterion-Referenced Test (CRT) <input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> Alternate | | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| End of Course Exams <input type="checkbox"/> Yes <input type="checkbox"/> N/A | | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| College and Career Readiness Assessment <input type="checkbox"/> Yes <input type="checkbox"/> N/A | | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| Other (List): _____ <input type="checkbox"/> Yes <input type="checkbox"/> N/A | | <input type="checkbox"/> No <input type="checkbox"/> Yes List Accommodation(s): |

PARTICIPATION IN STATEWIDE AND/OR DISTRICT-WIDE ASSESSMENTS (§300.320(a)(6))

- a. Column one is used to indicate how the student will participate in the state or district-wide assessments listed. NA applies if during the period of time covered by the IEP, the student will not be in the grade in which a particular assessment is administered.
- b. For a student who will participate in an alternate to the regular assessment listed, column two is used to why the student cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate.
- c. If the student will participate in state norm-referenced tests, state criterion-referenced tests, the High School Proficiency Exam, or the Proficiency Examination in Writing, and the student requires accommodations, complete the "Accommodation(s) for the Nevada Proficiency Examination Program" form and attach to the IEP. Accommodations not specifically listed (those that might be added as "Other") must be approved individually by the Nevada Department of Education to assure a valid administration of the test. Accommodations for participation in district-wide tests must be in accordance with district guidelines.
- d. Occasionally, an IEP team may decide that there would be value in testing a student even though the provision of modifications will lead to an invalid administration. Write these modifications on the bottom of the "Accommodation(s) for the Nevada Proficiency Examination Program" form and attach to the IEP.
- e. Complete the "Accommodation(s) for the Nevada Proficiency Examination Program" form for each student participating in a state assessment and attach to the IEP to reflect testing decisions made for the student. The form duplicates the IEP content to a certain extent, but a copy of the "Accommodation(s)" form can then be used by testing programs as a stand-alone document.

EXTENDED SCHOOL YEAR SERVICES

Does the student require extended school year services?

No Yes If YES, IEP goals and benchmarks/short-term objectives and/or related services to be implemented in ESY must be identified.

If need for ESY is to be determined at a later date, indicate date by which IEP decision will be made: _____

EXTENDED SCHOOL YEAR SERVICES ([§300.106](#))

Extended school year services must be provided only if a student's IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education to the student. A school district may not limit extended school year services to particular categories of disability or unilaterally limit the type, amount, or duration of those services. ([§300.106\(a\)\(2-3\)](#))

- a. If the IEP has determined whether the student requires extended school year services, check the box to reflect the team's decision. Develop appropriate goals and benchmarks or short-term objectives, or indicate whether existing goals will be addressed during extended school year services (see box to check in goals section), and describe any special education services, related services, or supplementary aids and services that will be provided.
- b. If the timing of the current IEP is such that the need for extended school year services should be considered at a later date, indicate the date by which the IEP team will reconvene to make the necessary decisions and plans.

PLACEMENT

| PLACEMENT CONSIDERATIONS | | | PERCENTAGE OF TIME IN REGULAR EDUCATION ENVIRONMENT |
|---|-----------------|--|--|
| <input type="checkbox"/> | Selected | <input type="checkbox"/> Rejected | Regular class with supplementary aids and services (no removal) |
| <input type="checkbox"/> | Selected | <input type="checkbox"/> Rejected | Regular class and special education class (e.g., resource) combination |
| <input type="checkbox"/> | Selected | <input type="checkbox"/> Rejected | Self-contained program |
| <input type="checkbox"/> | Selected | <input type="checkbox"/> Rejected | Special school |
| <input type="checkbox"/> | Selected | <input type="checkbox"/> Rejected | Residential |
| <input type="checkbox"/> | Selected | <input type="checkbox"/> Rejected | Hospital |
| <input type="checkbox"/> | Selected | <input type="checkbox"/> Rejected | Home |
| <input type="checkbox"/> | Selected | <input type="checkbox"/> Rejected | Other _____ |
| <p>JUSTIFICATION FOR PLACEMENT INVOLVING REMOVAL FROM REGULAR EDUCATION ENVIRONMENTS*</p> <p>Explain why the IEP goals and objectives cannot be implemented in regular education environments, including the reasons why the team rejected a less restrictive placement. Include an explanation of any harmful effects on the learning of this or other students which affected the placement selection.</p> | | | |
| <p><small>*Regular education environments include academic classes (which might include field trips linked to the curriculum), nonacademic settings (such as recess), and extracurricular activities (for example, sports, after-school clubs, band, etc.).</small></p> | | | |

PLACEMENT

PLACEMENT CONSIDERATIONS

Check boxes to reflect any placements actually considered by the IEP team. ([NAC §388.284\(1\)\(k\)](#))

PERCENTAGE OF TIME IN REGULAR EDUCATION ENVIRONMENT

Calculate and list the average percentage of time this student will spend in the regular education environment.

JUSTIFICATION FOR PLACEMENT INVOLVING REMOVAL FROM REGULAR EDUCATION ENVIRONMENTS ([§300.320\(a\)\(5\)](#))

The team must explain why the student's IEP cannot be implemented in the regular education environment with the use of supplementary aids and services. Factors to consider relate to needs for specialized curriculum and instruction; highly individualized instructional methods and materials; extraordinary teacher expertise; frequency and intensity of staff intervention and support; and structured environments to support social/behavioral needs. This is not an exhaustive list of considerations, nor is it as specific as justification statements for a particular student should be. Justifications must be individualized and relate to each student's particular needs. Statements to avoid:

1. Statements that merely name or describe the student's disability category.
2. Statements that are too general and that do not justify removal from regular education settings based upon each student's unique needs.
3. Justification statements that rely solely on accommodations that can clearly be met in a less restrictive setting such as "a small group setting" or "1:1 instruction."

JUSTIFICATION FOR PLACEMENT INVOLVING REMOVAL FROM REGULAR EDUCATION ENVIRONMENTS (continued)

Placements that require removal of the student from regular classes must be justified in the student's IEP. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment can only occur if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (§300.114) In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the student or on the quality of services that he or she needs. (§300.116(d)) A student with a disability may not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum. (§300.116(e))

IEP IMPLEMENTATION

IEP IMPLEMENTATION

| |
|---|
| <input type="checkbox"/> As the parent, I agree with the components of this IEP. I understand that its provisions will be implemented as soon as possible after the IEP goes into effect. |
| <input type="checkbox"/> As the parent, I disagree with all or part of this IEP. I understand that the school district must provide me with written notice of any intent to implement this IEP. If I wish to prevent the implementation of this IEP, I must submit a written request for a due process hearing to the local school district superintendent. |
| Parent Signature _____ |

- a. The IEP team should work toward consensus in making IEP decisions, but the school district has the ultimate responsibility to ensure that the IEP includes the services the student needs in order to receive a free appropriate public education. If the team cannot reach consensus, the public agency must provide the parents with prior written notice of the school district's proposals or refusals, or both, regarding the student's educational program and the parents have the right to seek resolution of any disagreements by initiating an impartial due process hearing. ([Title 34 Part 300 Subpart E](#))

- b. At the conclusion of the meeting, the parent may check either the **first box** (agree) or the **second box** (disagree) to indicate whether a consensus has been reached. If the parent does not wish to check either box, the school district must still determine whether a consensus has been reached, and follow the applicable procedures outlined above. **Note: There is no legal requirement for parents to sign IEPs. It is a convenient method for documenting participation and for clarifying whether parents are in consensus with the provisions of the IEP. If the parent declines to complete and sign this section of the IEP, the district must evaluate whether consensus has been reached and must take the appropriate steps outlined above.**

| |
|---|
| <input type="checkbox"/> A copy of this IEP was provided to the student's parent on : _____ by _____ (date) (name) (title) |
|---|

DOCUMENTATION THAT COPY WAS PROVIDED TO PARENT

Use this line to document that a copy of the IEP was provided to the parent.

Appendix A

Appendix A provides Data Standards for the Nevada IEP, updated on 10/12/2015, and lists the allowable codes for the drop list for the following fields: Student Primary Language, Student English Proficiency Status, Federal Placement Code, Federal Student Ethnicity Code, and Exit. Appendix A is only for the use of providing data standards for Districts who have not migrated to the IEP program within Infinite Campus and should not be part of the printed IEP.

Student Primary Language:

Districts should use the ISO 639-2 language codes. The ISO 639-2 language codes can be found at the following web site:
http://www.loc.gov/standards/iso639-2/php/code_list.php.

Student English Proficiency Status:

- LEP
- NLEP

FEDERAL STUDENT ETHNICITY CODE

Check the student's ethnicity based upon the following federal descriptors:

| | |
|---|--|
| H7 Hispanic/Latino American, or other | A person of Cuban, Mexican, Puerto Rican, South or Central Spanish culture or origin, regardless of race. Refers to Hispanic and/or Latino. |
| I7 American Indian or Alaska Native | A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. <i>(Does not include persons of Hispanic/Latino ethnicity.)</i> |
| A7 Asian | A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent. This includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. <i>(Does not include persons of Hispanic/Latino ethnicity.)</i> |
| B7 Black or African American <i>(Does not include</i> | A person having origins in any of the Black racial groups of Africa. <i>persons of Hispanic/Latino ethnicity.)</i> |

- P7** Native Hawaiian or Other Pacific Islander A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or the Pacific Islands. *(Does not include persons of Hispanic/Latino ethnicity.)*
- C7** White A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. *(Does not include persons of Hispanic/Latino ethnicity.)*
- M7** Two or more races listed immediately A person having origins in *two or more of the five race categories above.* *(Does not include persons of Hispanic/Latino ethnicity.)*

Note that children can only be reported in one race/ethnicity category.

FEDERAL PLACEMENT CODE

Check the student's placement code based upon the following federal definitions:

PLACEMENT CODE FOR STUDENTS AGES 3-5

- E1** *Regular early childhood program ! 10 hours/week with majority of services in the regular early childhood program.* The child is receiving the majority of hours of special education and related services in the regular early childhood program (and the child attends a regular early childhood program at least 10 hours per week).
- E2** *Regular early childhood program ! 10 hours/week with majority of services in some other location program.* The child is receiving the majority of hours of special education and related services in some other location (and the child attends a regular early childhood program at least 10 hours per week).
- E3** *Regular early childhood program < 10 hours/week with majority of services in the regular early childhood program.* The child is receiving the majority of hours of special education and related services in the regular early childhood program (and the child attends a regular early childhood program less than 10 hours per week).
- E4.** *Regular early childhood program < 10 hours/week with majority of services in some other location program.* The child is receiving the majority of hours of special education and related services in some other location (and the child attends a regular early childhood program less than 10 hours per week).
- E5** *Separate class.* The child is attending a special education program in a class with less than 50% nondisabled children. (Do not include children who also attend a regular early childhood program. These children should be reported in categories E1, E2, E3, or E4.)
- E6** *Separate school.* The child is receiving education programs in public or private day schools designed specifically for children with disabilities. (Do not include children who also attend a regular early childhood program. These children should be reported in categories E1, E2, E3, or E4.)
- E7** *Residential facility.* The child is receiving education programs in publicly or privately operated residential schools or residential medical facilities on an inpatient basis. (Do not include children who also attend a regular early childhood program. These children should be reported in categories E1, E2, E3, or E4.)

E8 *Home.* The child is receiving special education and related services in the principal residence of the child's family or caregivers, and the child attends neither a regular an early childhood program nor a special education program provided in a separate class, separate school, or residential facility. Include children who receive special education both at home and in a service provider location or some other location that is not in any other category. The term caregiver includes babysitters.

E9 *Service provider location or some other location that is not in any other category.* The child receives all of the child's special education and related services from a service provider or some other location that is not in any other category, and the child attends neither a regular early childhood program nor a special education program provided in a separate class, separate school, or residential facility. For example, speech instruction provided in:

- private clinicians' offices,
- clinicians' offices located in school buildings, and
- hospital facilities on an outpatient basis.

Do not include children who also receive special education at home. Children who receive special education both in a service provider location and at home should be reported in the home category.

PLACEMENT CODE FOR STUDENTS AGES 6-21

B9 *Regular class 80-100%.* The child receives special education and related services inside the regular classroom for 80% or more of the school day. This may include children with disabilities placed in:

- regular class with special education/related services provided within regular classes;
- regular class with special education/related services provided outside regular classes; or
- regular class with special education services provided in resource rooms.

B10 *Regular class 40-79%.* The child receives special education and related services inside the regular classroom between 40 and 70% of the school day. This may include children placed in:

- resource rooms with special education/related services provided within the resource room; or
- resource rooms with part-time instruction in a regular class.

B11 *Regular class 0-39%.* The child receives special education and related services inside the regular classroom less than 40% of the school day. These are children who received special education and related services outside the regular classroom for more than 60 percent of the school day. Do not include children who received education programs in public or private separate day or residential facilities. This category may include children placed in:

- self-contained special classrooms with part-time instruction in a regular class; or
- self-contained special classrooms with full-time special education instruction on a regular school campus.

B12 *Separate School.* The child receives education programs in public or private separate day school facilities. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50 percent of the school day in public or private separate schools. This may include children placed in:

- public and private day schools for students with disabilities;
- public and private day schools for students with disabilities for a portion of the school day (greater than 50 percent) and in regular school buildings for the remainder of the school day; or
- public and private residential facilities if the student does not live at the facility.

B13 *Residential Facility.* The child receives education programs and lived in public or private residential facilities during the school week. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50 percent of the school day in public or private residential facilities. This may include children placed in:

- public and private residential schools for students with disabilities; or
- public and private residential schools for students with disabilities for a portion of the school day (greater than 50 percent) and in separate day schools or regular school buildings for the remainder of the school day.

Do not include students who received education programs at the facility, but do not live there.

B14 *Homebound/Hospital.* The child receives education programs in homebound/hospital environment includes children with disabilities placed in and receiving special education and related services in:

- hospital programs, or
- homebound programs.

Do not include children with disabilities whose parents have opted to home-school them and who receive special education at the public expense.

B15 *Correctional facilities.* The child receives special education in correctional facilities. These data are intended to be a count of all children receiving special education in:

- short-term detention facilities (community-based or residential), or
- correctional facilities.

B16 *Parentally Placed in Private Schools.* The child has been enrolled by their parents or guardians in regular parochial or other private schools and whose basic education is paid through private resources and the child receives special education and related services at public expense from a local educational agency or intermediate educational unit under a service plan.² Include children whose parents chose to home-school them, but who receive special education and related services at the public expense. Do not include children who are placed in private schools by the LEA.

NEVADA Decision Tree for Coding Educational Environments for Children Ages 3 through 5 with IEPs

Report each child in only one category. Please refer to state guidance and the Protocol Form for specific reporting requirements when using this decision tree.

Does the child attend a regular early childhood program?

YES

If YES, determine the following:
How many hours does the child attend a regular early childhood program?

At least 10 hours per week

If at least 10 hours per week:
Where does the child receive the majority of hours of special education and related services?
E1 - In the regular early childhood program

E2 - In some other location

Less than 10 hours per week

If less than 10 hours per week:
Where does the child receive the majority of hours of special education and related services?
E3 - In the regular early childhood program

E4 - In some other location

Definitions: Regular Early Childhood Program is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on IEPs). This category may include, but is not limited to:

- Head Start
- Kindergarten, public or private
- Preschool classes, public or private
- Group child development center or child care

NO

If NO, determine the following:
Is the child attending a special education program?

If YES,
E5 - Separate Class
E6 - Separate School
E7 - Residential Facility

*Definitions:
E5- Separate Class is a special education classroom which includes a majority (at least 50%) of children with disabilities (i.e., children on IEPs). This category may include, but is not limited to programs in:*

- Regular school buildings
- Trailers, Portables
- Child care facilities
- Hospital facilities – out-patient
- Other community based settings

*E6- Separate School is designed for children with disabilities.
E7- Residential school or medical facility— inpatient.*

If NO, Is the child receiving the majority of special education and related services in the residence of the child's family or care giver?

If YES,
E8 - Home

If NO,
E9 - Is the child receiving the majority of special education and related services in service provider location or other location not in any other category?

*SPP/APR Indicator 6: Percent of children 3 through 5 with IEPs attending:
Indicator 6A: regular early childhood program and receiving the majority of special education and related services in the regular early childhood program. (E1+E3 divided by total number of children 3-5 with IEPs x 100)*

SPP/APR Indicator 6B: Separate special education class, separate school or residential facility. (E5+E6+E7 divided by total number of children 3-5 with IEPs x 100)

Exit:

- B18: Standard Diploma
- B19: Advanced Diploma
- B21: Adjusted Diploma
- B23: Advanced Honors Diploma
- B52: Dropped Out
- D:24: Transferred to Regular Education
- D:25: Parent Refused Services
- D40: Moved known to be continuing
- D41: Moved not known to be continuing
- D43: Reached Max Age
- EB1: Died

STATE OF NEVADA INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)

Ann Alexander 10/2010

INFORMATION

(1) Essential components in NDE monitoring

| STUDENT/PARENT INFORMATION | ELIGIBILITY CATEGORY | MEETING INFORMATION |
|---|---|---|
| Student _____ Sex _____ Birthdate _____ Grade _____ Student ID # _____ Student Primary Language _____ Student English Proficiency Code (optional) _____ Address _____ Student Phone _____ Parent/Guardian/Surrogate _____ Parent Phone (Home) _____ (Work) _____ Optional: Cell _____ Email _____ Primary Language Spoken at Home _____ Interpreter or Other Accommodations Needed _____ Emergency Contact/Phone Number _____ Current School _____ Zoned School _____ | <input type="checkbox"/> Autism <input type="checkbox"/> Deaf/Blind <input type="checkbox"/> Developmental Delay <input type="checkbox"/> Emotional Disturbance <input type="checkbox"/> Health Impairment <input type="checkbox"/> Hearing Impairment/Deaf <input type="checkbox"/> Mental Retardation <input type="checkbox"/> Multiple Impairment <input type="checkbox"/> Orthopedic Impairment <input type="checkbox"/> Specific Learning Disability <input type="checkbox"/> Speech/Language Impairment <input type="checkbox"/> Traumatic Brain Injury <input type="checkbox"/> Visual Impairment ELIGIBILITY DATE _____ ANTICIPATED 3-YR REEVALUATION _____ | DATE OF MEETING _____ DATE OF LAST IEP MEETING _____ PURPOSE OF MEETING <input type="checkbox"/> Interim IEP <input type="checkbox"/> Initial IEP <input type="checkbox"/> Annual IEP <input type="checkbox"/> IEP Following 3-Yr Reevaluation <input type="checkbox"/> Revision To IEP Dated _____ <input type="checkbox"/> Exit/Graduation <input type="checkbox"/> IEP Revision Without A Meeting: At the request of : <input type="checkbox"/> Parent or <input type="checkbox"/> School District <input type="checkbox"/> Other _____ IEP SERVICES WILL BEGIN _____ ANTICIPATED DURATION OF SERVICES _____ IEP REVIEW DATE _____ COMMENTS _____ |

(6)

(2)

most recent eligibility date

exactly 3 years later

(3)

no more than one year

no more than one year

exact dates matter

if needed, document below

(4) minimum membership - in NV, LEA rep. cannot also be one of the required teachers

IEP PARTICIPATION

| | |
|------------------------------------|--|
| Parent/Guardian/Surrogate* _____ | Speech/Language Therapist/Pathologist/Specialist _____ |
| Student** _____ | School Nurse _____ |
| LEA Representative* _____ | Interpreter _____ |
| Special Education Teacher* _____ | Other (name and role) _____ |
| Regular Education Teacher*** _____ | Other (name and role) _____ |
| School Psychologist _____ | Other (name and role) _____ |

*Required participant.
 ** Student must be invited when transition is discussed (beginning at age 14 or younger if appropriate).
 ***The IEP team must include at least one regular education teacher of the student (if the student is, or may be, participating in the regular education environment).

PROCEDURAL SAFEGUARDS

I have received a statement of procedural safeguards under the Individuals with Disabilities Education Act (IDEA) and these rights have been explained to me in my primary language.

Parent Signature _____

AT LEAST ONE YEAR PRIOR TO REACHING AGE 18, STUDENTS MUST BE INFORMED OF THEIR RIGHTS UNDER IDEA AND ADVISED THAT THESE RIGHTS WILL TRANSFER TO THEM AT AGE 18.

Not applicable. Student will not be 18 within one year, and the student's next annual IEP meeting will occur no later than the student's 17th birthday.
 The student has been informed of his/her rights under IDEA and advised of the transfer of these rights at age 18.

(5) If student is 16, and you do not expect another IEP meeting before the student turns 17, then explain transfer at 16.

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

Consider results of the initial evaluation or most recent reevaluation, and the academic, developmental, and functional needs of the student, which may include the following areas: academic achievement, language/communication skills, social/emotional/behavior skills, cognitive abilities, health, motor skills, adaptive skills, pre-vocational skills, vocational skills, and other skills as appropriate. For students who are 16 or older, or will turn 16 when this IEP is in effect, also consider the results of age appropriate transition assessments related to training/education, employment, and independent living skills (as appropriate).

| ASSESSMENTS CONDUCTED | ASSESSMENT RESULTS | EFFECT ON STUDENT'S INVOLVEMENT AND PROGRESS IN GENERAL EDUCATION CURRICULUM OR, FOR EARLY CHILDHOOD STUDENTS, INVOLVEMENT IN DEVELOPMENTAL ACTIVITIES |
|--|--|---|
| <p>names of assessments</p> <p>formal</p> <p>informal</p> <p>NR</p> <p>tests <</p> <p>CR</p> <p>observations</p> <p>work samples</p> <p>achievement tests</p> <p>recent evaluations</p> <p>behavior ratings, FBAs</p> <p>staff and parent input</p> <p>15+ age appropriate transition assessments</p> <p>ADD DATES!</p> | <p>describe results to build a profile of the student's current abilities</p> <p>must provide present levels of <u>both</u>:</p> <p>academic achievement</p> <p>functional performance</p> | <p>Describe <u>how</u> the student's disability will affect involvement/progress in general curriculum or appropriate developmental activities.</p> <ul style="list-style-type: none"> • cause/effect statements • because of (...) (...) will be the result <p>Discuss as a group the requirements and expectations in the general curriculum - then, given those demands and expectations, write down how the disability will affect the student's ability to meet those expectations. e.g.</p> <p>Because of (student's) (strength, weakness) in (specific skill area) he/she will experience (<u>success</u>, limited success, difficulty) in (environments, curriculum) that (require her to ..., rely upon ..., emphasize...) (specific instructional methods, materials, evaluation <u>methods</u>, classroom demands)</p> |

STRENGTHS, CONCERNS, INTERESTS AND PREFERENCES**STATEMENT OF STUDENT STRENGTHS**

(8)

Try to capture key information that can be utilized in developing goals, objectives, accommodations and modifications. Input from the student is important.

STATEMENT OF PARENT EDUCATIONAL CONCERNS**STATEMENT OF STUDENT'S PREFERENCES AND INTERESTS** *(required if transition services will be discussed, beginning at age 14 or younger if appropriate)*

(9)

Determine whether appropriate for student under age 14. Useful for identifying positive behavior supports. Remember: Notification of IEP meeting must state student is being invited and that transition will be discussed.

If student was not in attendance, describe the steps taken to ensure that the student's preferences and interests were considered:

Must complete if student does not participate.

(10) any of these can be addressed in a variety of ways {goals/objectives, behavior plans, related services/supplemental services}

CONSIDERATION OF SPECIAL FACTORS

1. Does the student's behavior impede the student's learning or the learning of others? No action needed. Yes, addressed in IEP.
If YES, team must provide positive behavioral strategies, supports and interventions, or other strategies, supports and interventions to address that behavior.
2. Does the student have limited English proficiency? No action needed. Yes, addressed in IEP.
If YES, team must consider language needs of the student as those needs relate to the student's IEP.
3. Is the student blind or visually impaired? No action needed. Yes, addressed in IEP.
Braille unless determined not appropriate for the student.
4. Is the student deaf or hard of hearing? No action needed. Yes, addressed in IEP.
If YES, team must consider communication needs.
5. Does the student require assistive technology devices and services? No action needed. Yes, addressed in IEP.
If YES, team must determine nature and extent of devices and services.

a short statement that directly quotes what student wants for the future

One of the AT services is an AT evaluation

TRANSITION ← **Do at age 14**

| | |
|---|--|
| DIPLOMA OPTION SELECTED FOR GRADUATION (Diploma option must be declared at age 14 and reviewed annually.) | |
| <input type="checkbox"/> Standard or Advanced High School Diploma. Must complete all applicable credit requirements and pass the High School Proficiency Examination (with permissible accommodations as needed). | <input type="checkbox"/> Adjusted High School Diploma. Must complete IEP requirements. |

STUDENT'S VISION FOR THE FUTURE
A short statement that directly quotes what the student wants for the future.

(11)

Do at age 14

STATEMENT OF TRANSITION SERVICES: COURSE OF STUDY
Beginning at age 14 or younger if determined appropriate by the IEP team, describe the focus of the student's course of study.

(12) Describe the anticipated course of study (e.g., advanced placement courses; vocational educational program; general studies; standard curriculum leading to high school standard diploma).
Consider relationship among preferences/interests, vision for future, postsecondary goals.

← **Do at age 15**

STATEMENT OF MEASURABLE POSTSECONDARY GOALS
Beginning ~~not later~~ than the first IEP to be in effect when the student is 16, describe measurable postsecondary goals in the following areas:

Training/Education **must**

Employment **must**

Independent Living Skills (As Appropriate)

Other

(13) Describe goals for the student's life after high school.
The descriptions are "measurable" if the accomplishment of the postsecondary goal could be verified at some point in the future (e.g., whether or not a student obtained employment as an electrician).
"After leaving high school ..."

STATEMENT OF TRANSITION SERVICES: COORDINATED ACTIVITIES

Beginning not later than the first IEP to be in effect when the student is 16, develop a statement of needed transition services, including strategies or activities, for the student.

Instruction

(14)

Describe areas where specially designed instruction is being provided that supports attainment of postsecondary goals. e.g. (SDI in English supports resume development)
(SDI in Study Skills supports organization skills, responsibility for deadlines)

Any Other Agency Involvement (Optional):

Related Services

(15)

Describe areas where related services are being provided that support attainment of postsecondary goals. e.g. (RS in counseling supports positive student: peer interactions and positive student: adult interactions)

Any Other Agency Involvement (Optional):

Community Experiences

(16)

Describe services provided outside school building that support attainment of postsecondary goals.

Any Other Agency Involvement (Optional):

Employment and Other Post-School Adult Living Objectives

(17)

Describe services that support employment and adult living objectives. e.g. (job shadowing, registering to vote, job applications, etc.)

Any Other Agency Involvement (Optional):

Acquisition of Daily Living Skills and Functional Vocational Evaluation (if appropriate)

(18)

meals
budgeting
navigating community

to determine career interests,
aptitudes, skills and
opportunities

Any Other

Other

Any Other Agency Involvement (Optional):

must be addressed but can say "none needed"

IEP GOALS, INCLUDING ACADEMIC AND FUNCTIONAL GOALS, AND BENCHMARKS OR SHORT-TERM OBJECTIVES

(19)

MEASURABLE ANNUAL GOAL (including how progress toward the annual goal will be measured)

DIRECTION (increase, decrease, maintain); **AREA** of need (reading, social skills); **LEVEL** of attainment (grade level, 80% accuracy); **HOW** progress will be measured

- Check here if this goal supports the student's postsecondary goal(s) and identify the goal(s) to which it relates: Training/Education Employment
 Independent Living Skills Other
- Check here if this goal will be addressed during Extended School Year Services (ESY)

PROGRESS REPORT

1. Satisfactory Progress Being Made (continue)
2. Unsatisfactory Progress Being Made (need to review/revise)
3. Goal Met (note date)

| Date | Date | Date | Date |
|------|------|------|------|
| | | | |

BENCHMARK OR SHORT-TERM OBJECTIVE

(21)

at 15+, at least one goal must support training/education and employment (can be the same goal)

(23)

can be used if (on the next page) the team uses "IEP goal pages" to report progress

(20)

MEASURABLE ANNUAL GOAL (including how progress toward the annual goal will be measured)

With specially designed instruction, what do we expect the student to know or do at the end of 12 months?

- Check here if this goal supports the student's postsecondary goal(s) and identify the goal(s) to which it relates: Training/Education Employment
 Independent Living Skills Other
- Check here if this goal will be addressed during Extended School Year Services (ESY)

PROGRESS REPORT

1. Satisfactory Progress Being Made (continue)
2. Unsatisfactory Progress Being Made (need to review/revise)
3. Goal Met (note date)

| Date | Date | Date | Date |
|------|------|------|------|
| | | | |

BENCHMARK OR SHORT-TERM OBJECTIVE

(22)

goals segmented into discrete skill components

describes how much progress the student is expected to make within specified segments of time

METHOD FOR REPORTING PROGRESS

| | | | |
|--|--|--|---|
| METHOD FOR REPORTING THE STUDENT'S PROGRESS TOWARD MEETING ANNUAL GOALS (check all methods that will be used) | | PROJECTED FREQUENCY OF REPORTS | |
| <input type="checkbox"/> IEP Goals Pages <input type="checkbox"/> Specialized Progress Report <input type="checkbox"/> Other _____ | <input type="checkbox"/> District Report Card <input type="checkbox"/> Parent Conferences | <input type="checkbox"/> Quarterly <input type="checkbox"/> Trimester | <input type="checkbox"/> Semester <input type="checkbox"/> Other _____ |

(24) Report cards do not necessarily report progress toward goals.

NOT "classroom"

SPECIAL EDUCATION SERVICES

| SPECIALLY DESIGNED INSTRUCTION | BEGINNING AND ENDING DATES | FREQUENCY OF SERVICES | LOCATION OF SERVICES |
|---------------------------------|---|---|--|
| Reading Math Study Skills | usually correspond to IEP initiation and duration dates | one period per day one hour per week | regular class resource room therapy room schoolwide (e.g., for behavior plan) |

(25) list the curricular or developmental areas where goals are written (those are areas where SDI is provided)

Must have NEED established in PLOPs
 NOT just a list of good teaching strategies
 Be VERY precise - which classes? which assignments?

do not combine locations on one row

SUPPLEMENTARY AIDS AND SERVICES

Includes aids, services, and other supports provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate.

| MODIFICATION, ACCOMMODATION, OR SUPPORT FOR STUDENT OR PERSONNEL | BEGINNING AND ENDING DATES | FREQUENCY OF SERVICES | LOCATION OF SERVICES |
|--|----------------------------|---|----------------------|
| (26) adaptations necessary to enable participation with nondisabled students e.g., adapting instructional strategies (materials, formats, groupings) adapting classroom environments (seating, sound, lighting) providing support services (adult assistance) | | "daily" and "as needed" create problems be very specific | |
| For end-of-semester, out-of-class written assignments in English and social studies, student will be given 3 extra days to complete assignment. Frequency: each such assignment Location: regular English/Social Studies class | | | |

For in class assignment of math problems, student will complete 1/2 assigned problems (teacher determines)

RELATED SERVICES

| RELATED SERVICE | SERVICE TYPE AND/OR DESCRIPTION <i>A - Assessment C - Consultative D - Direct</i> | BEGINNING AND ENDING DATES | FREQUENCY OF SERVICES | LOCATION OF SERVICES |
|---|---|----------------------------|-----------------------|----------------------|
| <input type="checkbox"/> Speech/Language | | | | |
| <input type="checkbox"/> Physical Therapy | | | | |
| <input type="checkbox"/> Occupational Therapy | | | | |
| <input type="checkbox"/> Transportation | | | | |
| <input type="checkbox"/> Counseling | (27) Services necessary to assist student to benefit from specially designed instruction (special education services) | | | |
| <input type="checkbox"/> Psychological Services | | | | |
| <input type="checkbox"/> Orientation and Mobility | | | | |
| <input type="checkbox"/> Audiology | | | | |
| <input type="checkbox"/> School Health Services and School Nurse Services | | | | |
| <input type="checkbox"/> Medical Services for Diagnostic or Evaluation Purposes | | | | |
| <input type="checkbox"/> Recreation, including Therapeutic Recreation | | | | |
| <input type="checkbox"/> Parent Counseling and Training | | | | |
| <input type="checkbox"/> Interpreting Services | | | | |
| <input type="checkbox"/> Social Work Services | | | | |
| <input type="checkbox"/> Assistive Technology | | | | |
| <input type="checkbox"/> Other _____ | | | | |

separate rows for A, C, D because frequency/location varies

PARTICIPATION IN STATEWIDE AND/OR DISTRICT-WIDE ASSESSMENTS

| Indicate how the student will participate in statewide or district-wide assessments. | If the student will participate in an alternate assessment, explain why the student cannot participate in the regular assessment, and why the particular alternate assessment selected is appropriate | If the student will participate in a regular assessment, does the student require accommodations? |
|--|---|--|
| State Norm-Referenced Test (NRT) <input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> Alternate | | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| State Criterion-Referenced Test (CRT) <input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> Alternate | (28) For statewide assessments, NAA | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| High School Proficiency Exam <input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> Alternate | | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| Proficiency Examination in Writing <input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> Alternate | | <input type="checkbox"/> No <input type="checkbox"/> Yes If YES, list on "Accommodation(s) for the Nevada Proficiency Examination Program" (attach form). |
| Other (List): _____ <input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> Alternate | | <input type="checkbox"/> No <input type="checkbox"/> Yes List Accommodation(s): |

EXTENDED SCHOOL YEAR SERVICES

Does the student require extended school year services?

No Yes If YES, IEP goals and benchmarks/short-term objectives and/or related services to be implemented in ESY must be identified. (29) see IEP goals
If need for ESY is to be determined at a later date, indicate date by which IEP decision will be made: _____

Keep a calendar of postponed decisions

PLACEMENT

PLACEMENT CONSIDERATIONS

- | | | |
|-----------------------------------|-----------------------------------|--|
| <input type="checkbox"/> Selected | <input type="checkbox"/> Rejected | Regular class with supplementary aids and services (no removal) |
| <input type="checkbox"/> Selected | <input type="checkbox"/> Rejected | Regular class and special education class (e.g., resource) combination |
| <input type="checkbox"/> Selected | <input type="checkbox"/> Rejected | Self-contained program |
| <input type="checkbox"/> Selected | <input type="checkbox"/> Rejected | Special school |
| <input type="checkbox"/> Selected | <input type="checkbox"/> Rejected | Residential |
| <input type="checkbox"/> Selected | <input type="checkbox"/> Rejected | Hospital |
| <input type="checkbox"/> Selected | <input type="checkbox"/> Rejected | Home |
| <input type="checkbox"/> Selected | <input type="checkbox"/> Rejected | Other _____ |

(30) only one is selected; only check placements actually considered

PERCENTAGE OF TIME IN REGULAR EDUCATION ENVIRONMENT

(31) no ranges

The student will spend _____ % of his or her school day in the regular education environment.

calculate average % of time student will spend in reg. ed. environment

JUSTIFICATION FOR PLACEMENT INVOLVING REMOVAL FROM REGULAR EDUCATION ENVIRONMENTS*

Explain why the IEP goals and objectives cannot be implemented in regular education environments, including the reasons why the team rejected a less restrictive placement. Include an explanation of any harmful effects on the learning of this or other students which affected the placement selection.

(32) Factors to consider relate to needs for specialized curriculum and instruction; highly individualized instructional methods and materials; extraordinary teacher/staff expertise; and structured environments to support social/behavioral needs.

Statements must be specific and individualized

*Regular education environments include academic classes (which might include field trips linked to the curriculum), nonacademic settings (such as recess), and extracurricular activities (for example, sports, after-school clubs, band, etc.).

IEP IMPLEMENTATION

As the parent, I agree with the components of this IEP. I understand that its provisions will be implemented as soon as possible after the IEP goes into effect.
 As the parent, I disagree with all or part of this IEP. I understand that the school district must provide me with written notice of any intent to implement this IEP. If I wish to prevent the implementation of this IEP, I must submit a written request for a due process hearing to the local school district superintendent.

Parent Signature _____

(33) •no legal requirement for parents to sign
•provide PWN of proposal to implement when copy given to parent

A copy of this IEP was provided to the student's parent on : _____ by _____
(date) (name) (title)

DATA ELEMENTS**FEDERAL STUDENT ETHNICITY CODE (CHECK ONE)**

- H7** Hispanic/Latino
- I7** American Indian or Alaska Native
- A7** Asian
- B7** Black or African American
- P7** Native Hawaiian or Other Pacific Islander
- C7** White
- M7** Two or more races

FEDERAL PLACEMENT CODE (CHECK ONE)**Students ages 3-5:**

- E1** reg. early childhood pgm. \geq 10 hours/week with majority of special education & related svcs. in reg. ec. pgm.
- E2** reg. early childhood pgm. \geq 10 hours/week with majority of special education & related svcs. in other location
- E3** reg. early childhood pgm. $<$ 10 hours/week with majority of special education & related svcs. in reg. ec. pgm.
- E4** reg. early childhood pgm. $<$ 10 hours/week with majority of special education & related svcs. in other location
- E5** special education in separate class
- E6** special education in separate school
- E7** special education in residential facility
- E8** home
- E9** service provider location

FEDERAL PLACEMENT CODE (CHECK ONE)**Students ages 6-21:**

- B9** regular education 80-100%
- B10** regular education 40-79%
- B11** regular education 0-39%
- B12** public or private separate school
- B13** public or private residential
- B14** homebound/hospital
- B15** correctional facilities
- B16** private or home schoolers with service plan

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

GUIDELINES:

- In the "Assessments Conducted" column, list the assessments conducted and any other sources of information that describe the student's present levels of academic achievement and functional performance
 - must address academic achievement (e.g., core curriculum)
 - must address functional performance (e.g., self-help, social-emotional, organizational skills, daily living)
 - must include results of the initial or most recent evaluation of the child
 - beginning not later than the first IEP to be in effect when the child is 16, must include results of age appropriate transition assessments related to (1) training/education, (2) employment, and (3) (where appropriate) independent living skills
 - assessments may include formal or informal methods, norm- or criterion-referenced tests, classroom observations, student work samples, teacher-made or other achievement tests, recent evaluations, behavior rating scales, performance data from regular education teachers, parental input, etc.

- In the "Assessment Results" column, describe the assessment results corresponding to the assessments conducted. Build a profile of the student's current abilities.

- In the "Effect on Student's Involvement and Progress in General Curriculum" column:
 - either before (to develop a draft) or during the meeting, collect information from general education teacher(s) to serve as a foundation for discussing the requirements and expectations in the general curriculum (e.g., what is taught, how is it taught, what instructional activities are students engaged in, how are knowledge and skills demonstrated and evaluated?)
 - then, in light of the demands of the general curriculum, consider and evaluate the student's strengths and limitations as described in the assessment results
 - after considering the student's skills in light of the demands of the curriculum, describe the ways in which the student's disabilities will affect the student's involvement and progress in the general curriculum
 - include statements that address major areas of the curriculum that are impacted by the student's disabilities
 - the "effects" statement is not merely a narrative version of the "assessment results"
 - the "effects" statement does not have to describe the services or placement that will be needed to address the effects of the disabilities on involvement and progress in the general curriculum—those descriptions are addressed elsewhere in the IEP (goals, services, placement, etc.)
 - try using the following frame to think about writing "effects" statements:

Because of (student's) (strength or weakness) in (describe specific skill area), he/she will experience (success or difficulty) in (settings, curriculum, learning experiences, etc.) that (require her to ..., rely upon ... , emphasize ... , etc.) (specific instructional methods, materials, learning activities, evaluation methods, etc.).

EXAMPLES OF "EFFECT" STATEMENTS:

- *Because John's reading ability is four years below grade level, and because he has particular difficulty with content area textbooks, he will experience difficulty in content area classes that rely heavily on textbooks for instruction.*
- *Suzy has good problem-solving abilities in mathematics, but she is limited in the speed and accuracy with which she performs mathematical calculations. In mathematics class and on standardized assessments, the pace at which she works limits her ability to demonstrate her knowledge of math concepts and operations.*
- *Although her teachers have prompted her to complete her work and used a "planner," Sarah still only completes 50% of her assignments in social studies and history classes. Her difficulty with handing in completed assignments causes her to fall behind in general education curriculum.*
- *Tyler is very social and has many friends. He often ignores classroom rules and talks with friends while the teacher is providing instruction. Even though his assigned seat is in front of the teacher's desk, he does not attend to and cannot follow multi-step directions for group projects, seat work, and time management in classroom centers. As a result, he is off-task when work begins, he requires extensive follow-up instructions, and he is late turning in assignments. These ineffective work habits cause him to fall behind his classmates although he has the ability to do the work.*
- *Bob's vocational interest inventory demonstrates an interest in mechanics, and his recent work experience has been in an auto shop. However, his limited ability to read the technical service manuals limits his ability to work independently at an entry level in the auto mechanics field.*

JUSTIFICATION FOR PLACEMENT INVOLVING REMOVAL FROM REGULAR EDUCATION ENVIRONMENTS

GUIDELINES:

- justification is provided only when students are removed from regular education environments
- the IEP committee must explain why the student's IEP cannot be implemented in the regular education environment with the use of supplementary aids and services
- factors to consider include a student's needs for:
 - specialized curriculum and instruction
 - e.g., incompatibility of student's goals and objectives with established curriculum at age level
 - highly individualized instructional methods and materials
 - e.g., need for therapeutic approach used by speech/language therapist
 - extraordinary teacher expertise
 - e.g., need for skills and approaches used by teacher of the hearing impaired
 - frequency and intensity of staff intervention and support
 - e.g., continual need for assistance, prompts, modeling, verbal cues
 - structured environments to support social/behavior skill development
 - e.g., need for structure when behavior is a danger to the safety of the student or others
- justifications must be individualized and relate to the student's particular needs
- statements to avoid:
 - statements that merely name or describe the student's disability category
 - statements that are too general
 - statements that justify removal merely based on "maximizing potential"
 - statements that rely solely on accommodations that clearly can be met in a less restrictive setting, such as "a small group setting" or "1:1 instruction" without describing the frequency or intensity of the need for these services

EXAMPLES:

- *The curriculum in Sarah's general education English class requires that students be able to read at approximately the sixth grade level and be able to construct sentences, paragraphs and short essays. Because Sarah does not yet have these skills, she requires basic instruction in vocabulary development, content area reading strategies, spelling, sentence structure, and paragraph composition. These skills cannot be developed solely within the general education English curriculum, because she requires intensive and focused remediation to become a more proficient reader and writer. This basic skill instruction will support her work in all areas of the general curriculum that require reading and writing. Because Sarah will participate in a special education class for English rather than the general education class, she will not participate fully in the general education curriculum at her grade level, which may adversely affect her proficiency in state content standards.*
- *Jeff is able to understand the mathematics concepts presented in his general education Math class, but is often unable to remember the content and complete homework assignments once he leaves the class. He requires additional instruction to reinforce the content learned in the general education Math class, and he requires immediate feedback and sustained tutoring to assist him in completing his assignments. Because Jeff will participate in one fewer "elective" classes, there is a possibility that his interest in attending school may be adversely affected.*
- *Dawn is learning very basic communication skills that are effectively taught through delivery of discrete trials, an instructional method that requires focused adult:child interaction, specialized teacher training, and a nearly distraction-free environment. Because the duration of classroom removal is short, there is no likely harmful effect.*

TRANSITION PLANNING, SERVICES, AND POST-SECONDARY GOALS

Reference WRRRC TA Document: <http://interact.uoregon.edu/wrrc/trnfiles/trncontents.htm>

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

For students who are 16 or older, or will turn 16 when this IEP is in effect, consider the results of age appropriate transition assessments related to training/education, employment, and independent living skills (as appropriate).

Transition assessments may be formal and/or informal, and may include observations, anecdotal information, on-the-job tryouts, classroom performance examples, tests, work samples, apprenticeships, paid work experiences, student work programs.

What do transition assessments reveal about the student's:

- strengths, abilities, deficits?
- interests and preferences?
- level of self-determination skills?

What does this information suggest about:

- appropriate instructional settings? ("Based on age-appropriate transition assessments [specify], the student will experience success [difficulty] in XXX settings.")
- necessary accommodations, supports, and services?

John has trouble working with his teachers, and at times engages in confrontations with authority figures. He also experiences some trouble in remembering what he reads and studying for quizzes and tests. As a result, John just "gets by" in the basic level general education classes he takes at the high school and he experiences numerous short-term disciplinary removals from his general education classes.

Initial transition planning with John, his father, his current vocational teacher, his resource teacher, and his local JTPA transition specialist indicates the need for a comprehensive vocational evaluation in the form of two-week trials at various trades as part of the "Trade Survey Course" offered at the area vocational school. The vocational rehabilitation representative agrees to pay transportation and expenses for materials for the semester-long evaluation.

STATEMENT OF STUDENT'S PREFERENCES AND INTERESTS

Write a statement of student's preferences and interests if transition services are being discussed. This information may be collected before the meeting or solicited during the meeting.

John is 16 ½ years old. He has indicated to his teachers an interest in working with his hands, and parents report that he enjoys building intricate models at home.

STUDENT'S VISION FOR THE FUTURE

Write a short statement that directly quotes what the student wants for the future.

STATEMENT OF TRANSITION SERVICES: COURSE OF STUDY

Describe the anticipated course of study the student will pursue (e.g., participation in advanced placement courses or a vocational education program).

STATEMENT OF DESIRED POST-SCHOOL OUTCOMES: POST-SECONDARY GOALS

Federal law now requires that IEPs include measurable post-secondary goals for students beginning with the IEP to be in effect when the student turns 16. There is a linkage among desired post-school outcomes (post-secondary goals), the statement of coordinated activities, and the measurable annual goals.

In the areas of training/education, employment, and (if appropriate) independent living, describe what the student wants to do after high school: where the student wants to live, work, recreate, learn, and participate in the community. Specify the work, educational, and living outcomes (if appropriate) the student desires in adult life. The statement is revisited annually so that as the student matures, the outcome or vision becomes clearer and more concrete. The post-secondary goals must be measurable.

Upon completion of high school, John will enroll in the general Associates Degree program at Truckee Meadows Community College in August 2009.

Within 7 years of completing high school, Jason will get his undergraduate degree in history and education to become a high school social studies teacher.

Upon completion of high school, Paulo will independently prepare for work each day by dressing, making his bed, making his lunch, and accessing transportation.

Upon completion of high school, Stephanie will independently catch the bus each work day to attend culinary training at the ABC Center, so that she can obtain entry level employment with Marriott food services.

Well-written, thoughtfully planned post-secondary goals will be particularly important when writing the "Summary of Performance and Recommendations" for students who graduate with a standard diploma or who reach the age of 22.

STATEMENT OF TRANSITION SERVICES: COORDINATED ACTIVITIES

The "Coordinated Activities"

Instruction is the use of formal techniques to impart knowledge. It is typically provided in schools (e.g., general education classes, academic instruction, tutoring arrangements). However, there may be other instructional activities that could be provided by other entities or in other locations (e.g., adult basic education, post-secondary schools).

John will participate in the peer mediation training program and will receive 60 minutes/week of social skills instruction from September 2005 to June 2006.

Related services are services necessary to assist the student to benefit from specially designed instruction (special education).

John will receive occupational therapy for 30 minutes/week to improve fine motor skills necessary for keyboarding.

Community experiences are those services provided outside of the school building, in community settings, or perhaps by schools or other agencies (e.g., community-based work experiences; job site training programs, banking, shopping, transportation, community counseling, recreational services, independent living centers, adult service providers).

None needed. John and his family report that John participates fully in the community. He is active in community activities with his small group of friends. He often assists his father in his auto repair business.

Employment and other post-school adult living objectives are services that lead to a job or career, and important adult activities that are done occasionally, such as registering to vote, doing taxes, renting a home, accessing medical services, SSI, filing for insurance, etc. These could be provided by schools or other entities.

John will receive 2 to 3 week job trials from staff at the Area Vocational Center during the first semester of the 2005-2006 school year. Second semester vocational training will be provided based on the outcome of the job trials.

Daily living skills are those activities adults do every day (e.g., preparing meals, budgeting, maintaining a home, paying bills, caring for clothes, grooming). These could be provided by schools or other entities.

John will receive 60 minutes/week of money management instruction.

Functional vocational evaluation is an assessment process that provides information about job or career interests, aptitudes and skills. It may be gathered through situational assessments, observations, or formal measures. It should be practical.

Instruction, related services, community experiences, and employment and other post-school adult living objectives MUST be addressed in each student's IEP. Acquisition of daily living skills and functional vocational evaluation are addressed (if appropriate).

MEASURABLE ANNUAL GOALS

These goals are designed to assist the student in moving toward the desired post-school outcomes. They must be measurable, and based upon age-appropriate transition assessments.

GUIDELINES:

- beginning not later than the first IEP to be in effect when the student is 16, the IEP must include measurable annual goals to support post-secondary goals in the areas of (1) training/education, (2) employment, and (3) (as appropriate) independent living skills
- annual goals are designed to assist the student in moving toward the desired post-school outcomes (post-secondary goals)
- at least one goal must be developed for training/education and for employment (one goal can develop BOTH training/education and employment)
- check applicable boxes to establish that a goal has been written to support post-secondary outcomes in training/education and employment
- goals for independent living skills are optional and are written when appropriate for a given student

EXAMPLES:

- *Maureen will fully participate in her Child Development course during her sophomore year, attaining the prescribed competencies with 80% accuracy or better as measured by course assessments.*
- *With preferred job cluster areas of interest selected, Juan will job shadow three businesses for two days each during his senior year, completing the "job shadow" protocol with 100% independence.*
- *Lee will improve her social and interpersonal skills with her work-study employer by engaging in no more than three negative interactions (as defined in Positive Behavior Support Plan) per week, as reported by her employer on weekly performance evaluations.*
- *Based upon consultation from the guidance counselor to identify coursework necessary for her college application, Shari will participate in advanced mathematics courses earning a grade of C or better.*
- *John will increase knowledge and skills of auto mechanics, competitively earning a grade of C or better on the quarterly and end of semester report cards for that class.*

- *Susan will increase employment application literacy skills to a level of competence accepted in the business community, by developing a resume, locating three want-ads for retail-sales employment in the local newspaper, and writing three letters of application. Competence in the development of written products (resume, letters of application) will be evaluated for composition, spelling, and punctuation with a teacher-made checklist.*
- *Claire will improve her independent living skills by going to local restaurants, ordering from a menu independently, and paying the bill without assistance once a week during the semester. The teacher of record will complete an observation weekly during the 14-week semester with the student meeting criteria 10 out of 14 trials.*
- *Michael will demonstrate good work habits as a volunteer at a local museum for two semesters, as measured by satisfactory or above ratings from the museum supervisor using teacher-developed work habit checklists.*

Remember to consider the underlying skill development needs in addition to listing goals for "earning a grade of C" in a class.

Age Requirements of IDEA/NAC - Transition IEP's

During the annual IEP in which the student is age 14 (this meets the legal requirement to 'have in place by age 15')

- Proof (PWN) that student is invited to all IEP's in which transitions are discussed (in addition to having copies of the PWN for parent & student and the brown IEP folder . . . *if* the student chooses *not* to attend, as additional proof that you did invite them, you may write on the "student signature" line on the first page of the IEP . . . "student invited but did not attend")
- From age 14 on, every *annual* IEP is also a Transition IEP's (i.e., transitions will/must be discussed at each and every annual IEP meeting)
- Must fill out "Statement Of Student's Preferences And Interests"
- Must fill out top 3 sections of the first transition page
 - Diploma option (only NAA student's can be designated as alternate diploma . . . 'non-NAA until May of their Senior year)
 - "Student's Vision For The Future"
 - "Statement Of Transition Services: Course Of Study"

During the annual IEP in which the student is age 15 (this meets the legal requirement to 'have in place' by age 16)

- Age appropriate transition assessment/interest inventory conducted & referenced in all three columns of Present Levels of Performance (PLP) to include **date from preceding annual year** & name of assessment in first column (i.e., "Conducted MAPP Careers Assessment 9/12/10"), results in second column, and "effects on student's involvement and progress in general education curriculum" in the third column.
- Both transition pages must be completely filled out (leaving no area blank) for every annual IPE from this point forward
- Goals & Obj. for 1) Training, 2) employment, 3) Independent Living Skills (as appropriate) . . . (must make appropriate marks on Goal & Obj. page and choose appropriate choices from drop-down menu)
- Statement of measurable post secondary goals (e.g., "After graduation I, Tommy will enroll in . . . part time . . . ", "Two years after graduating high school I, Suzy will live semi-independently. . . ", etc.)
- Proof (Agency Participation Parent Guardian Consent Release/Exchange of Information-Form) that an outside agency invited to all IEP's in which transitions are discussed and an outside agency could be a contributing member of the meeting

During the annual IEP in which the student is age 16 (this meets the legal requirement to 'have in place' at least one year prior to turning age 18)

- Transfer of Rights

2014-2015 Case Load List

| Student Name | DOB | IEP Due Date | Age at IEP | Purpose of Meeting |
|--------------|-----|--------------|------------|--------------------|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |
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| 25. | | | | |
| 26. | | | | |

Transition components of the Individualized Educational Program (IEP)

If the student is 14 years of age or older:

- Provide student with IEP invitation (stating transition services &/or postsecondary goals will be discussed)
- Provide parent with notification of student invitation
- Complete statement of student's strengths, preferences, & interests
- Declare diploma option
- Determine course of study

If the student is 15 years of age and will turn 16 before the next IEP, do all of the above plus:

- Gain parent consent, then invite outside agency likely to provide or pay for transition services (to the extent appropriate)
- Conduct age appropriate transition assessments
- Write measurable postsecondary goals (training/education & employment are required, independent living skills when appropriate)
- Determine coordinated set of activities
- Include measurable annual goal(s) to support the measurable postsecondary goals (check the boxes to show the connection)

If the student is 16 years of age and will turn 17 before the next IEP, do all of the above plus:

- Inform student of his/her rights under IDEA and advise regarding transfer of those rights at age 18

Upon exit:

- Provide student with summary of performance

Age Appropriate Transition Assessments

Ways to Assess:

Formal

- Standardized
- Norm-referenced
- Criterion-referenced

Informal

- Portfolios
- Analysis of background information
- Interviews
- Work samples
- Curriculum-based assessments
- Observations & situational assessments
- Alternative assessments

A Wide Spectrum of Assessments are Available

Present Levels

For the IEP that will be in effect when the student turns 16 (15+), the present levels page must include:

| | | |
|---|----------------------------------|--|
| Name(s) and date(s) of age appropriate transition assessments conducted | The results of those assessments | Consideration of the results by the IEP team - describe how the student's disability will affect involvement/ progress in general curriculum |
|---|----------------------------------|--|

Present Levels

Column 1

- Simply list the assessments conducted
 - May be formal or informal
 - Date
 - Talk with the counselor, career center personnel and/or Vocational Rehabilitation personnel to see if any additional transition-related assessments have been conducted that could be included

Present Levels

Column 2

- What do the transition assessments reveal about the student's:
 - Strengths, abilities, deficits
 - Interests and preferences
 - Level of self-determination skills

Present Levels

Column 3

- What does this information from the transition assessment(s) suggest about necessary accommodations, supports & services in the following settings:
 - Instructional
 - Education/training
 - Employment
 - Independent living

Coordinated Set of Activities

- Reminders:
 - Must obtain prior consent from parent, guardian or adult student to invite the agency (Agency Participation Parent Guardian Consent Release/Exchange of Information-Form)
 - Must invite the agency
 - NOT RESPONSIBLE for whether or not the agency attends
 - If a service or activity is written into the coordinated set of activities and the responsible agency does not fulfill their obligation, the LEA is obligated to reconvene the IEP to address alternatives to said activity

STATEMENT OF TRANSITION SERVICES:
COORDINATED ACTIVITIES EXAMPLES

These are statements of **services and supports** (“activities”) **that districts and other agencies will provide to assist in enabling the student to attain postsecondary goals.** These are **NOT** student and/or parent “to do” lists. Each area **must** be addressed, however, “none needed” is an option for all sections except “instruction.”

INSTRUCTION

Describe areas where specially designed instruction is provided that supports the attainment of postsecondary goals.

1. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in English to support _____ (resume development, etc.).
2. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in study skills to support _____ (organizational skills, responsibility for deadlines, etc.).
3. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in functional skills to support workplace _____ (reading, writing, math, etc.).
4. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in math to support the attainment of _____ (personal banking skills, money usage skills, etc.).
5. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in _____ (word-processing, data entry, keyboarding, etc.) to support the attainment of _____ (workplace, etc.) computer skills.
6. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in literacy to improve _____ (sight word identification, reading comprehension, etc.).
7. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in the use of _____ (reading comprehension strategies, test taking strategies, etc.) through _____ (teacher, peer, etc.) tutoring.
8. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in self-monitoring to improve _____ (on-task behavior, etc.).
9. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in peer mediation to support positive student: peer interactions.

10. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in self-determination to improve the student's ability to _____ (self-assess strengths, weaknesses, needs, and preferences, make effective choices and decisions, etc.).
11. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in social skills in _____ (educational, work, etc.) settings.
12. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in _____ (community safety skills, self-defense, etc.) at _____ (the local YMCA, etc.).
13. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in workplace safety.
14. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in the use of _____ (augmentative device) to _____ (enhance, facilitate, support, etc.) _____ (communication, etc.).
15. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in the use of a picture schedule to support organization and structure of daily activities.
16. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in food preparation and kitchen hygiene.
17. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in using the bus schedule to support the attainment of independent navigation skills using the public transportation system.
18. The _____ (teacher, school, district, adult agency, etc.) will provide specially designed instruction in _____ (sport) skills training in adaptive physical education.
19. The _____ (teacher, school, district, adult agency, etc.) will provide instructional support of guided notes for _____ (list classes) lessons.
20. The _____ (teacher, school, district, adult agency, etc.) will provide audio-taped texts for _____ (list classes).
21. The _____ (teacher, school, district, adult agency, etc.) will provide extended time on tests in _____ (list classes).
22. The _____ (teacher, school, district, adult agency, etc.) will provide modified ACT/SAT testing.

RELATED SERVICES

Describe related services necessary to assist the student to benefit from specially designed instruction and to support the attainment of postsecondary goals.

1. The _____ (teacher, school, district, adult agency, etc.) will provide counseling services to support positive student: peer interactions.
2. The _____ (teacher, school, district, adult agency, etc.) will provide counseling services to support positive student: adult interactions.
3. The _____ (teacher, school, district, adult agency, etc.) will provide counseling services to increase ability to manage anger.
4. The _____ (teacher, school, district, adult agency, etc.) will provide counseling services to improve self-confidence.
5. The _____ (teacher, school, district, adult agency, etc.) will provide speech/language therapy services to increase oral language fluency.
6. The _____ (teacher, school, district, adult agency, etc.) will provide speech/language therapy services to improve expressive communication.
7. The _____ (teacher, school, district, adult agency, etc.) will provide speech/language therapy services to improve communication skills through the use of picture symbols.
8. The _____ (teacher, school, district, adult agency, etc.) will provide speech/language therapy for augmentative communication evaluation and selection of appropriate augmentative communication device for school and post-school environments.
9. The _____ (teacher, school, district, adult agency, etc.) will provide speech/language therapy services for training in the use of augmentative communication device.
10. The _____ (teacher, school, district, adult agency, etc.) will provide occupational therapy for augmentative communication evaluation and selection of appropriate augmentative communication device for school and post-school environments.
11. The _____ (teacher, school, district, adult agency, etc.) will provide occupational therapy services for training in the use of augmentative communication device.
12. The _____ (teacher, school, district, adult agency, etc.) will provide occupational therapy services to improve fine motor skills necessary for keyboarding.
13. The _____ (teacher, school, district, adult agency, etc.) will provide occupational therapy services to improve spreading and cutting with a knife.

14. The _____ (teacher, school, district, adult agency, etc.) will provide occupational therapy services to improve performance of activities of daily living.
15. The _____ (teacher, school, district, adult agency, etc.) will provide occupational therapy services to improve handwriting.
16. The _____ (teacher, school, district, adult agency, etc.) will provide occupational therapy services for use of assistive technology.
17. The _____ (teacher, school, district, adult agency, etc.) will provide audiology services for hearing aid maintenance.
18. The _____ (teacher, school, district, adult agency, etc.) will provide interpreter services for the hearing impaired.
19. The _____ (teacher, school, district, adult agency, etc.) will provide interpreter services for the vision impaired.
20. The _____ (teacher, school, district, adult agency, etc.) will provide an assistive technology evaluation for determination of devices to increase independence in home and community environments.
21. The _____ (teacher, school, district, adult agency, etc.) will provide assistive technology services to increase use of voice output device.
22. The _____ (teacher, school, district, adult agency, etc.) will provide physical therapy to maintain and improve strength and flexibility.
23. The _____ (teacher, school, district, adult agency, etc.) will provide physical therapy to improve independent ambulation.
24. The _____ (teacher, school, district, adult agency, etc.) will provide physical therapy to improve hand-eye coordination.
25. The _____ (teacher, school, district, adult agency, etc.) will provide therapeutic recreation services to improve sportsmanship.
26. The _____ (teacher, school, district, adult agency, etc.) will provide information on the transfer of therapy services to the adult service arena.
27. The _____ (teacher, school, district, adult agency, etc.) will provide information about mobility services.
28. None needed

COMMUNITY EXPERIENCES

Describe services provided outside of the school building that support the attainment of postsecondary goals.

1. The _____ (teacher, school, district, adult agency, etc.) will provide community-based work experiences/job training in the field of horticulture.
2. The _____ (teacher, school, district, adult agency, etc.) will provide community-based work experiences/job training in the field of telecommunications.
3. The _____ (teacher, school, district, adult agency, etc.) will provide community-based work experiences/job training in the veterinary field.
4. The _____ (teacher, school, district, adult agency, etc.) will provide community-based work experiences/job training in the field of recreation.
5. The _____ (teacher, school, district, adult agency, etc.) will provide community-based work experiences/job training in the field of auto mechanics.
6. The _____ (teacher, school, district, adult agency, etc.) will provide community-based work experiences/job training in the field of health services.
7. The _____ (teacher, school, district, adult agency, etc.) will provide community-based work experiences/job training in the field of retail employment.
8. The _____ (teacher, school, district, adult agency, etc.) will provide community-based work experiences/job training in the field of food service.
9. The _____ (teacher, school, district, adult agency, etc.) will provide community-based work experiences/job training in the clerical field.
10. The _____ (teacher, school, district, adult agency, etc.) will provide community-based independent and community living instruction related to employability skills.
11. The _____ (teacher, school, district, adult agency, etc.) will provide community-based independent and community living instruction in vocational training.
12. The _____ (teacher, school, district, adult agency, etc.) will provide community-based independent and community living instruction in travel training.
13. The _____ (teacher, school, district, adult agency, etc.) will provide community-based independent and community living instruction in banking and money management.
14. The _____ (teacher, school, district, adult agency, etc.) will provide community-based independent and community living instruction in shopping.

15. The _____ (teacher, school, district, adult agency, etc.) will provide community outings to visit independent living centers.
16. The _____ (teacher, school, district, adult agency, etc.) will provide community outings to visit recreational agencies/facilities in the community.
17. The _____ (teacher, school, district, adult agency, etc.) will provide community outings to visit postsecondary disability resource centers.
18. The _____ (teacher, school, district, adult agency, etc.) will provide information on a mentor program through local _____ (YMCA, police department, etc.).
19. None needed

EMPLOYMENT AND OTHER POST-SCHOOL ADULT LIVING OBJECTIVES

Describe services that support employment (lead to a job or career) and adult living objectives (important adult activities that are done occasionally).

1. The _____ (teacher, school, district, adult agency, etc.) will provide assistance in completing _____ (on-line, hard copy, etc.) job applications.
2. The _____ (teacher, school, district, adult agency, etc.) will provide assistance in resume development.
3. The _____ (teacher, school, district, adult agency, etc.) will provide assistance in applying for postsecondary training/education programs and disability support services.
4. The _____ (teacher, school, district, adult agency, etc.) will provide assistance in registering with selective service.
5. The _____ (teacher, school, district, adult agency, etc.) will provide practice in mock job interviews.
6. The _____ (teacher, school, district, adult agency, etc.) will provide information about registering to vote.
7. The _____ (teacher, school, district, adult agency, etc.) will provide information about doing taxes.
8. The _____ (teacher, school, district, adult agency, etc.) will provide information about applying for SSI.
9. The _____ (teacher, school, district, adult agency, etc.) will provide information on purchasing/leasing a vehicle.
10. The _____ (teacher, school, district, adult agency, etc.) will provide information on obtaining modifications for a vehicle.
11. The _____ (teacher, school, district, adult agency, etc.) will provide information about _____ (employer, trade organization, etc.) sponsored apprenticeship programs.
12. The _____ (teacher, school, district, adult agency, etc.) will provide job shadowing in _____ (community environment).
13. The _____ (teacher, school, district, adult agency, etc.) will provide job trials to explore employment interests and aptitudes.
14. The _____ (teacher, school, district, adult agency, etc.) will provide credit for work experience hours in _____ (setting).

15. The _____ (teacher, school, district, adult agency, etc.) will provide opportunities for meeting with a job coach in the classroom and community settings.
16. The _____ (teacher, school, district, adult agency, etc.) will provide the opportunity to participate in the ASVAB.
17. The _____ (teacher, school, district, adult agency, etc.) will provide access to a _____ (transition, career, job, postsecondary, etc.) fair _____ (at school, in the community, etc.).
18. The _____ (teacher, school, district, adult agency, etc.) will provide guest speaker presentations by _____ (employers).
19. The _____ (teacher, school, district, adult agency, etc.) will provide guest speaker presentations by the _____ (branch of the military).
20. The _____ (teacher, school, district, adult agency, etc.) will provide guest speaker presentations by _____ (postsecondary programs).
21. The _____ (teacher, school, district, adult agency, etc.) will make a vocational rehabilitation referral to determine eligibility for postsecondary education assistance.
22. The _____ (teacher, school, district, adult agency, etc.) will provide information on exploring guardianship issues.
23. The _____ (teacher, school, district, adult agency, etc.) will provide information on financial planning and investing.
24. The _____ (teacher, school, district, adult agency, etc.) will provide information on estate planning.
25. The _____ (teacher, school, district, adult agency, etc.) will provide information on modifying a home.
26. The _____ (teacher, school, district, adult agency, etc.) will provide information on applying for housing assistance (HUD).
27. None needed

ACQUISITION OF DAILY LIVING SKILLS AND FUNCTIONAL VOCATIONAL EVALUATION (IF APPROPRIATE)

ACQUISITION OF DAILY LIVING SKILLS (IF APPROPRIATE)

Describe services and supports to address the activities that adults do every day.

1. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in consumer skills at the grocery store.
2. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in making healthy food choices.
3. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in meal planning and preparation.
4. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in determining preference among 5 or fewer food choices.
5. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in sorting items according to temperature need (refrigerator, freezer, pantry).
6. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in learning locations of various food items in the _____ (kitchen, store).
7. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in loading and unloading a dishwasher.
8. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in navigating the community.
9. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in travel training including _____ (learning to use the pull cord to identify upcoming bus stop, etc.).
10. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice on maintaining a vehicle.
11. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in safety skills in the community (learning to choose a seat near the bus driver, etc.).
12. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in personal grooming/hygiene.

13. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in caring for clothes.
14. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice in selecting clothing for different events and weather.
15. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice on opening and maintaining a bank account.
16. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice on budgeting and saving money.
17. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice on paying bills.
18. The _____ (teacher, school, district, adult agency, etc.) will provide instruction and practice on maintaining a home.
19. None needed

FUNCTIONAL VOCATIONAL EVALUATION (IF APPROPRIATE)

Describe services and supports for the assessment process used to determine job or career interests, aptitudes, skills, and opportunities.

1. The _____ (teacher, school, district, adult agency, etc.) will provide a computation/business math skill inventory.
2. The _____ (teacher, school, district, adult agency, etc.) will provide an office skill inventory.
3. The _____ (teacher, school, district, adult agency, etc.) will provide an adaptive behavior scale.
4. The _____ (teacher, school, district, adult agency, etc.) will provide a self-determination scale.
5. The _____ (teacher, school, district, adult agency, etc.) will provide an ecological assessment.
6. The _____ (teacher, school, district, adult agency, etc.) will provide a career preference inventory.
7. The _____ (teacher, school, district, adult agency, etc.) will provide assistance in using computer software to identify likes and dislikes regarding _____ (jobs).
8. The _____ (teacher, school, district, adult agency, etc.) will make a referral to Vocational Rehabilitation for non-verbal, modified assessments of adaptive behavior.
9. The _____ (teacher, school, district, adult agency, etc.) will make a referral to Vocational Rehabilitation for non-verbal, modified assessments of career interests.
10. The _____ (teacher, school, district, adult agency, etc.) will make a referral to Vocational Rehabilitation for non-verbal, modified assessments of mobility.
11. The _____ (teacher, school, district, adult agency, etc.) will make a referral to Vocational Rehabilitation for non-verbal, modified assessments of dexterity.
12. The _____ (teacher, school, district, adult agency, etc.) will make a referral to Vocational Rehabilitation for non-verbal, modified assessments of career skills.
13. None needed

NYE COUNTY SCHOOL DISTRICT
 SPECIAL EDUCATION SUPPORT SERVICES
CONFIDENTIAL FILE FOLDER MANAGEMENT

SECTION 1

1.

| RECORD OF ACCESS | | | |
|--------------------|------------------|-------|-------------------|
| Date File Reviewed | Name of Reviewer | Title | Reason for Review |
| | | | |
| | | | |

NOTE: THIS RECORD IS TO BE ATTACHED TO THE PUPIL RECORD FOLDER AND USED TO RECORD THOSE AUTHORIZED PERSONS NEEDING ACCESS TO ITS CONTENTS AS STATED IN THE NYE COUNTY POLICY MANUAL 514.2-2

SECTION 2

This section should contain the following information in chronological order with the most recent on top:

1.

| CHRONOLOGICAL LIST OF EVENTS DURING SCHOOL SCHOOL YEAR _____ | | |
|---|-------|--------------|
| DATE | EVENT | PARTICIPANTS |
| | | |

2. Prior Written Notification, IEP/MDR Meeting Notice *

SECTION 3

This section should contain the following information in chronological order with the most recent on top:

1. Initial Placement ***
2. Eligibility Statement **
3. Permission for Evaluation **
4. Intervention Team Report ****

- * Must be sent any time the IEP team is considering a change in program, placement, eligibility or evaluation.
- ** Must be completed with any initial evaluation or reevaluation.
- *** Only required the first time that a student is placed in special education.
- **** Only required for initial intervention.

SECTION 4

This section should contain the following information in chronological order with the most recent on top:

1. Triennial Evaluation Needs Determination and Report (3 Year reevaluation/evaluation of student with “DD” eligibility prior to age 6)
2. Psychological Report *
3. Additional “In District” Reports [copies of the student progress reports . . . evaluation reports from any related services (including, but not limited to reports from Occupational Therapy, Physical Therapy, Adapted Physical Education, Assistive Technology, Speech and Language Therapy, and Hearing & Vision Screenings)]
4. “Out of District” Assessment Data

* Must be completed with any **evaluation/re-evaluation**

SECTION 5

This section should contain the following information in chronological order with the most recent on top:

1. Individualized Education Program (IEP)
2. “OUT OF DISTRICT” IEP’s

SECTION 6

This section should contain the following information in chronological order with the most recent on top:

1. Achievement Assessment Protocols (in a 9X12 envelope)
2. Manifest Determination Review (If needed)
3. Documentation Information Not Included Elsewhere In File

**NOTIFICATION
OF
MEETINGS**

INITIAL

PLACEMENT

ELIGIBILITY

STATEMENT

**PERMISSION
FOR
EVALUATION**

**INTERVENTION
TEAM
REPORT**

PSYCHOLOGICAL REPORT

**ADDITIONAL
“IN DISTRICT”
REPORTS**

(E.G. OT, PT, SPEECH, MEDICAL)

**“OUT OF DISTRICT”
ASSESSMENT
INFORMATION**

**TRIENNIAL
EVALUATION NEEDS
DETERMINATION AND
REPORT**

**INDIVIDUALIZED
EDUCATION
PROGRAM
(IEP)**

“OUT OF DISTRICT” IEPS

MANIFESTATION DETERMINATION REVIEW

(IF NEEDED)

**DOCUMENTATION
INFORMATION
NOT INCLUDED
ELSEWHERE
IN FILE**

Modifications, Accommodations, and Supports

Grading:

1. Student will be graded ONLY on the actual number of problems/questions completed.
2. Student will receive a PASS/FAIL grade only.
3. Report Card grades will be determined by BOTH the Special Education and Regular Education teachers.
4. Student will be graded on a contract/rubrics basis (please describe).
5. Student will be graded on a different scale (please describe).
6. Other (please describe)

Instructional/Environment:

7. Special Seating (please describe).
8. Student will be allowed to go to the resource room for assistance on tests.
9. Student will be allowed to use notes during classroom testing.
10. Student will be allowed to use textbook(s) during classroom testing.
11. Student will take tests orally.
12. Student will be allowed to go to the resource room for assistance on assignments.
13. Student will be allowed to leave room without permission.
14. Student will be allowed to have extra time to complete assignments/tests (specify how much).
15. A Special Education Teacher or Teacher's Aide will assist with assignments in the classroom (specify how often).
16. A peer tutor will be used to help with assignments.
17. The student will be allowed to tape lectures.
18. The student will be allowed to use a calculator.
19. The student will be allowed to use a spell check device (specify when).
20. The student will be allowed to copy classmates' notes.
21. The student will receive a photocopy of notes or overheads.
22. The teacher will repeat directions to the student (specify).
23. The student will repeat directions back to the teacher or aide.
24. The student will use the following Assistive Technology device(s) (please specify).
25. Other (please describe)

Curriculum:

26. Assignments will be shortened.
27. Tests will be shortened.
28. Reading assignments will be recorded on tape.
29. Alternate assignments will be assigned to show mastery.
30. Student will use reduced reading level text(s) (specify)
31. Other (please specify)

Supplemental Plans:

32. Student has a health plan (plan must be attached to the IEP).
33. Student has a behavior management plan (plan must be attached to the IEP).

Student Name:

ID #:

2016-2017
Nevada Department of Education
Testing Accommodations for Students in Special Education and 504 Programs

First Name:

Last Name:

MI:

DOB:

Student ID #:

Eligibility:

School:

Attach this form to the Individualized Education Program (IEP) or 504 Plan; what is specified on this form should be aligned with what is described in the accommodations section of the IEP or 504 Plan, and should be used during regular classroom instruction. Accommodations are disability related and specific for each student. Relevant information from this form must be provided to the appropriate test administrator(s). Security procedures must be strictly adhered to in test administration for all students.

NO ACCOMMODATIONS

The IEP/504 committee has determined that no accommodations are needed for this student.

SEE PAGE 2 FOR DESIGNATED SUPPORTS.

ACCOMMODATIONS

The IEP/504 committee has determined this student will participate in state assessments **except those noted below*** with the accommodations selected on this form. See the Nevada Department of Education (NDE) Testing Calendar for a complete list of assessments. Accommodations not listed on this form require advance written approval from the NDE.

*Career and Technical Education Assessment accommodations are administered in accordance with the student's IEP and the specific testing vendor's guidelines.

*College and Career Readiness accommodations must be requested in advance through the specific testing vendor.

*English Language Proficiency Assessment accommodations are administered in accordance with the student's IEP and the specific testing vendor's guidelines.

*National Assessment of Educational Progress accommodations are administered in accordance with federal guidelines. Schools selected for participation will receive written procedures. **This student will test with the following accommodations (check all that apply):**

-Abacus

-Alternate Response Options (e.g., adapted keyboard or mouse, keyboard, touch screen)

Describe:

-American Sign Language (ASL) embedded tool for grades 3 – 8 English Language Arts (ELA) listening items and online math items; ASL word-to-signed symbol glossary for students who require paper/pencil math and science tests

-Braille

-Calculator for the math High School Proficiency Examination (HSPE)—**IEP students ONLY**. Must be a free-standing, basic or scientific device only. **Graphing and programmable features are PROHIBITED.**

-Calculator with special features (e.g., Braille or talking scientific calculator) for calculator-approved math items in grades 6-8, End-of-Course, and HSPE (**IEP ONLY**). **Graphing and programmable features are PROHIBITED.-**

-Closed Captioning for online administrations

-Continuous Glucose Monitor (CGM)—Pager-style device for monitoring blood sugar levels

-Large-Print Test Booklet for paper/pencil administrations

-Multiplication Table—Paper-based single-digit (1 x 9) table for math items at grade 4 and above

-Print on Demand for online administrations

-Read Aloud—Grades 6 – 8 ELA Reading **PASSAGES**, End-of-Course Reading **PASSAGES**, and for blind students who have not acquired adequate Braille skills

- Sound amplification device
- Specialized Slate Board for problem-solving work on Brailletests
- Speech-to-Text—Grades 3 – 8, and End-of-Course ELA II (Writing). Students may use their own assistive technology devices.
- Text-to-Speech—Grades 6 – 8 ELA Reading *PASSAGES ONLY*. Text is read aloud via embedded technology.

SPECIAL ACCOMMODATIONS

Accommodations not listed on this form require advance written NDE approval (attach approval to this form). The District Test Director must submit a written request to the NDE Test Security Coordinator as early in the school year as possible. **Students with a Section 504 Accommodation Plan are NOT permitted to use calculators on the HSPE (NAC 389.0565).**

Describe:

DESIGNATED SUPPORTS

Additional access features—Designated Supports—are not considered accommodations, but are permissible and must be identified prior to test administration. See [Nevada Department of Education Assessments page](#) or the specific test administration manuals for more information.

- The IEP/504 committee has determined this student will test with designated supports

Describe

NEVADA ALTERNATE ASSESSMENT (NAA)

The IEP committee has determined this student meets the eligibility criteria for the NAA, and will not participate in the ELA, Math, and Science Assessments in grades 3 – 8, the End-of-Course Examinations, or the HSPE during the period of the current IEP. See [Nevada Department of Education Nevada Alternate Assessment \(NAA\)](#) for more information.

MODIFICATIONS*

The IEP/504 committee has determined this student will participate in the ELA, Math, and Science Assessments in grades 3 – 8, the End-of-Course Examinations, or the HSPE using modifications. Use of modifications must be a decision of the IEP/504 committee and must be documented below.

***Students who test using modifications are NOT proficient and are NOT considered participants.**

Modification(s):

Universal Tools and Designated Supports

Universal Tools are access features that are either provided as digitally-delivered components of computer-based administrations in grades 3 – 8, or as non-digitally-delivered components of administrations in grades 3 – 8, or the End-of-Course Examinations. Universal tools are available to all students taking those assessments and are based on student preference and selection. (See the High School Proficiency Examination (HSPE) test administration manual for instructions regarding breaks and permissible materials for that assessment.)

I. Embedded Universal Tools are available for all students taking computer-based administrations in **grades 3 through 8** and include the following as part of the technology platform:

- **Breaks** – The number of items per testing session can be flexibly defined based on the student’s need. There is no limit to the number of breaks a student may take; however, *breaks lasting more than 20 minutes for computer-based administrations will prevent students from returning to items already attempted in the section.* Breaks must be supervised.
- **Calculator** – Used with **math** items permitting calculator use. See next section, “Non-Embedded Universal Tools” for guidance regarding paper-based assessments (i.e., End-of-Course).
- **Digital Note Pad** – Item-specific tool for making notes on an item.
- **English Dictionary** – May be available for the full write portion of an ELA performance task. A full write (long essay) is the second part of a performance task. The use of this universal tool may result in the student needing additional overall time to complete the assessment.
- **English Glossary** – Grade and content-specific definitions are shown in a pop-up screen. The use of this universal tool may result in the student needing additional overall time to complete the assessment.
- **Expandable Passages** – Passage or stimulus may be made larger on the screen.
- **Global Notes** – Note pad is available for the ELA Performance Task.
- **Highlighter** – Digital tool used for marking text.
- **Keyboard Navigation** – Allows movement through text.
- **Mark for Review** – Flag items for future review.
- **Math Tools** – Digital tools (embedded ruler, protractor).

- **Spell Check** – Writing tool for use in student-generated responses.
- **Strikethrough** – Allows user to cross out answer options.
- **Writing Tools** – Selected tools (bold, italics, bullets) available for student-generated responses.
- **Zoom** – Tool for making test/graphics larger.

II. Non-Embedded Universal Tools are permissible for all students taking **administrations in grades 3 through 8, and End-of-Course Examinations**, and are **not** part of a technology platform. (See the HSPE test administration manual for instructions regarding breaks and permissible materials for that assessment.)

- **Breaks** – May be given at pre-determined intervals or after completion of sections/parts of paper-based administrations to combat fatigue, for medical reasons, or to allow for second-language processing. All breaks **must** be supervised, and students may not return to a previously-administered section or part on a subsequent day.
- **Calculator** – Used with math items **only**. Calculators must be **free-standing, scientific or 4-function devices only**. **Graphing and programmable features are PROHIBITED.**
- **English Dictionary** – May be used for the End-of-Course Writing Examination and for the full write (long essay) portion of the grade 3 – 8 ELA performance task. A full write (long essay) is the second part of a performance task. The use of this universal tool may result in the student needing additional overall time to complete the assessment.
- **Highlighter** – Used for marking text.
- **Mark for Review** – Flag items for future review (e.g., post-its).
- **Scratch Paper** – Used for note-taking, computations, etc. Scratch paper may only be plain unlined, lined, or grid-only (unlabeled) graphing paper. No other pre-printed material is permitted on the front or back except for student identifying information.
- **Thesaurus** – May be used during the End-of-Course Writing Examination, the full write (long essay) of the grade 3 – 8 ELA performance task (a full write/long essay is the second part of a performance task), or when encountering terms during interaction with text (applies to End-of-Course Examinations and grade 3 – 8 administrations). The use of this universal tool may result in the student needing additional overall time to complete the assessment.

Designated Supports are features permissible for use by any student for whom the need has been identified by an educator/team, and must be identified **prior to test administration** in the student information system. Decisions to use designated supports should be made by professionals familiar with the student and the types of supports available for the specific assessment.

I. Embedded Designated Supports are available for all students taking computer-based administrations in **grades 3 through 8**, for whom the need has been identified **prior to test administration**, and include the following as part of the technology platform:

- **Color Contrast** – Adjust screen background, font color, etc. based on student need.
- **Masking** – Blocking off content that is not of immediate need or distracting.
- **Text-to-Speech** (math stimuli items and grade 3 – 8 ELA items **EXCEPT** reading passages) – Text is read aloud via embedded technology.
- **Translated Glossaries for math items** – Embedded translated glossaries provided for selected terms for math.
- **Translated Test Directions for math items** – Language support available prior to beginning the actual test items. Students can see test directions in another language.
- **Turn Off Any Universal Tool** – Disable any universal tools that might be distracting or that students do not need to use, or are unable to use.

II. Non-embedded Designated Supports are permissible for all students taking administrations in grades 3 – 8, End-of-Course Examinations, or HSPE **UNLESS OTHERWISE STATED** for whom the need has been identified **prior** to test administration, and are **not** part of a technology platform:

- **Bilingual Dictionary** – **THIS OPTION IS NOT AVAILABLE FOR END-OF-COURSE READING, HSPE READING, OR HSPE WRITING.** A bilingual/dual language **word-to-word** dictionary may be used for End-of-Course Math and Writing Examinations, HSPE Math and Science, grade 3 – 8 math and science items, and the grade 3 – 8 full write ELA performance task. A full write (long essay) is the second part of a performance task.
- **Color Contrast** – Test items may be printed with different colors.
- **Directions** at the beginning of the test provided word for word, in English, on a separate paper.
- **Magnification** – Size adjustments with an assistive technology or manual device.
- **Masks or Color Overlays** – Placed over paper-based assessment.

- **Read Aloud – THIS OPTION IS NOT AVAILABLE FOR HSPE READING OR GRADE 3 – 5 ELA READING PASSAGES.** Text is read aloud by a trained test administrator or proctor, in English, for End-of-Course Math, HSPE Math and Science, grade 3 – 8 math and science items, and grade 3 – 5 ELA items **EXCEPT** reading passages. **Verbalizing, explaining, or defining symbols, including numerals, is PROHIBITED. Paraphrasing or explaining any part of the test is PROHIBITED.** See **Testing Accommodations for grade 6 – 8 ELA and End-of-Course Reading information.**
- **Scribe – THIS OPTION IS NOT AVAILABLE FOR END-OF-COURSE WRITING, HSPE WRITING, OR GRADE 3 – 8 ELA WRITING ITEMS.** Students dictate responses to a test administrator or proctor who records **exactly** what the student dictates for End-of-Course Math, HSPE Math and Science, grade 3 – 8 math and science items, and grade 3 – 8 ELA **non-writing** items. See *Nevada Department of Education Test Security Procedures 2014-2015*, Students with Special Needs, for scribing protocol.
- **Separate Setting** – Test location altered so that student is tested in a setting different from that made available for most students. A licensed teacher who has received test security and administration training for the current school year may serve as test administrator when a student requires it.
- **Small-Group Administration (1-20 students)**
- **Sound Amplification Device**
- **Special Lighting**
- **Specific Test Administrator** (e.g., special education teacher, guidance counselor)—must be a licensed teacher who has received test security/administration training for the current school year.
- **Study Carrel** or reasonable substitute
- **Time of Day** when the student is expected to do his/her best work
- **Translated Glossaries** – for math and science items
- **Translated Test Directions** – Students can see test directions in another language **PRIOR TO ADMINISTRATION.** A specific adult who has received test security and administration training for the current school year may translate the test directions into a student’s native language.



**NYE COUNTY SCHOOL DISTRICT
☑ CHECKLIST OF ITEMS REQUIRED FOR
EXTENDED SCHOOL YEAR**

STUDENT'S NAME _____

**COMPLETED ESY FORMS
(Please check off)**

- ESY School Enrollment Form, **REQUIRED**
- Formula for Determining ESY & ESY Eligibility Regression/Recoupment Data Forms, **REQUIRED**
- Health/Developmental History Form (**Attach only if child has medical condition**)
- Copy of Individual Educational Program (IEP), **REQUIRED**
- ESY Transportation Form, **REQUIRED WHERE APPLICABLE**
- Behavior Intervention Plan, **REQUIRED IF PART OF THE STUDENT'S IEP**

Date ESY Student Registration Packet Routed to Office
of Special Education _____

Date

Special Education Case Manager Name & Signature _____

Printed Name/Signature

Speech Language Pathologist _____

Signature

School Administrator/LEA Signature _____

Signature

Date ESY Student Registration Packet Received _____

Date

Director of Special Education Signature (if applicable) _____

Signature

- ESY Student Registration Complete
- ESY Student Registration Packet Returned to Teacher, Date Returned

**IF THIS APPLICATION IS RETURNED TO YOU, PLEASE REVIEW THE ABOVE
CHECKLIST, COMPLETE THE REQUIRED INFORMATION, AND RETURN THE ESY
STUDENT REGISTRATION PACKET TO SPECIAL EDUCATION SUPPORT SERVICES.
THANK YOU.**



Nye County School District 2017-2018 Enrollment Form

Instructions: Please print all information. Under Nevada State Law, all new students must present a birth certificate, immunization documentation and if available, withdrawal from the school the student previously attended.

Student Information

| | | | | |
|---------------------|------------|----------------------|-------------------|---|
| Last Name | First Name | Middle Name | Suffix (Jr., III) | Previous NV Student <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Social Security No. | Gender | Student Phone/E-mail | Date of Birth | Place of Birth (City/State) |

Custody Information

Who has legal custody of the student? Mother Father Guardian Other

If other, Please explain: _____

If guardian, please list nature of guardianship: Court Appointed Power of Attorney Informal

Household 1 (Home in which student resides 50% or more of the time)

| | | | | |
|-------------------|----------------|------------|------------------------|---------------|
| Relationship | Last Name | First Name | Custodial | Non-Custodial |
| Cell Phone Number | E-mail Address | | Alternate Phone Number | |
| Relationship | Last Name | First Name | Custodial | Non-Custodial |
| Cell Phone Number | E-mail Address | | Alternate Phone Number | |
| Mailing Address | | City | State | Zip |
| Physical Address | | City | State | Zip |

Household 2 (Home in which student resides 50% or less of the time)

| | | | | |
|-------------------|----------------|------------|------------------------|---------------|
| Relationship | Last Name | First Name | Custodial | Non-Custodial |
| Cell Phone Number | E-mail Address | | Alternate Phone Number | |
| Relationship | Last Name | First Name | Custodial | Non-Custodial |
| Cell Phone Number | E-mail Address | | Alternate Phone Number | |
| Mailing Address | | City | State | Zip |
| Physical Address | | City | State | Zip |

Sibling Information (those attending Nye County Schools)

| | | |
|-----------|------------|------------------|
| Last Name | First Name | School Attending |
| Last Name | First Name | School Attending |
| Last Name | First Name | School Attending |
| Last Name | First Name | School Attending |

Emergency Contact

| | | | |
|-----------|------------|--------------|---------------|
| Last Name | First Name | Relationship | Phone Number: |
| Last Name | First Name | Relationship | Phone Number: |
| Last Name | First Name | Relationship | Phone Number: |
| Last Name | First Name | Relationship | Phone Number: |

Special Services

Please indicate any special services the student has received:

- | | | | |
|--|--|--|---|
| <input type="checkbox"/> Preschool | <input type="checkbox"/> Early Childhood | <input type="checkbox"/> Head Start | <input type="checkbox"/> Pre-K Program |
| <input type="checkbox"/> Special Education Classes | <input type="checkbox"/> Speech/Language | <input type="checkbox"/> Special Reading Program | <input type="checkbox"/> Current I.E.P. |
| <input type="checkbox"/> ESL/Bilingual Program | <input type="checkbox"/> Current 504 Plan | <input type="checkbox"/> Talented/Gifted Program | <input type="checkbox"/> Adaptive P.E. |
| <input type="checkbox"/> Counseling Services | <input type="checkbox"/> Resource Specialist Program | <input type="checkbox"/> Other: | |

Additional Student Information

- Ethnicity: Is your child Hispanic/Latino? Yes No
- Race: American Indian Asian/Pacific Islander Black Hispanic/Latino White Other
- Is student ¼ (25%) AMERICAN INDIAN or enrolled in a tribe? Yes No
- If not, was the student's parent/grandparent enrolled in a tribe? Yes No
- Is the family in the military? Yes No
- Impact Aid Site: _____ Impact Aid Employment: _____
- Did the family move here for work that is: Seasonal Agricultural Fishing Work Temporary Employment

Home Language Survey (REQUIRED)

- Did the student have a first language other than English? Yes No
- Is a language other than English used in the home? Yes No
- Does the student most frequently speak a language other than English? Yes No

If you have answered one of the above statements "Yes", please complete the information below:

Select the statement that best describes you student's language ability:

- Speaks ONLY the language other than English*
- Speaks MOSTLY the language other than English*
 - Speaks MOSTLY the language other than English, but speaks some English*
- Speaks BOTH the language other than English and English equally well*

*If you have answered "yes" to any of these questions your student will be tested for the Limited English Proficiency Program.

Country of birth: _____ Most recent entry date to the U.S.: _____

School Background Information

| | | |
|-------------|-------------|--------------|
| School Year | School Name | State/County |
| School Year | School Name | State/County |
| School Year | School Name | State/County |

Emergency/Medical Information

Please list any medical conditions your student has of which the school should be notified.

Medical Alert 1: _____ Medical Alert 2: _____

In case of an emergency my student takes the following medication(s) at home and/or school:

PLEASE NOTE: For medications given at school, a doctor's note and full instructions must accompany a clearly marked current child resistant prescription bottle for prescribed medication. You will also need to sign a parental permission form for NCSD personnel to administer medication (to be renewed each school year). This includes over the counter medication, i.e. Aspirin, Acetaminophen, etc.

Medical Insurance Disclaimer

I understand that the school does not provide medical insurance for student injuries. I have reviewed the voluntary insurance information provided to me.

- I decline the student insurance at this time I plan to enroll my child in this program

Verification Statement

I attest that all the above information is current and correct. I further attest that the student named on this document resides at the address stated.

| | |
|-----------|-------------------------|
| Name | Relationship to student |
| Signature | Date |

OFFICE USE ONLY

| | | | |
|--------------------------|----------|----------------------------|------------------------------|
| School | Grade | Entry Date | ID # |
| Teacher | Location | Proof of Residency | Legal Docs on file at school |
| Household Name (Primary) | | Household Name (Secondary) | |

Nye County School District

2017-2018



Para el uso de la oficina Solamente

Teacher's Name:

Grade:
Entry Code

Entry Date

ID#:

Guardian/Legal Documents on file at school: Y / N

Instrucciones: Favor de usar letras de molde en toda la forma. Bajo la ley del Estado de Nevada, todos los estudiantes nuevos deben presentar los datos de nacimiento, vacunas, y si es posible, los datos de la escuela anterior a la que asistió el estudiante.

Información del Estudiante

| | | | | |
|---|---|----------------|--|---|
| Apellido | Primer Nombre | Segundo Nombre | Suffix (Jr., III) | Sexo <input type="checkbox"/> M <input type="checkbox"/> F |
| Dirección dónde recibe correspondencia | | Ciudad | Estado | Código Postal |
| Dirección actual (si es diferente que arriba) Código Postal | | Condado | Número de Teléfono | Fecha de nacimiento |
| Número de Seguro Social | Etnicidad <input type="checkbox"/> Asia <input type="checkbox"/> Indio American/Nativo de Alaska <input type="checkbox"/> Negro o Afro-Americana <input type="checkbox"/> Nativo de Hawai/Otra isla del Pacifico <input type="checkbox"/> Hispano <input type="checkbox"/> Blanco | | Estado y país de nacimiento (Ciudad/Condado/Estado) | |

Información de Padres/Tutores

| | | | | |
|---|----------------------|---------------|------------------|-------------------------------|
| Relación: <input type="checkbox"/> Padre <input type="checkbox"/> Tutor <input type="checkbox"/> Padrastro <input type="checkbox"/> Pariente Nutricio <input type="checkbox"/> Host Familia | Apellido | Primer Nombre | Título: Sr. | |
| Dirección actual | Ciudad | Estado | Código Postal | Teléfono de casa: Celular: |
| Empleado | Teléfono del trabajo | | Horas de trabajo | Dirección electrónico |
| Relación: <input type="checkbox"/> Madre <input type="checkbox"/> Tutor <input type="checkbox"/> Madrastra <input type="checkbox"/> Pariente Nutricio <input type="checkbox"/> Host Familia | Apellido | Primer Nombre | Prefix: Sra. | |
| Dirección actual | Ciudad | Estado | Código Postal | Teléfono de casa: Celular: |
| Empleado | Teléfono del trabajo | | Horas de trabajo | Dirección electrónico |

Información de padrastros o tutores

| | | | | |
|--|----------|---------------|-----------------|----------------------------------|
| Relación: <input type="checkbox"/> Padre <input type="checkbox"/> Madre <input type="checkbox"/> Pariente Nutricio | Apellido | Primer Nombre | Título: Sr./Sra | <input type="checkbox"/> Difunto |
| Dirección actual | Ciudad | Estado | Código Postal | Teléfono de casa: Celular: |

NOTA: Los padres naturales tienen acceso completo a los datos escolares del alumno, al menos que una orden de la corte lo prohíba.

La información de contactos de emergencia es requerida

Personas además de los padres/tutores quienes puedan ser contactados para recoger al estudiante en caso de emergencia:

| | | | |
|-----------|----------|---------------|--------------------|
| Relación: | Apellido | Primer Nombre | Número de teléfono |
| Relación: | Apellido | Primer Nombre | Número de teléfono |
| Relación: | Apellido | Primer Nombre | Número de teléfono |

Aprobación del Examen de Salud

Si No Vision y Oídos (Grados: K,4,7,10) Si No Estatura y Peso (Grados: 4,7,10) Si No Escoliosis (Solamente el Grado 7)

Denegación de Seguro Médico

Comprendo que la escuela no dispone seguro médico para daños de los estudiantes, pero el distrito hace disponible un seguro voluntario. He recibido la información acerca de este programa.

No deseo el seguro estudiantil ahora. Si, deseo matricular a mi niño en este programa.

Firma del padre/tutor: _____ Fecha: _____

Divulgar Información de Directorio

De acuerdo con los Derechos Educación Familiar y la Ley Privacidad, y por la póliza del Condado de Nye Distrito Escolar, su permiso se requiere antes que la escuela pueda derramar cualquier información sobre su estudiantes. (Esto incluye el cuadro de honor, las listas de premios y la participación en los deportes que podrán ser publicados en el periódico o en el libro del año.) EN NINGÚN CASO LA DIRECCIÓN DE SU HIJO O NUMERO DE TELEFONO ser divulgada sin su permiso.

Permiso de divulgar la información de los estudiantes Permiso de divulga información a los reclutadores militares (s)
 No divulgar la información de los estudiantes No divulgar información a los reclutadores militares (s)

Firma del padre/tutor: _____

Fecha: _____

Información de escuelas anteriores

| | | | |
|----------------------------|----------------|--------|-------|
| La última escuela asistida | Ciudad/Condado | Estado | Fecha |
|----------------------------|----------------|--------|-------|

Ha asistido su niño a cualquier escuela en el condado de Nye? Sí (anote abajo) No

| | | | |
|--|--------|--------|-------|
| Nombre de escuela de Nye dónde asistió | Ciudad | Estado | Fecha |
|--|--------|--------|-------|

Ha asistido su niño a una escuela en Nevada? Sí (lista abajo) No

| | | | |
|--|----------------|--------|-------|
| Nombre de escuela dónde asistió su niño en Nevada: | Ciudad/Condado | Estado | Fecha |
|--|----------------|--------|-------|

Durante los últimos tres años los padres o tutores se han movido de otro país, estado o pueblo en busca de trabajo en la agricultura, pescando, o lecherías? Sí No

Servicios Especiales

Favor de indicar los servicios especiales que su estudiante ha recibido anteriormente:

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Preescolar | <input type="checkbox"/> Escuela de infancia | <input type="checkbox"/> Head Start | <input type="checkbox"/> Pre-K Programa |
| <input type="checkbox"/> Clases de educación especial | <input type="checkbox"/> Lenguaje/articulaciones | <input type="checkbox"/> Programa de lectura especial | <input type="checkbox"/> Actual IEP |
| <input type="checkbox"/> Programa de ESL/Bilingüe | <input type="checkbox"/> Plan de 504 | <input type="checkbox"/> Programa para talentosos | <input type="checkbox"/> Educación física Adaptiva |
| <input type="checkbox"/> Servicios de consejería | <input type="checkbox"/> Programa de recursos | <input type="checkbox"/> Otro: | |

Hermanos en las escuelas del condado de Nye

| Nombre | Grado | Escuela | Nacimiento |
|--------|-------|---------|------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |

Encuesta del idioma del hogar: (se requiere su contestación)

- *1. Hay otro idioma además del inglés que se usa en la casa? No Sí (apunta) _____
- *2. Habló su niño otro idioma que no sea inglés cuando empezó a hablar? No Sí (apunta) _____
- *3. Habla su niño otro idioma más que el inglés? No Sí (apunta) _____

Si Ud. contestó < Sí > en una de las preguntas anteriores, favor de completar la información abajo. Escoja la frase que mejor describe la habilidad de hablar de su hijo.

- * Habla solamente Español.
- * Habla con más frecuencia inglés y un poco de Español.
- * El mayor tiempo habla Español, pero un poco de inglés
- * Habla las dos idiomas bastante bien

*Si usted contesto si en una de las preguntas, su hijo sera examinado para el programa de Ingles Limitado

País dónde nació: _____ **La última fecha que entró su niño a los EEUU** _____

ESCUELAS ANTERIORES: (Anote las escuelas que asistió su niño durante los últimos tres años)

| Año Escolar | Nombre de escuela | Estado/País |
|-------------|-------------------|-------------|
| | | |
| | | |
| | | |

Información médica y de emergencia

Por favor de hacer una lista de cualquier problema médico/medicamento de su niño es importante que sepa el personal de la escuela.

| | |
|------------------|------------------|
| Alerta Médica 1: | Alerta Médica 2: |
|------------------|------------------|

En caso de emergencia mi hijo toma estos medicamentos en la casa o en la escuela:

POR FAVOR DE APUNTAR: Para medicamentos dados en la escuela, una nota del doctor y instrucciones completas deben de acompañar el frasco de receta original. También necesita llenar una forma para autorizar al personal del distrito escolar a administrar este medicamento. Esto también incluye medicinas que no son de receta como aspirina o Tylenol.

Información de salud

Marque cada problema de salud que tenga su niño:

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Arthritis | <input type="checkbox"/> Enfermedades del corazón | <input type="checkbox"/> Vista dañada | <input type="checkbox"/> Prohibido tomar Física |
| <input type="checkbox"/> Irregularidades internas | <input type="checkbox"/> Cirugía | <input type="checkbox"/> Ataques compulsivos | <input type="checkbox"/> Riñones/vejiga |
| <input type="checkbox"/> Anteojos/contactos | <input type="checkbox"/> Asma | <input type="checkbox"/> Diabetes | <input type="checkbox"/> Minusvalía física |
| <input type="checkbox"/> Oído dañado | <input type="checkbox"/> Ha tendido varicela | <input type="checkbox"/> Alergias | <input type="checkbox"/> Poco severo <input type="checkbox"/> Severo |

Otros problemas de salud:

Doctor o hospital preferido:

Teléfono:

Para el uso de escuela solamente (Favor de no escribir en esta área)

| | | | | |
|--|---|---|---|---|
| BC | IMM | FT= <input type="checkbox"/> Yes <input type="checkbox"/> No | DGS= <input type="checkbox"/> Yes <input type="checkbox"/> No | KYB = <input type="checkbox"/> Yes <input type="checkbox"/> No |
| INS <input type="checkbox"/> Yes <input type="checkbox"/> No | MEDS <input type="checkbox"/> Yes <input type="checkbox"/> No | RDG (K-1) <input type="checkbox"/> Yes <input type="checkbox"/> No | RDG (1-3) <input type="checkbox"/> Yes <input type="checkbox"/> No | Technology Use Form <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Student Handbook <input type="checkbox"/> Yes <input type="checkbox"/> No | Release of Info <input type="checkbox"/> Yes <input type="checkbox"/> No | Enrollment Code | Nevada Supp <input type="checkbox"/> Yes <input type="checkbox"/> No | |

Name _____

Formula for Determining Need for ESY Services

Scale for Assessing Need for ESY Services

Student's Name _____

Each criterion is based on the following three-point scale:

- 1 = Minimal difficulty, need, or anticipated problems
- 2 = Moderate difficulty, need, or anticipated problems
- 3 = Severe difficulty, need, or anticipated problems

Note: If one of the objectives in the student's IEP includes the elimination of dangerous aggression towards self or others, the student will automatically receive a "3" on the regression.

- | | |
|--|-------|
| 1. The severity of the disabling condition | _____ |
| 2. The areas of learning crucial to attaining the goal of self-sufficiency | _____ |
| 3. The nature of the student's disability | _____ |
| 4. The extent of regression caused by interruption in educational programming | _____ |
| 5. The rate of recoupment following interruption in educational programming | _____ |
| 6. The ability of the student's parents to provide the educational structure at home | _____ |
| 7. The availability of alternative resources | _____ |
| 8. The ability of the student to interact with nondisabled peers | _____ |
| 9. The areas of the student's curriculum which need continuous attention | _____ |
| 10. The student's vocational needs | _____ |
| 11. Whether the requested service is extraordinary to the student's condition as opposed to an integral part of a program for those with the student's condition | _____ |
| TOTAL SCORE* | _____ |

* The higher the total score, the greater the need for ESY services. The total score ranges from a low of 11 to a high of 33. A score of 22 (50 percent) or above generally indicates a need for ESY services.

Adapted from a form appearing in *The Special Educator (1999)*, Vol. 14, Issue 22, p.9. Form first developed by John Mattera & Joseph Cullen.

The courts, in Armstrong v. Kline (EHLF 551:195)(E.D. Pa. 1979) and Johnson v. Independent School District No. 4 (17 EHLR 170)(10th Cir. 1990) identified the range of factors eventually used to create the scale above. To obtain further information about the scale and how it was developed please consult the above referenced article in **The Special Educator**.

**NYE COUNTY SCHOOL DISTRICT
Extended School Year Eligibility Regression/Recoupment Data**

Student's Name _____ Teacher _____ Date _____ Page _____

Annual Goal

Short-Term Objectives

| Break | Baseline/Performance Prior to Break | Baseline/Performance After Break | Date of Recoupment/Length of Time to Recoup | ESY Required | Minimum type service to maintain performance | Minimum service time per week to maintain performance |
|--|-------------------------------------|----------------------------------|---|---|--|---|
| Winter Date: From: To: | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| Spring Date: From: To: | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| Summer Date: From: To: | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |

Annual Goal

Short-Term Objectives

| Break | Baseline/Performance Prior to Break | Baseline/Performance After Break | Date of Recoupment/Length of Time to Recoup | ESY Required | Minimum type service to maintain performance | Minimum service time per week to maintain performance |
|--|-------------------------------------|----------------------------------|---|---|--|---|
| Winter Date: From: To: | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| Spring Date: From: To: | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| Summer Date: From: To: | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |

RECENT FAMILY ISSUES: *Please briefly describe any recent family issues that might be affecting your child's school performance. Events such as financial stresses, divorce, death of close relatives or pets, moves, etc., can bother children enough to affect their concentration and work in school.*

CHILD DEVELOPMENT: *Events and timing of a child's development can have an effect upon later learning.*

Were there any events or conditions that were unanticipated that might have affected your child's very early development, such as premature birth, pregnancy complications, accidents, illnesses, drug or alcohol use, birth complications, etc.? Please explain, if the answer is "yes".

Normal delivery? Y N Caesarian birth? Y N Breech birth? Y N

Birthweight: ___ lbs., ___ oz.

Oxygen needed? Y N

Have you or your child's doctor had any concerns about your child's early development? If so, please explain.

3.

Please mark under the word that best describes your child's preschool development in relation to each of the items listed:

| | Early | Average | Late |
|-------------------------|-------|---------|------|
| Sitting up | ___ | ___ | ___ |
| Crawling | ___ | ___ | ___ |
| Standing | ___ | ___ | ___ |
| Walking | ___ | ___ | ___ |
| Speaking words | ___ | ___ | ___ |
| Putting words together | ___ | ___ | ___ |
| Using crayons or pencil | ___ | ___ | ___ |
| Using scissors | ___ | ___ | ___ |
| Throwing a ball | ___ | ___ | ___ |
| Catching a ball | ___ | ___ | ___ |

Did your child attend a preschool program, other than regular daycare? Yes ___ No ___

If "yes", for how many years or months? ___ months ___ years

Have you or your child's doctor had any specific concerns about your child's preschool development? If so, please describe:

HEALTH & EDUCATION BACKGROUND AND CONCERNS: *Please provide the following information about your family's health & education histories:*

Is there any known biological family history of the following conditions?

| | Mother's side: | Father's side: |
|-------------------------------|----------------|----------------|
| Attention problems (ADD/ADHD) | ___ | ___ |
| Reading problems | ___ | ___ |
| Math problems | ___ | ___ |
| Writing problems | ___ | ___ |
| Anxiety problems | ___ | ___ |
| Anger management problems | ___ | ___ |
| Depression | ___ | ___ |
| Bipolar disorder | ___ | ___ |
| Schizophrenia | ___ | ___ |
| Seizures/epilepsy | ___ | ___ |
| Intellectually Disabled | ___ | ___ |
| Speech or language problems | ___ | ___ |

CHILD’S CHARACTERISTICS: *In this section we would like to obtain some information about your child’s experiences, behaviors, interests, activities, etc.*

Would you consider your child to be:

| | Yes: | No: | Comments: |
|-----------------------------|------|-----|-----------|
| Overly active? | ___ | ___ | _____ |
| Easy to anger? | ___ | ___ | _____ |
| Easy to discipline? | ___ | ___ | _____ |
| Easily frustrated? | ___ | ___ | _____ |
| Anxiety-prone? | ___ | ___ | _____ |
| Clumsy or awkward? | ___ | ___ | _____ |
| Slow to learn? | ___ | ___ | _____ |
| Quick to forget? | ___ | ___ | _____ |
| Eager to learn? | ___ | ___ | _____ |
| Disinterested in learning? | ___ | ___ | _____ |
| Disliking school? | ___ | ___ | _____ |
| Very outgoing/social? | ___ | ___ | _____ |
| Quiet or introverted? | ___ | ___ | _____ |
| Frequently feeling sick? | ___ | ___ | _____ |
| Easily stressed? | ___ | ___ | _____ |
| Affectionate? | ___ | ___ | _____ |
| Disliking physical contact? | ___ | ___ | _____ |

Has your child had any of the following medical conditions (please check those that apply)?

| | | | |
|------------------|-----|----------------------|-----|
| Asthma | ___ | Allergies | ___ |
| Seizures | ___ | (Allergic to: _____) | |
| ADD/ADHD | ___ | Tonsillitis | ___ |
| Bipolar disorder | ___ | Depression | ___ |
| Diabetes | ___ | High fever | ___ |
| Headaches | ___ | Stomachaches | ___ |
| Ear infections | ___ | Ear tubes | ___ |
| Head injury | ___ | | |
| Surgery | ___ | (Details: _____) | |

Other serious illnesses or conditions: _____

Current medications and dosages: _____

Almost done...!

5.

When your child plays, is he/she more likely to play alone___, with one or two others___, or in a larger group___?

Does your child have many interests___, one or two interests___, or no interests that involve any enthusiasm___?

My child's hobbies and favorite activities are: _____

When needing to be disciplined, my child seems to respond best to: _____

My child's strengths seem to be: _____

Has your child been receiving any kind of services or supports outside of school, such as private tutoring, counseling, psychiatric follow-up, etc. Yes___ No___

Please explain: _____

How would you describe the difficulties that your child seems to be having?

Please add any additional information on the back of this page that you feel would be helpful to your child's evaluation team. Thank you so much for your patience and help!

Parent completed form _____

Parent Address: _____

Interviewed in person _____

Telephone interview _____

Telephone Number: _____ - _____ - _____

Interviewer: _____

12/11/08

PROBLEMAS FAMILIARES RECIENTES: favor de describir brevemente cualquier problema familiar reciente que pueda estar afectando el rendimiento escolar de su niño. Eventos como problemas financieros, divorcio, muerte de algún familiar cercano o una mascotas, mudanzas, etc., pueden causar molestias a su niño lo suficiente para afectar su concentración y trabajo en la escuela.

DESARROLLO DEL NIÑO: Los eventos y el tiempo del desarrollo del niño pueden tener un gran efecto en su aprendizaje mas tarde.

¿Existe algún evento o condición no anticipada que pueda haber afectado el desarrollo temprano de su hijo, tal como parto prematuro, complicaciones del embarazo, accidentes, enfermedades, uso de drogas o alcohol, complicaciones de parto, etc.? Por favor explique si la respuesta es “Si”.

¿Parto normal? Si No ¿Cesárea? Si No ¿Nació volteado? Si No

Peso al Nacer: ___lbs., ___oz. ¿Necesito Oxigeno? Si No

¿Ha tenido usted o el doctor de su niño alguna preocupación concerniente al desarrollo temprano de su hijo? Si la respuesta es Si, por favor explique.

Por favor, marque la palabra que mejor describa el desarrollo pre escolar de su hijo con relación a cada unos de los pasos anotados:

| | Temprano | Promedio | Tarde |
|-----------------------|----------|----------|-------|
| Sentarse | ___ | ___ | ___ |
| Gatear | ___ | ___ | ___ |
| Ponerse de pie | ___ | ___ | ___ |
| Caminar | ___ | ___ | ___ |
| Hablar palabras | ___ | ___ | ___ |
| Poner palabras juntas | ___ | ___ | ___ |
| Usar crayolas o lápiz | ___ | ___ | ___ |
| Usar Tijeras | ___ | ___ | ___ |
| Tirar Pelotas | ___ | ___ | ___ |
| Atrapar la pelota | ___ | ___ | ___ |

¿Ha asistido su niño a un programa preescolar, otro que no sea la guardería regular?
 ___ Si ___ No

Si "Si", ¿por cuantos años o meses? ___ meses ___ años

¿Ha tenido usted o el doctor de su hijo alguna preocupación concerniente al desarrollo pre escolar de su hijo? Si es así, por favor describa:

ANTECEDENTES Y PREOCUPACIONES DE SALUD Y EDUCACIONALES: Favor de proporcionar la información siguiente acerca de los antecedentes de salud y educacionales de su familia:

¿Existe un antecedente biológico en su familia de las condiciones siguientes?

| | Lado de la Madre | Lado del Padre |
|---------------------------------------|------------------|----------------|
| Problemas de Atención (ADD/ADHD) | ___ | ___ |
| Problemas de lectura | ___ | ___ |
| Problemas de Matemáticas | ___ | ___ |
| Problemas de Escritura | ___ | ___ |
| Problemas de ansiedad | ___ | ___ |
| Problemas con control de temperamento | ___ | ___ |
| Depresión | ___ | ___ |
| Desorden Bipolar | ___ | ___ |
| Esquizofrenia | ___ | ___ |
| Epilepsia/Ataques | ___ | ___ |
| Retardación Mental | ___ | ___ |

CARACTERISTICAS DEL NIÑO: En esta sección nos gustaría obtener alguna información acerca de su hijo sobre sus experiencias, comportamientos, intereses, actividades, etc.

Considera usted que su hijo es:

| | Si: | No: | Comentarios: |
|------------------------------------|-------|-------|--------------|
| ¿Excesivamente activo? | _____ | _____ | _____ |
| ¿Se enoja fácilmente? | _____ | _____ | _____ |
| ¿Es fácil de disciplinar? | _____ | _____ | _____ |
| ¿Se frustra fácilmente? | _____ | _____ | _____ |
| ¿Es propenso a la ansiedad? | _____ | _____ | _____ |
| ¿Es torpe o tosco? | _____ | _____ | _____ |
| ¿Es lento para aprender? | _____ | _____ | _____ |
| ¿Olvida fácilmente? | _____ | _____ | _____ |
| ¿Es deseoso de aprender? | _____ | _____ | _____ |
| ¿No tiene interés en aprender? | _____ | _____ | _____ |
| ¿Le disgusta la escuela? | _____ | _____ | _____ |
| ¿Muy extrovertido/muy social? | _____ | _____ | _____ |
| ¿Es callado o introvertido? | _____ | _____ | _____ |
| ¿Con frecuencia se siente enfermo? | _____ | _____ | _____ |
| ¿Se estresa fácilmente? | _____ | _____ | _____ |
| ¿Es afeccionado? | _____ | _____ | _____ |
| ¿Le disgusta el contacto físico? | _____ | _____ | _____ |

¿Ha tenido su hijo cualquiera de las siguientes condiciones médicas? (Por favor marque las que se apliquen)

| | | | |
|-----------------------|-------|---------------------|-------|
| Asma | _____ | Alergias | _____ |
| Ataques | _____ | Alergias a: | _____ |
| ADD/ADHD | _____ | Amigdalitis | _____ |
| Desorden Bipolar | _____ | Depresión | _____ |
| Diabetes | _____ | Fiebre Alta | _____ |
| Dolores de cabeza | _____ | Dolores de estomago | _____ |
| Infecciones del oído | _____ | Tubos en los oídos | _____ |
| Lesiones de la cabeza | _____ | | |
| Cirugía | | Detalles | _____ |

Otras enfermedades o condiciones serias:

Medicamentos actuales y dosis:

¡Casi terminamos!

Cuando su hijo juega, ¿le gusta más jugar solo, con uno o dos niños ____, o con un grupo más grande ____?

¿Tiene su hijo muchos intereses ____, uno o dos intereses ____, o ningún interés que requiera algo de entusiasmo ____?

Las actividades y pasatiempos favoritos de mi hijo son: _____

Cuando necesita ser disciplinado, mi hijo parece responder mejor a : _____

Los puntos fuertes de mi hijo parecen ser: _____

¿Ha recibido su hijo cualquier clase de servicios de apoyo fuera de la escuela, tal como tutoría privada, servicio de consejero, psiquiatría, revisiones, etc. Si ____ No ____

Favor de explicar: _____

¿Como describiría usted las dificultades que parece tener su hijo?

Por favor añada en la parte posterior de esta página, cualquier información adicional que piense que sería útil para el equipo de evaluación de su hijo. ¡Muchísimas gracias por su paciencia y ayuda!

Forma completa por el padre _____

Entrevista en persona _____

Entrevista telefónica _____

Entrevistador _____

**NYE COUNTY EARLY CHILDHOOD SPECIAL EDUCATION
Family, Developmental & Behavioral History**

Parents: All of the information requested below will help the ECSE evaluation team gain a better understanding of your child. Most of the information will be treated as confidential and will only be available to those persons working directly with your child. Please help us by including as much of this information as you can. Thank you.

Student's Name: _____, _____ Today's Date: ____ / ____ / ____
Last First
 Birthdate: ____ / ____ / ____ Age: ____ years, ____ months Grade ____ School ECSE _____

FAMILY INFORMATION: Please list all family members living at home, including parents/step-parents, grandparents, and others, plus brothers and sisters who may be living outside the home at this time.

| Name(s) | Relationship to child: | Age: | Living at Home: | |
|---------|------------------------|-------|-----------------|-------|
| | | | Yes: | No: |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

(If there are more, please list those family members on the back of this page)

LANGUAGE BACKGROUND: Please indicate the language(s) spoken at home and by your child:

My child's first language was: English: _____ Spanish _____
 Other: _____

The adults at home speak to each other in: English only: _____ Spanish only: _____
 Both English and Spanish: _____

Other(s): _____
 This child usually speaks with the adults in: English: _____ Spanish: _____ Both: _____

Other(s): _____
 This child usually speaks with his brothers/sisters in:
 English: _____ Spanish: _____ Both: _____

Other(s): _____

RECENT FAMILY ISSUES: Please briefly describe any recent family issues that might be affecting your child's school performance. Events such as financial stresses, divorce, death of close relatives or pets, moves, etc., can bother children enough to affect their concentration and work in school.

CHILD DEVELOPMENT: Events and timing of a child's development can have an effect upon later learning.

Were there any events or conditions that were unanticipated that might have affected your child's very early development, such as premature birth, pregnancy complications, accidents, illnesses, drug or alcohol use, birth complications, etc.? Please explain, if the answer is "yes".

Normal Delivery? Y N

Caesarian birth? Y N

Breech Birth? Y N

Birthweight: ___ lbs., ___ oz.

Oxygen needed? Y N

Have you or your child's doctor had any concerns about your child's early development? If so, please explain.

Please make under the word that best describes your child's preschool development in relation to each of the items listed:

| | Early | Average | Late |
|-------------------------|-------|---------|------|
| Sitting up | ___ | ___ | ___ |
| Crawling | ___ | ___ | ___ |
| Standing | ___ | ___ | ___ |
| Walking | ___ | ___ | ___ |
| Speaking words | ___ | ___ | ___ |
| Putting words together | ___ | ___ | ___ |
| Using crayons or pencil | ___ | ___ | ___ |
| Using scissors | ___ | ___ | ___ |
| Throwing a ball | ___ | ___ | ___ |
| Catching a ball | ___ | ___ | ___ |

Has your child already attended any preschool program, other than regular daycare?

___ Yes ___ No

If "yes", for how many years or months? ___ months ___ years

Have you or your child's doctor had any specific concerns about your child's preschool development? If so, please describe:

HEALTH & EDUCATION BACKGROUND AND CONCERNS: Please provide the following information about your family's health & education histories:

Is there any known biological family history of the following conditions?

| | Mother's Side | Father's Side |
|-------------------------------|---------------|---------------|
| Attention problems (ADD/ADHD) | ___ | ___ |
| Reading problems | ___ | ___ |
| Math problems | ___ | ___ |
| Writing Problems | ___ | ___ |
| Anxiety Problems | ___ | ___ |
| Anger management problems | ___ | ___ |
| Depression | ___ | ___ |
| Bipolar Disorder | ___ | ___ |
| Schizophrenia | ___ | ___ |
| Seizures/epilepsy | ___ | ___ |
| Intellectually Disabled | ___ | ___ |

CHILD'S CHARACTERISTICS: In this section we would like to obtain some information about your child's experiences, behaviors, interests, activities, etc.

Would you consider your child to be:

| | Yes: | No: | Comments: |
|-----------------------------|-------|-------|-----------|
| Overly active? | _____ | _____ | _____ |
| Easy to anger? | _____ | _____ | _____ |
| Easy to discipline? | _____ | _____ | _____ |
| Easily frustrated? | _____ | _____ | _____ |
| Anxiety-prone? | _____ | _____ | _____ |
| Clumsy or awkward? | _____ | _____ | _____ |
| Slow to learn? | _____ | _____ | _____ |
| Quick to forget? | _____ | _____ | _____ |
| Eager to learn? | _____ | _____ | _____ |
| Disinterested in learning? | _____ | _____ | _____ |
| Disliking school? | _____ | _____ | _____ |
| Very outgoing/social? | _____ | _____ | _____ |
| Quiet or introverted? | _____ | _____ | _____ |
| Frequently feeling sick? | _____ | _____ | _____ |
| Easily stressed? | _____ | _____ | _____ |
| Affectionate? | _____ | _____ | _____ |
| Disliking physical contact? | _____ | _____ | _____ |

Has your child had any of the following medical conditions (please check those that apply)?

| | | | |
|------------------|-------|--------------|-------|
| Asthma | _____ | Allergies | _____ |
| Seizures | _____ | Allergic to: | _____ |
| ADD/ADHD | _____ | Tonsillitis | _____ |
| Bipolar disorder | _____ | Depression | _____ |
| Diabetes | _____ | High fever | _____ |
| Headaches | _____ | Stomachaches | _____ |
| Ear infections | _____ | Ear tubes | _____ |
| Head injury | _____ | | |
| Surgery | _____ | Details: | _____ |

Other serious illnesses or conditions: _____

Current medications and dosages: _____

Almost done!

When your child plays, is he/she more likely to play alone ____, with one or two others ____, or in a larger group ____?

Does your child have many interests ____, one or two interests ____, or no interests that involve any enthusiasm ____?

My child's hobbies and favorite activities are:

When needing to be disciplined, my child seems to respond best to: _____

My child's strengths seem to be:

Has your child been receiving any kind of services or supports outside of school, such as private tutoring, counseling, psychiatric follow-up, etc. Yes ____ No ____
Please explain: _____

How would you describe the difficulties that your child seems to be having?

Please add any additional information on the back of this page that you feel would be helpful to your child's evaluation team. Thank you so much for your patience and help!

Int

Parent completed form _____
Interviewed in person _____
Telephone interview _____
erviewer _____

Nye County School District
SPECIAL EDUCATION TRANSPORTATION REQUEST

DATE OF REQUEST: _____ REQUESTED START DATE: _____

NAME OF STUDENT: _____

NAME OF PARENT/GUARDIAN: _____

ADDRESS (Physical): _____

TELEPHONE NO: _____ EMERGENCY NO: _____

SCHOOL: _____ ECSE: Y N TEACHER'S NAME _____

SCHOOL ARRIVAL TIME: _____ AM / PM SCHOOL DEPARTURE TIME: _____ AM / PM

DESCRIPTION OF STUDENT'S BEHAVIORAL, MEDICAL, OR OTHER CONSIDERATIONS
WHICH REQUIRE SPECIAL TRANSPORT, WHICH CANNOT BE ADDRESSED THROUGH
REGULAR TRANSPORT

Behavioral _____

Medical _____

Other _____

I/we understand that school transportation personnel will have access to confidential behavioral, medical and/or other related information to ensure safe transport.

Parent Signature

Date

TRANSPORTATION VERIFICATION

BUS NUMBER: _____ OFFICIAL START DATE: _____

BUS DRIVER: _____ BUS AIDE: _____

APPROX PICK-UP TIME: _____ APPROX DROP-OFF TIME: _____

Transportation involvement in your IEP Team Meetings.

Transportation

Mr. Cameron McRae, Supervisor

1900 S. Woodchips

Pahrump, NV 89048

(775) 727-7743 Fax (775) 727-2445

Annual IEP

1) Invite Transportation to each IEP that involves "on-going special education transportation" as a related service. Transportation will choose whether or not they need to attend. (It is not mandatory that they sit on an IEP with "on-going SpEd transportation" services.)

However;

2) If your IEP team is considering putting/starting a student on SpEd transportation or removing/taking a student from SpEd transportation then someone from Transportation must be in attendance at your IEP meeting.

Bottom line is this: ***Only if*** your IEP team is anticipating/considering **changes**, with regard to SpEd transportation, . . . must personnel from the Transportation Department be in attendance (the only exception to this is if Transportation agrees to comply with the "IEP Committee Member - Excusal" requirements found on the "Parent Agreement and Consent" form in SESP).

Transition IEP

1) Invite Transportation to each Transition IEP. Transportation will choose whether or not they need to attend.

IEP Paperwork to be sent/faxed to Transportation

Each and every Annual IEP in which transportation is provided as a related service, you must fax over to Transportation the following documents:

- 1) Page 1 of the IEP (Demographics page)
- 2) Transportation Request Form NC(S)4A
- 3) Behavior Intervention Plan (if child has one in IEP or if reason for Transportation Request is child's behavior)
- 4) Medical Plan (if child has one in IEP)

Change of Address / Prolonged Absence / Withdrawn From School

- 1) When a student has a change of address, within the District, you must fill out a new Transportation Form NC(S)4A and Fax it to Transportation
- 2) If the student is going to be gone from school for any amount of time the parent and or Case-Manager need to communicate dates with Transportation in order to keep transportation as efficient and smooth as possible.
- 3) If the student is withdrawn from school the Case-Manager needs to fax or email a written statement to Transportation communicating the applicable details.

Individual Transition Plan (High School Only) Transportation Procedures

- 1) Case Managers coordinate with Transportation for the pick-up/drop-off of students from/to work-sites/school.
- 2) Once pick-up/drop-off time frames have been set, the Case Managers work with-in those and schedule a meeting with Transportation if the need for change arises.
- 3) Case Managers communicate with Transportation if for any reason the student will not need transportation services for a scheduled day (i.e., absent, place of employment closed for a day, etc.)

Date: _____

Page ____ of ____

**INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)
POSITIVE BEHAVIOR INTERVENTION SUPPORT PLAN (BIP)**

Student Name: _____ Grade: _____ DOB: _____ ID #: _____

Teacher of Record: _____ School: _____

Step 1: Description of Targeted Behavioral Concerns

Step 2: Functional Behavior Assessment Data

Setting Events:

Antecedents:

Functions:

Other:

Continue on page 2

Distribution: Original - Confidential Folder

1st Copy - Parent/Guardian/Adult Student

2nd Copy - Special Education Teacher/School

**INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)
POSITIVE BEHAVIOR INTERVENTION SUPPORT PLAN (BIP) cont.**

Student Name: _____ Grade: _____ DOB: _____ ID #: _____

Step 3: Replacement Behaviors and Services (Task Analysis)

Step 4: Proactive Strategies (Individualized Positive Behavior Change)

**INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)
POSITIVE BEHAVIOR INTERVENTION SUPPORT PLAN (BIP) cont.**

Student Name: _____ Grade: _____ DOB: _____ ID #: _____

Step 5: Positive Strategies to Modify the Environment

Step 6: Reactive Strategies (Include Crisis Management Strategies, if needed)

Step 7: Progress Monitoring Data Collected that Determines Effectiveness

Step 8: Intervention Outcome Process

Wayne RESA Simple Functional Behavior Assessment

Student: _____

Date: _____

Sources of Data: *(place an "x" next to appropriate response(s))*

Record Review Scatterplot ABC logs Other: _____

Interview information reported by: *(place an "x" next to appropriate response(s))*

Teacher Parent Student Other: _____

Completed by:

DESCRIBE PROBLEM BEHAVIOR(S)

Describe in specific and observable terms. Prioritize 2-3, if more than one.
What does the behavior look/sound like? Does it begin at a low intensity and escalate? Describe.

Estimated frequency:

TRIGGERS/ANTECEDENT

What typically occurs before or during behavior? Specific demands or situations?

Where is the behavior most likely to occur? What locations?

With whom? When?

Setting Events? Home difficulties, peer influence, etc.?

Describe any related medical, health, or medication issues.

CONSEQUENCE(S)

What typically actually happens immediately after problem behavior? Think about the last couple times it happened.

What does the student obtain? Attention? Something else?

What does the student avoid? Demands? Negative interactions?

CURRENT PLAN/STRATEGIES

Describe the current plan or strategies being used.

Describe parent/home involvement regarding the student's school behavior.

STUDENT INPUT

Has the student expressed concerns/difficulties that may relate to the problem behavior?

OTHER

Student's strengths:

Possible Motivators/Reinforcers:

Possible Replacement Behavior(s):

Summary/Hypothesis Statement

IEP Progress Reports

IDEA 2004 states that parents of students with disabilities must be regularly informed of their child's progress toward IEP goals and objectives/benchmarks. Progress must be reported at least as often as parents are informed of non-disabled students' progress.

NCSD SESS policy is that parents will be regularly informed of progress toward annual goals through periodic IEP progress reports. The IEP progress reports will indicate the extent to which progress is sufficient to enable the student to achieve the IEP goals by the annual date of the IEP. The IEP progress report will be issued as often as report cards are issued to parents of non-disabled students. IEP progress reports will be sent home with the student's regular report card.

Case managers will be responsible for preparing the IEP progress report for each student on their case load at each grading period, using the SESP IEP Program. Progress reports must be completed in time to be sent out with the school's report card mailing.

IEP Progress Reports must be sent for students in all grade levels, including those in Early Childhood and students who have graduated with an adjusted diploma and returned for transition programming. Due to the fact that Early Childhood does not utilize a report card, the IEP Progress Report is all that will be sent for those students.

Following are directions for how to complete a progress report.

1. First open the SESP IEP program.
2. In the Main Navigator, click on Data Records Navigator (on left hand side).
3. Click on Progress Report. The goals and objectives will automatically show up.
4. Input the date of the report you are writing – should coincide with the reporting date.
5. Input any General Comments you may have.
6. For each objective, click on the achieved box and indicate the level at which the child has achieved that goal or objective.
7. Input a comment. You may choose a comment or write your own. Remember that comments need to be individualized.
8. To continue to the next page, click on the button at the top on the right.
9. Check Spelling.
10. Print a copy for the parent and a copy for the confidential file. Copies will be kept under the "Additional Reports" section of the confidential file.

If a student is not making satisfactory progress toward a goal, it is the responsibility of the case manager to reconvene the IEP team to revise the objectives and/or the means by which the student is working toward accomplishing the goal. Additionally, if a student has mastered a goal, the case manager will need to reconvene the IEP team to write new goals for the student to work toward. It may be appropriate to reconvene the eligibility team to determine if the student continues to qualify for special education services.

Site administrators share equal responsibilities for ensuring parents are notified of their student's progress as required by IDEA 2004. Compliance with this policy will be determined through scheduled monitoring visits conducted by our office and/or state personnel.

Note:

If you are a related service provider, you should give your IEP Reports to the Special Education case manager and they will add your report to theirs and send home together, in whatever manner they have determined with their administrator. If you, as a related service provider, are the case manager, it is your responsibility to make sure the IEP Reports get to parents. You will need to check with the administrator at each of your schools to determine how the reports should be sent home.

Casemanager (Off-Site) Responsibilities

Casemanager (Off-Site): a teacher assigned as a Casemanager over a student who does not attend the teacher's school and/or they do not teach the student, (i.e., student on homebound with a different teacher providing instruction, or student attending a different school than Casemanager).

Responsibilities of a Casemanager (Off-Site) are the same as any other casemanager, they do not differ with the exception that they do not provide direct instruction to the student.

Casemanager responsibilities include:

Brown Folder: Organizing and maintaining

- **Casemanager keeps the Brown Folder at their location but ensures the teacher instructing the student has a working file** to include at least a copy of the current IEP.

IEP Development: draft IEP's, final IEP's, all PWN's, SESP management

IEP Meetings: Organizing and facilitating (to include inviting student's administrator as LEA, SpEd teacher familiar with the student, Gen Ed teacher and Parents)

MDR: Organizing and facilitating

FBA: Organizing and facilitate a meeting of individuals familiar with the student to complete the FBA as a team

BIP: Organizing and facilitate a meeting of individuals familiar with the student to complete the BIP as a team

Triennial: Coordinating with the Psych and scheduling the meeting

Accommodations/modifications: coordinating with student's teachers to ensure they are taking place

Progress Reports: Ensure they are sent out as designated in the IEP

Parent Communication: ensure it happens

*Location of meetings should be at the student's assigned school

** BIP – Behavior Intervention Plan
 FBA – Functional Behavioral Assessment
 MDR - Manifest Determination Review

MANIFESTATION DETERMINATION SUMMARY

School District: _____
Student Name: _____
DOB: _____

School: _____
ID#: _____ **Grade:** _____
Disability: _____ **Date:** _____

The LEA, the student's parent(s), and the following relevant IEP Committee Members (**as determined by the parent and the LEA**) have met to conduct a review of the relationship between the student's disability and the conduct subject to disciplinary action. The team considered all relevant information in the student's file, in terms of the conduct subject to disciplinary action, including:

- (1) Relevant information supplied by the student's parents;
- (2) Teacher observations of the student; and
- (3) The student's IEP.

I. Brief description of alleged infraction(s). Use backside of form or additional sheets of paper if necessary:

II. Brief description of the results of the student's functional behavioral assessment (if completed):

MANIFESTATION DETERMINATION SUMMARY

School District: _____
Student Name: _____
DOB: _____

School: _____
ID#: _____ Grade: _____
Disability: _____ Date: _____

Brief description of the student's current behavioral intervention plan (if one exists):

Brief description of relevant information supplied by the student's parents:

Brief description of teacher observations of the student:

MANIFESTATION DETERMINATION SUMMARY

School District: _____
 Student Name: _____
 DOB: _____

School: _____
 ID#: _____ Grade: _____
 Disability: _____ Date: _____

III. Action(s) taken at time of offense:

- Suspension
- Maintained Placement in School Setting
- Home Instruction
- Placement in Interim Alternative Education Setting (describe):

- Other (describe): _____

V. After consideration of relevant information, the team reached the following conclusions. Provide short answers to these questions on the following page:

| Questions (in relation to the conduct for which the student is being disciplined) | Yes | No |
|--|--------------------------|--------------------------|
| Was the conduct in question caused by, or did it have a direct and substantial relationship to the student's disability? | <input type="checkbox"/> | <input type="checkbox"/> |
| Was the conduct in question a direct result of the LEA's failure to implement the IEP? | <input type="checkbox"/> | <input type="checkbox"/> |

A "Yes" answer to either question indicates that the conduct subject to disciplinary action IS a manifestation of the student's disability.

Therefore, the team finds that the conduct subject to disciplinary action IS IS NOT a manifestation of the student's disability.

| | | |
|--------------------------------|-----------|------|
| Parent Name | Signature | Date |
| Regular Education Teacher Name | Signature | Date |
| LEA Representative Name | Signature | Date |
| Special Education Teacher Name | Signature | Date |
| Name | Signature | Date |
| Name | Signature | Date |
| Name | Signature | Date |
| Name | Signature | Date |

MANIFESTATION DETERMINATION SUMMARY

School District: _____
Student Name: _____
DOB: _____

School: _____
ID#: _____ **Grade:** _____
Disability: _____ **Date:** _____

CONSIDERATIONS AND ADDITIONAL COMMENTS DURING MEETING

**Nye County School District
Summary of Performance (SOP)
for Special Education Students
Graduating with Regular or Adjusted Diplomas or “Aging Out”**

The Summary of Performance (SOP) is a new requirement under the reauthorization of the Individuals with Disabilities Education Act of 2004. The language as stated in IDEA 2004 regarding SOP is as follows:

For a child whose eligibility under special education terminates due to graduation with a regular diploma, or due to exceeding the age of eligibility, the local education agency “shall provide the child with a summary of the child’s academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child’s postsecondary goals” § Sec. 300.305(e)(3).

Nye County School District Special Education Support Services (SESS) also requires a Summary of Performance for those students who graduate with an adjusted diploma, as students may or may not choose to terminate special education services at this time.

The Summary of Performance, and accompanying documentation, is important to assist the student in the transition from high school to higher education, training, and/or employment. This information is necessary under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act to help establish a student’s eligibility for reasonable accommodations and supports in postsecondary settings. It is also useful for the Vocational Rehabilitation Comprehensive Assessment process. The information about students’ current level of functioning is intended to help postsecondary institutions consider accommodations for a student. *These recommendations should **not** imply that any individual who qualified for special education in high school will automatically qualify for services in the postsecondary education or the employment setting. Postsecondary settings will continue to make eligibility decisions on a case-by-case basis.*

The SOP **must** be completed during the final year of a student’s high school education. The case manager will be responsible for completing the SOP.

A copy of a completed SOP (one page document plus attachments) must be submitted to Special Education Support Services (SESS) for every Special Education graduate as described above prior to the end of each school year.

Summary of Performance (SOP) Instructions

While you can complete some information on the SOP as you do with the IEP (a draft), it is meant to be a document that the IEP team, which includes the student and parent, creates together. *The SOP is not part of the IEP; it is a separate document.* Upon completion, it is to be submitted to Special Education Support Services (SESS). All SOPs should be completed and turned in to SESS prior to the last day of work for teachers.

The SOP may be completed as a computerized document (tabbing through form fields) or a manual document (handwritten). The computerized document has been provided via email to all staff members. It is also available via disc. The manual document is available in the Policy and Procedure Manual.

Following are instructions regarding how to complete a Summary of Performance. Writing "See attached IEP" in response to any question on the SOP is unacceptable.

This document is meant to be used as a tool for the student to share with employers, counselors, etc. It is to be completed accurately, completely, and professionally.

Identifying Information: Information can be found on the IEP or Power School.

Student's Post-secondary Goal(s): Goals should indicate the post-school environment(s) the student intends to transition to upon completion of high school. Hopefully, these goals will have been the transition goals written on the IEP that you have been working on. If so, transfer the goal statement(s) to #1. If not, write the student's post-secondary goals.

Summary of Student's Academic Achievement: Academic achievement would include a copy of the student's current transcript listing the classes taken and grades earned. It should also include a list of accommodations and modifications necessary for the student to succeed in classes. Any assistive technology utilized should also be listed, as should any support provided by adults. However, you may write, see attached documents and list the documents that are attached. Note: DO NOT ATTACH THE IEP. For example: Attached documents include: Transcript, List of Modifications, Assistive Technology Determination (a paragraph listing the assistive technology utilized and in what situations, Classroom Aide Explanation (a paragraph explaining the duties of the aide in working with the student).

Summary of Student's Functional Performance: The functional performance section is intended to be completed for **ALL** students, not just those with more severe disabilities. A description of functional performance for a student with learning disabilities may include their time management skills, whether they have obtained their driver's license, money management skills, their ability to deal with issues as they arise, and independent living skills.

Recommendations for the Student to Meet Post-Secondary Goal(s): This section should describe any essential accommodations, assistive technology, supportive services, or general areas of need that the student will continue to require in order to be successful in a post-secondary environment, including higher education, training, employment, independent living, and/or community participation.

Any agency contacts that have been or should be made, such as Vocational Rehabilitation, Desert Regional, Center for Independent Living, etc. should be listed.

The recommendations should be specific.

Following is a completed sample Summary of Performance (SOP).

Summary of Performance

Student's Name _____ ID# _____ DOB _____

School _____ Anticipated Exit Date _____ Case Manager _____

Parents/Guardians: _____

Date Completed: _____

1. Student's post-secondary goal(s). (List goals for education, employment and/or independent living from IEP).

2. Summary of student's academic achievement. (Describe performance in skills such as reading, writing and math).

3. Summary of student's functional performance. (Describe ability to function in educational setting, workplace, home and communication. Include information regarding learning styles, work habits, social skills, mobility, self-determination and advocacy, and/or independent living).

4. Recommendations for the student to meet post-secondary goal(s). (Describe steps that need to take place for student to meet goals. Include agencies which can assist student and any steps student or parent need to take to prepare).

Summary of Performance

Student _____ Speech/Language Pathologist _____

Parent/Guardian _____ Interpreter _____

Special Education Teacher _____ LEA _____

Regular Education Teacher _____ Other _____

School Psychologist _____ Other _____

Nye County School District

484 S. West St.

Pahrump, NV 89048

(775) 727-7743

Date: _____

AUTHORIZATION FOR RELEASE OF CONFIDENTIAL INFORMATION

Student Name: _____ Grade: _____ DOB: _____ ID #: _____

Address: _____

I. I hereby authorize the use or disclosure of the specific information as described below:

II. I authorize release of the following records (description of specific information to be used or disclosed: i.e., medical records, academic records, or entire record). Dates of records: From _____ To _____

III. Reasons for use and/or disclosure (i.e., medical care, insurance, personal, attorney, or other specifically described reason):

IV. Persons/Organizations authorized to make disclosure:

Persons/Organizations authorized to use disclosed information:

School/Organization/Medical Provider

School/Organization/Medical Provider

Address

Address

City State Zip

City State Zip

V. I understand that this authorization is voluntary and that I may refuse to sign. I understand that I may inspect or obtain a copy of the information to be used or disclosed. I understand that any medical provider to whom this authorization is furnished may not condition treatment, payment, enrollment or eligibility for benefits on whether or not I sign the authorization. The District will maintain the privacy of student education records pursuant to the provision of the Family Educational Rights and Privacy Act. However, I understand the information used or disclosed under this authorization may be subject to unauthorized redisclosure by the person(s) receiving it and may then no longer be protected.

I authorize release of these records through facsimile transmission (FAX). I understand and agree that should the records be inadvertently transmitted to an unauthorized recipient, through no fault of the sender, I hereby waive any claim against the sender and agree to hold the sender harmless from any and all responsibility for damages, if any, arising from the faulty transmission.

I do not authorize release of records through facsimile transmission (FAX).

VI. I understand that I have a right to revoke this authorization at any time. I understand that if I revoke this authorization I must do so in writing and present my written revocation to the School in which the authorization was signed. I understand that the revocation will not apply to information that has already been released in response to this authorization. Unless otherwise revoked, this authorization will expire on the following date _____. If a specific date is not noted, this authorization will expire six months from the date of this request.

Please note: The District does not pay for records. If payment is required, please obtain directly from the parent/guardian.

VII. Parent/Guardian Signature: _____ Date: _____

Requested by: _____

Name

Title

School

INSTRUCTIONS:

1. Parent, guardian, and/or requesting person are responsible for completion of this authorization.
2. The first position of Section IV should specify the name and the address of the persons/organization holding the records. The second position should specify the name and address of the persons/organization to which records are to be sent.

USE THIS FORM WHEN: Obtaining information from other organizations, releasing information to other organizations, releasing to parents of 18 year or older student.

Distribution: Original - School or Org. holding records

1st Copy - Confidential Folder

2nd Copy - Parent/Guardian/Adult Student

THE USE OF AVERSIVE INTERVENTION, PHYSICAL RESTRAINT AND MECHANICAL RESTRAINT ON PUPILS WITH DISABILITIES

TECHNICAL ASSISTANCE GUIDELINES AND SCHOOL DISTRICT REPORTING REQUIREMENTS FOR NRS §388.521-388.5315

February 2010

I. BACKGROUND

Assembly Bill 280 (AB280) was passed by the Nevada State Legislature in 1999 in response to concerns about the use of aversive interventions and physical or mechanical restraints with students with disabilities. According to the legislative history, "the legislation was intended to promote the use of positive behavioral supports and to prohibit the use of aversive or deprivation techniques, especially when those techniques were used because of a disability." The provisions of AB280 are now contained in Nevada Revised Statutes at §388.521-388.5315, and apply specifically to students with disabilities eligible for special education services under the provisions of Nevada Administrative Code Chapter 388. These statutes are commonly and collectively referred to as the "AB280" law.

Assembly Bill 56 was passed by the Nevada State Legislature in 2009. This bill revised some NRS provisions regarding the use of aversive interventions, physical restraints, and mechanical restraints on pupils with disabilities. The revisions added new reporting requirements for the state, districts, and schools. The legislation also added required steps for schools and staff which are triggered according to the number of times a given student has been subjected to physical or mechanical restraints under emergency conditions in a given school year.

This document is intended to provide technical assistance in the implementation of statutory provisions contained in NRS §388.521-388.5315. Tasks and timelines contained in the statutes are highlighted. Some additional steps are suggested as possible actions that districts may take when those steps might provide a more coherent and consistent implementation of the statutes, even though these steps are not required by statute. When these suggestions are made, they are intended to be advisory only. Nothing in this document is intended to create requirements or obligate school districts to use any particular forms or means for ensuring compliance with NRS §388.521-388.5315, or to take steps beyond those specifically required in the statutes.

II. DEFINITIONS

Several definitions are provided in NRS §388.521-526. Some key definitions are set forth below.

What is a physical restraint?

The use of physical contact to limit a person's movement or hold a person immobile.

What is a mechanical restraint?

The use of devices, including, without limitation, mittens, straps and restraint chairs to limit a person's movement or hold a person immobile.

What is an aversive intervention?

Any of the following actions, if the action is used to punish a student with a disability or to eliminate, reduce or discourage maladaptive behavior of a student with a disability:

- √ Noxious odors and tastes
- √ Water and other mists or sprays
- √ Blasts of air
- √ Corporal punishment (intentional infliction of physical pain, including, hitting, pinching, or striking)
- √ Verbal and mental abuse (actions or utterances that are intended to cause and actually cause severe emotional distress to a person)
- √ Electric shock
- √ Chemical restraint (administration of drugs for the specific and exclusive purpose of controlling an acute or episodic aggressive behavior when alternative intervention techniques have failed to control the behavior; does not include drugs administered on a regular basis as prescribed by a physician)
- √ Placement of a person alone in a room where release from the room is prohibited by a mechanism, or otherwise preventing the person from leaving the room (including a lock, device or object positioned to hold the door closed)
- √ Requiring a person to perform exercise under force ("forced" if student (a) required to perform the exercise because of a behavior related to his/her disability; (b) required to exercise even though harmful to student's health; (c) required to exercise even though the student's disability prevents participation in the exercise)

- √ Deprivation of necessities needed to sustain the health of a person, regardless of the length of the deprivation (including denial or unreasonable delay in the provision of (a) food or liquid at a time when it is customarily served; or (b) medication)

III. PERMISSIBLE USES OF PHYSICAL AND MECHANICAL RESTRAINTS

Both physical and mechanical restraints have uses that are permitted under the statutes and are not violations. Aversive interventions are never permitted.

Permissible Uses

(NRS §388.5275.2) – A physical restraint may be used to:

- Assist the student in completing a task;
- Escort or carry a student to safety if the pupil is in danger; or
- Conduct medical examinations or treatments.

(NRS §388.528.2) – A mechanical restraint may be used to:

- Treat the medical needs of the student;
- Protect a student who is known to be at risk of injury;
- Provide proper body alignment to a student; or
- Position a student who has physical disabilities in a manner prescribed in the IEP.

Emergency Uses in Compliance with Statute

The statutes also permit the use of physical or mechanical restraints in emergency situations if all requirements of the statute have been satisfied. Under the statutes, *emergency* means a situation in which immediate intervention is necessary to protect the physical safety of a person or others from an immediate threat of physical injury or to protect against an immediate threat of severe property damage.

(NRS §388.5275.1) – Permissible emergency use of physical restraint requires:

- An emergency that necessitates the use of physical restraint;
- A limited period of use necessary to contain behavior; and
- A force which does not exceed that which is reasonable and necessary.

(NRS §388.528.1) – Permissible emergency use of mechanical restraint requires:

- An emergency that necessitates the use of mechanical restraint;
- A medical order which is included in the student's IEP before application of mechanical restraint;
- An examination of the student by the physician who signed the medical order or the attending physician as soon as practicable after application of mechanical restraint;
- A trained and qualified staff to apply mechanical restraint;

- An opportunity to move and exercise at least 10 minutes per every 60 minutes of restraint, unless otherwise prescribed;
- A determination whether the student will stop injury to himself without the use of the restraint every 15 minutes;
- Documentation in the record of the above determination, the response of the student and the response of the member of the staff of the school who applied the mechanical restraint;
- Continuous monitoring by staff; and
- Use only for the period that is necessary to contain the behavior so that the student is no longer an immediate threat of causing physical injury to himself.

IV. PROHIBITED ACTIONS

The statutes prohibit any use of aversive interventions as defined under the statutes. The statutes also prohibit non-permissible uses of physical or mechanical restraints, which include (1) emergency uses that do not comply with the statutory requirements, and (2) any other uses not specifically defined as permissible.

V. PROCEDURAL STEPS SUGGESTED

If a staff member or other person working within the district uses a physical or mechanical restraint or an aversive intervention with a student with a disability, the school district may choose to adopt procedures for conducting an investigation within 24 hours. This 24-hour timeframe is important because when physical or mechanical restraints are used in an emergency, a report must be made within one working day, and for violations of the statutes, a report must be made within 24 hours or as soon thereafter as a violation is discovered. Because these timeframes for filing reports are very short, schools and school districts may choose to adopt procedures which trigger immediate action.

Following is a series of suggested steps to ensure that districts are in compliance with the provisions of the statutes. Where certain actions are mandated by the statutes, those requirements are identified. When certain actions are suggested for coherence and consistency, those suggestions are also identified through the use of terms like "may" and "should." A flow chart of procedures, including steps required by the statutes as well as steps suggested for coherence and consistency, is provided with these materials.

Step 1: Determine whether the student is a student with a disability. If not, the provisions of these statutes do not apply. However, other protections exist and questionable actions should be reported to supervisors (e.g., corporal punishment is prohibited for all students under NRS §392.4633).

Step 2: Determine whether the use is clearly listed as permissible under the statutes.

Was it one of the specified permissible uses of a physical restraint?

- *assist student with task*
- *escort or carry student to safety*
- *conduct medical exams/treatments*

Was it one of the specified permissible uses of a mechanical restraint?

- *treat medical needs*
- *protect student known to be at risk of injury*
- *provide proper body alignment*
- *position in manner prescribed in IEP*

If the answer is clearly "Yes, the use is permitted under the statute," appropriate notes and/or documentation may be kept if appropriate under the circumstances, and the staff member should be prepared to explain his/her determination that the use was permissible. No reporting is required; however, see below for suggested steps.

In all other instances, the staff member should immediately report the situation to the School Principal/Designee (SP/D). This suggestion applies to these instances:

- Uses of physical or mechanical restraints in emergency situations that comply with the statutes, and are therefore not violations
- Uses of physical or mechanical restraints that do not comply with the permissible uses under the statutes, and therefore are violations
- Uses of physical or mechanical restraints, when staff members are uncertain about whether the use complies with the permissible uses under the statutes, and which may or may not be violations
- Uses of aversive interventions, which are violations

Because a very short timeline exists to take necessary actions in the situations listed above, School Principals should establish and clearly communicate the identity of the Designee if a Designee is used.

Step 3: When the School Principal or Designee (SP/D) is informed that one of the above situations has occurred, the SP/D should conduct an investigation of the incident, although the statutes do not specifically require this step. Because the statutes contain strict timelines for action following the use of restraints in emergency situations and when violations of the statutes occur, it is suggested that no more than 24 hours should pass without conducting an investigation, making a determination about what occurred, and developing a report. A suggested format for this report is attached – see Restraints/Aversive Interventions Investigation Report (“Investigation Report”).

The investigation may include the following activities:

1. The SP/D gathers information from student, teacher(s), aide(s), or others involved, student(s) who may have witnessed the incident, and teacher(s) and/or staff who may have witnessed the incident. The SP/D maintains detailed notes of the investigation.

For the possible use of a physical or mechanical restraint in an emergency in compliance with the statute, Worksheet A may be used as a guideline to evaluate the "emergency" requirements. In the event that an emergency use of a physical or mechanical restraint has been used in compliance with the statute, Worksheet A may be attached to the Investigation Report.

For the possible use of a non-permissible physical or mechanical restraint, Worksheet B may be used as a guideline. In the event that a non-permissible physical or mechanical restraint has been used, Worksheet B may be attached to the Investigation Report.

For the possible use of an aversive intervention, Worksheet C may be used as a guideline. In the event that an aversive intervention has been used, Worksheet C may be attached to the Investigation Report.

2. Perhaps in consultation with the Director of Special Services (or Designee), the SP/D may complete the Investigation Report, and one of the following four boxes would be checked in the "Conclusion" section:

- Permissible Use of Physical or Mechanical Restraint ("No Violation")**
- Emergency Use of Physical or Mechanical Restraint in Compliance with Statute ("No Violation") (Attach Worksheet A)**
- Non-Permissible Use of Physical or Mechanical Restraint ("Violation") (Attach Worksheet B)**
- Aversive Intervention ("Violation") (Attach Worksheet C)**

Step 4: Depending upon the conclusion reached by the SP/D, perhaps in consultation with the Director of Special Services (or Designee), one of the four following courses of action should be followed. Some procedures are suggested, yet not required by the statutes. Note that the worksheets have incorporated some suggestions that are not requirements concerning placing reports in the student's Cumulative Record and Special Education Confidential File, and providing reports to a student's IEP Committee including the parent or guardian, even where the statute does not specifically require that these steps be taken. Timelines provided in the statutes are underlined for clarity.

- Permissible Use of Physical or Mechanical Restraint ("No Violation")**

Ordinarily, clearly permissible uses are not investigated and reports are not generated. However, if a staff member is uncertain about whether a use of restraint was permissible, staff members should report those uses to the SP/D, and it is suggested that the SP/D may investigate and may prepare an Investigation Report.

The statutes do not require that any investigative report which may have been generated be placed in the student's Cumulative Record and Special Education Confidential File if a determination has been made that the use was permissible (and not a permissible emergency use, which has separate reporting requirements noted below). However, for consistency and to foster communication with the parent, the district may elect to place any investigative report in the student's Cumulative Record and Special Education Confidential File and contact the parent to advise of the occurrence.

☑ Emergency Use of Physical or Mechanical Restraint in Compliance with Statute ("No Violation")

If there has been an emergency use of physical or mechanical restraint in compliance with the statutes, the statutes require that a report must be placed in the student's Cumulative Record and Special Education Confidential File within one working day of emergency use. The Investigation Report form included with this document may be used for this purpose.

A copy of the report must be provided to the Board of Trustees or its Designee, and to the student's IEP Committee including the parent or guardian of the student. The statutes do not prescribe a timeframe for providing this report to these individuals, but since the report must be placed in the student's file within one working day, it is suggested that the report be provided to these individuals within one working day also.

Determination of Denial of Rights

The report is provided to the Board of Trustees or its Designee for the purpose of determining whether there has been a denial of student's rights. If the Board or its designee determines that there has been a denial of the student's rights, the Board or its designee must submit a report to the Nevada Department of Education (NDE). The report must set forth in detail the factual circumstances surrounding the denial. The denial of rights must also be reported to the student's Cumulative Record and Special Education Confidential File. Although it is not required in the statutes, it is suggested that the denial of the student's rights be reported to the student's IEP Committee including the parent or guardian. The format for the report of the denial of rights is not specified in the statutes; school districts may use whatever format they deem appropriate. The statutes also do not prescribe a timeframe for the Board or its Designee to determine whether there has been a denial of the student's rights or to report the denial of rights to the student's Cumulative Record, Special Education Confidential File, and the NDE.

Although the statute does not define "denial of rights," a review of the legislative history suggests that these rights include protections found elsewhere in federal and state law (e.g., protection from discrimination, the right to be treated with dignity and respect).

If the NDE receives a report from the Board of Trustees concerning a denial of rights, the statutes provide that the NDE may investigate apparent violations and act to resolve disputes relating to apparent violations.

Additional Steps Based on Cumulative Reports

Three Reports. If a student has three reports of the use of physical or mechanical restraint in an emergency situation in one school year, the school district must notify the school where the student is enrolled to review the circumstances of the use of the restraint on the student and provide a report to the school district on its findings.

Five Reports. If a student has five reports of the use of physical or mechanical restraint in an emergency situation in one school year, the school district must convene a meeting to review the student's IEP.

Subsequent Reports. If physical or mechanical restraints in emergency situations continue after the IEP review, the IEP must be revised to include "additional methods that are appropriate for the pupil to ensure that the restraint does not continue, including, without limitation, mentoring, training, a functional behavioral assessment, a positive behavior plan and positive behavioral supports."

Non-Permissible Use of Physical or Mechanical Restraint ("Violation")

The statutes do not require that any investigative report which may have been generated be placed in the student's Cumulative Record and Special Education Confidential File if a determination has been made that the use of physical or mechanical restraints was non-permissible (i.e., a violation). The statutes also do not require that any investigative report be provided to the student's IEP Committee including the parent or guardian. However, for coherence and consistency, and to foster communication with the parent, the district may elect to place any investigative report in the student's Cumulative Record and Special Education Confidential File and provide copies to the student's IEP Committee including the parent. Since the statutes require that the violation be reported to the Board of Trustees not later than 24 hours after the violation, or as soon thereafter as the violation is discovered, it is suggested that any investigative report which may have been generated be placed in the student's Cumulative Record and Special Education Confidential File and provided to the IEP Committee including the parent or guardian within 24 hours also.

The statutes require that the violation be reported to Board of Trustees not later than 24 hours after violation occurred, or as soon thereafter as the violation is discovered. Note that in this section of the statutes, there is no provision for reporting to a designee of the Board of Trustees.

The Board of Trustees, in cooperation with Superintendent, must develop a Corrective Plan to ensure that appropriate action is taken within 30 calendar days to prevent future violations. The Superintendent must submit the Corrective Plan to NDE. The NDE must review the plan and advise if revision is necessary. The Corrective Plan should be implemented and documentation should be maintained. See section below for suggested content of the Corrective Plan.

Aversive Intervention ("Violation")

The statutes do not require that any investigative report which may have been generated be placed in the student's Cumulative Record and Special Education Confidential File if a determination has been made that there was use of an aversive intervention (i.e., a violation). The statutes also do not require that any investigative report be provided to the student's IEP Committee including the parent or guardian. However, for coherence and consistency, and to foster communication with the parent, the district may elect to place any investigative report in the student's Cumulative Record and Special Education

Confidential File and provide copies to the student's IEP Committee including the parent. Since the statutes require that the violation be reported to the Board of Trustees not later than 24 hours after the violation, or as soon thereafter as the violation is discovered, it is suggested that any investigative report which may have been generated be placed in the student's Cumulative Record and Special Education Confidential File and provided to the IEP Committee including the parent or guardian within 24 hours also.

The statutes require that the violation be reported to the Board of Trustees not later than 24 hours after the violation occurred, or as soon thereafter as the violation is discovered. Note that in this section of the statutes, there is no provision for reporting to a designee of the Board of Trustees.

The Board of Trustees, in cooperation with the Superintendent, must develop a Corrective Plan to ensure that appropriate action is taken within 30 calendar days to prevent future violations. The Superintendent must submit the Corrective Plan to the NDE. The NDE must review the plan and advise if revision is necessary. The Corrective Plan should be implemented and documentation should be maintained. The Corrective Plan may but is not required to include:

1. The identification of the specific aversive intervention(s) or non-permissible physical and/or mechanical restraint(s) used and the date and time of the occurrence;
2. What investigative actions were taken;
3. The reason(s) why the action was determined to be a violation;
4. The date and time that notice was provided to the Board of Trustees;
5. A copy of the Corrective Plan and the date the plan was developed by the Board of Trustees in cooperation with the school district superintendent; and
6. What corrective actions have been taken and/or are anticipated to be taken, and applicable dates actions are completed or anticipated to be completed.

Note that if the school where a violation occurred does not meet the requirements of the plan to the satisfaction of the NDE, the NDE may appoint a licensed administrator to oversee the school to ensure that the school meets the requirements of the plan. An administrator serves at the pleasure of the Superintendent of Public Instruction and is entitled to receive such compensation as may be set by the Superintendent. A school district that contains a school for which an administrator is appointed shall reimburse the NDE for any expenses incurred by the NDE pursuant to the statutory requirements.

VI. NOTICE OF A DENIAL OF RIGHTS

The statutes also address the situation where the Board of Trustees receives a notice that a student's rights have been denied. Although the statutes are not clear on this point, presumably these rights include protections found elsewhere in federal and state law (e.g., protection from discrimination, the right to be treated with dignity and respect). If the Board of Trustees receives notice of a denial of rights, a "Full Report" must be developed and provided to the NDE. The denial must be entered in the student's Cumulative Record and Special Education Confidential File. Although it is not required

in the statutes, it is suggested that the denial of the student's rights be reported to the student's IEP Committee including the parent or guardian.

VII. PROCEDURAL COMPLAINTS

If a school district fails to report the use of a restraint in an emergency situation, or fails to report a denial of student's rights, or fails to report a violation of the statutes as required under the law, and a parent or guardian files a complaint against the district, the NDE generally will refer that individual back to the district to exhaust procedural safeguards prior to NDE intervention. If the NDE is satisfied that procedural safeguards have been exhausted; the NDE may (a) conduct a procedural review to determine if the district has complied with the requirements of NRS § 388.521-5315; (b) assist the district to conduct an investigation; and/or (c) conduct its own investigation upon a determination that the district has had an opportunity and failed to carry out the procedures under NRS § 388.521-5315.

VIII. ANNUAL DATA COLLECTION AND REPORTING TO THE NDE

On or before August 1 of each year, the school district must prepare a report, by school, that includes:

1. The number of instances in which physical restraint was used during the previous school year, which must indicate the number of instances per teacher and per pupil (without disclosing personally identifiable information).
2. The number of instances in which mechanical restraint was used during the previous school year, which must indicate the number of instances per teacher and per pupil (without disclosing personally identifiable information).
3. The number of violations of the statutes, by type of violation, which must indicate the number of violations per teacher and per pupil (without disclosing personally identifiable information).

The school district must prescribe a form for each school within the district to report this information and a time by which those reports must be submitted to the school district.

The school district must submit the report to the NDE by August 15 of each year. The NDE will compile the data and prepare a report (disaggregated by school district). The report must be submitted by October 1 each year to:

- In even-numbered years, the Director of the Legislative Counsel Bureau
- In odd-numbered years, the Legislative Committee on Education

Staff Member or Other Person Uses Physical or Mechanical Restraint, or Aversive Intervention on a Student with a Disability

Is the use clearly permissible under the statute?
(Note: Aversive interventions are never permissible.)

Yes, the use of a physical or mechanical restraint is clearly permissible. Staff member may keep appropriate notes and/or documentation and may be prepared to explain and describe use should questions arise.

No, the use is not clearly permissible.

Staff member should immediately report situation to School Principal or Designee.

If questions arise regarding the staff member's determination that the physical or mechanical restraint was permissible under the statute, the matter is immediately reported to the School Principal and an investigation may be conducted.

School Principal may investigate, complete a report (see attached Investigation Report for a suggested format), and perhaps in consultation with Director of Special Services or Designee, determine which one of the following has occurred (suggested, but not required, to be done within 24 hours):
Permissible Use of Physical or Mechanical Restraint ("No Violation")
Emergency Use of Physical or Mechanical Restraint in Compliance with Statute ("No Violation")
Non-Permissible Use of Physical or Mechanical Restraint ("Violation")
Aversive Intervention ("Violation")

Permissible Use of Physical or Mechanical Restraint ("No Violation")

Emergency Use of Physical or Mechanical Restraint in Compliance with Statute ("No Violation")

Non-Permissible Use of Physical or Mechanical Restraint ("Violation")

Aversive Intervention ("Violation")

- It is suggested, but not required in the statutes, that any investigative report which may have been generated be placed in student's Cumulative Record and Special Education Confidential File, and that the parent be contacted

- A report must be placed in student's Cumulative Record and Special Education Confidential File within one working day of emergency use. See attached Investigation Report for a suggested format.
- A copy of the report must be provided to IEP Committee including the parent or guardian (suggested, but not required, to be done within one working day of emergency use)
- A copy of the report must be provided to Board or Designee to determine if a denial of the student's rights occurred (suggested, but not required, to be done within one working day of emergency use)
- If the Board or Designee determines there has been a denial of rights, Board or Designee must report this determination to Student's Cumulative Record and Confidential File and to the NDE
- It is suggested, but not required in the statutes, that the report of the denial of the student's rights be provided to the student's IEP Committee including the parent or guardian.
- After 3 reports of emergency use, district notifies school to review circumstances and provide report; after 5 reports, IEP must be reviewed; if restraints continue after IEP review, IEP must add appropriate methods

- It is suggested, but not required, that any investigative report which may have been generated be placed in Student's Cumulative Record and Special Education Confidential File (suggested, but not required, to be done within 24 hours of violation)
- It is suggested, but not required, that a copy of any investigative report which may have been generated be provided to the IEP Committee including the parent or guardian (suggested, but not required, to be done within 24 hours of the violation).
- A violation must be reported to Board of Trustees not later than 24 hours after violation occurred, or as soon thereafter as the violation is discovered.
- The Board, in cooperation with Superintendent, must develop a Corrective Plan to ensure that appropriate action is taken within 30 calendar days to prevent future violations
- The Superintendent must submit the Corrective Plan to NDE
- The NDE must review and advise if revision is necessary
- Corrective Plan should be implemented and documentation should be maintained

If Board of Trustees receives notice of a denial of rights,

- A "Full Report" is developed and provided to the NDE and the denial is entered in the Student's Cumulative Record and Special Ed. Confidential file.
- It is suggested, but not required in the statutes, that the report of the denial of the student's rights be provided to the student's IEP Committee, including parent or guardian.

Nye County School District

Physical and Mechanical Restraint Report Form

Student Name _____

School _____

Date/Time of Incident _____

Incident Video Recorded? YES NO

Site Administrator
Completing Form _____

1st Report

2nd Report

3rd Report – Incident reported to SESS Director for review

4th Report

5th Report – IEP Team reconvened to review additional methods

Director of SESS Notified
by phone

Date/Time _____

Parent Notified

Date/Time _____

IEP Team Members Notified

Date/Time _____

Copy of Notice of Use of Physical and/or Mechanical Restraint Form completed and attached – Faxed to SESS within 24 hours of incident

Copy of Notice of Use of Physical and/or Mechanical Restraint provided to IEP Team via the case manager

Copy of Notice of Use of Physical and/or Mechanical Restraint provided to parent

Original Notice of Use of Physical and/or Mechanical Restraint placed in student's Cumulative File

For SESS Use Only

School Board Notified Date/Time _____

School board/or designee provided with
Copy of Notice of Use of Physical and/or
Mechanical Restraint Investigation
Report

Date/Time _____

Notice of Use of Physical and/or Mechanical Restraint

NRS §388.521-388.5315: Nevada Department of Education Technical Assistance Form C
*Must be submitted within 24 hours of the use of non-permissible restraint usage,
or as soon thereafter as the usage is discovered or one working day of the emergency
use of the restraint, or as soon thereafter as the usage is discovered.*

Student Name: _____

Grade: _____ Date of Birth: _____

School: _____ Date/Time: _____

Person Completing Form: _____ Position: _____

Identify the restraint(s) used:

- Physical Restraint** — *"Physical restraint" means the use of physical contact to limit a person's movement or hold a person immobile.*

Identify restraint: _____

- Mechanical Restraint**— *"Mechanical restraint" means the use of devices, including, without limitation, mittens, straps and restraint chairs to limit a person's movement or hold a person immobile.*

Identify restraint: _____

Complete the following three questions in order to determine which other sections of this report must be addressed:

1. This reports addresses emergency use of physical restraint(s): no yes — complete sections A & C
2. This reports addresses emergency use of mechanical restraint(s): no yes — complete sections B & C
3. This reports addresses non-permissible use of physical and/or mechanical restraint(s): no yes — complete section C

SECTION A: Emergency use of physical restraint(s)

The restraint was used:

- in an emergency situation:**

- an emergency existed that necessitated use of physical restraint due to immediate threat of harm to: self others property
and
- the physical restraint was used only for the period that was necessary to contain the behavior of the student so that the student was no longer an immediate threat of causing physical injury to self or others or causing severe property damage
and
- the use of force in the application of physical restraint did not exceed the force that was reasonable and necessary under the circumstances precipitating the use of physical restraint

SECTION B: Emergency use of mechanical restraint(s)

The restraint was used:

in an emergency situation:

- an emergency existed that necessitated use of mechanical restraint due to immediate threat of harm to: self others property
and
- a medical order authorizing the use of mechanical restraint was obtained from the student's treating physician before the application of the mechanical restraint or not later than 15 minutes after the application of the mechanical restraint (attach medical order)
and
- the physician who signed the order or the attending physician examined the student as soon as practicable
physician: _____
student examined within _____ minutes of application of restraint
and
- the mechanical restraint was applied by a member of the staff of the school who is trained and qualified to apply mechanical restraint
identify staff member(s): _____
individual(s) is trained/qualified to apply restraint: yes no
and
- the student was given the opportunity to move and exercise restrained body parts at least 10 minutes for every 60 minutes of restraint unless otherwise prescribed by the physician who signed the order (attach additional medical order(s) if appropriate)
duration of restraint: _____
number of opportunities to move body parts: _____
and
- a member of the staff of the school lessened or discontinued the restraint every 15 minutes to determine if the student would stop or control inappropriate behavior without the use of restraint
identify staff member(s): _____
and
- the record of the student contains a notation that includes the time of day that the restraint was lessened or discontinued, the response of the student and the response of the member of the staff of the school who applied the mechanical restraint (attach copy of notation)
and

SECTION B: Emergency use of mechanical restraint(s), continued next page

SECTION B: Emergency use of mechanical restraint(s), continued

- a member of the staff of the school continuously monitored the student during the time that mechanical restraint was used on the student

identify staff member(s): _____

and

- the mechanical restraint was used only for the period that was necessary to contain the behavior of the student so that the student was no longer an immediate threat of causing physical injury to self or others or causing severe property damage

duration of restraint: _____

SECTION C (must be completed for every report)

Provide a detailed account of the incident. Attach additional sheets as necessary.

Please indicate the time and date of the notice to Board: _____

If the emergency use of the restraint is determined by the Board of Trustees to be a **denial of rights**:
time and date of the determination: _____

NEVADA ALTERNATE ASSESSMENT PARTICIPATION GUIDELINES

Student's Name: _____, _____

Date: _____

The Nevada Alternate Assessment is based on alternate achievement standards designed specifically for students with significant cognitive disabilities. Individual Educational Plan (IEP) teams are responsible for determining whether students with disabilities will participate in the alternate assessment or the general assessment, and should consider the student's present level of educational performance in reference to the Nevada Content Standards when determining how a student will participate in the Nevada Proficiency Examination Program (NPEP). In order to facilitate informed and equitable decision making, IEP teams should answer each of the following questions when determining whether or not a student should participate in the Nevada Alternate Assessment:

Questions to Guide the Decision-Making Process to Determine Whether a Student Participates in the Nevada Alternate Assessment

| | | |
|----|--|--|
| 1. | <input type="checkbox"/> Yes <input type="checkbox"/> No | Is the student receiving services under the Individuals with Disabilities Education Act (IDEA) through a current IEP? |
| 2. | <input type="checkbox"/> Yes <input type="checkbox"/> No | The student demonstrates cognitive ability and adaptive behavior that limits FULL participation in the general education curriculum, even with supplementary aids, accommodations, and modifications. |
| 3. | <input type="checkbox"/> Yes <input type="checkbox"/> No | Does the student demonstrate cognitive ability and adaptive behavior that limits full participation in the general education curriculum, Criterion Referenced Test, or High School Proficiency Examination, even with supplementary aids, accommodations, and modifications? |
| 4. | <input type="checkbox"/> Yes <input type="checkbox"/> No | Does the student require intensive instruction to acquire, maintain, and generalize skills necessary for application in school, home, work, and community settings? |
| 5. | <input type="checkbox"/> Yes <input type="checkbox"/> No | Is the student's level of educational performance not primarily the result of specific learning disabilities; social, cultural, economic, or language differences; visual or auditory impairments; emotional-behavioral disabilities; or excessive or extended absences unrelated to the student's disabilities? |
| 6. | <input type="checkbox"/> Yes <input type="checkbox"/> No | Has the IEP team informed the parent/guardian of the consequences of the student participating in the Nevada Alternate Assessment (e.g., modified diploma vs. standard diploma) and of being judged against alternate achievement standards? |

If the IEP team determines that all six questions accurately characterize a student's current educational program, then the Nevada Alternate Assessment should be used to provide a meaningful evaluation of the student's current academic achievement. If "yes" is not indicated in all six areas, then the student should participate in the general assessment with or without accommodations.