

INSTRUCTIONAL SERVICES

Regulation 6250
(Form 6250)

Instruction

Instruction for Students with Disabilities

Within the context of applicable statutes and regulations, the District will observe the following guidelines in providing special education and related services to identified students with disabilities.

EVALUATION

Either a parent/guardian or staff member may refer a student for screening and evaluation where appropriate if the parent/guardian or staff member suspects that the child may have a disability. Referrals should be made to the Director of Special Education. The District will provide screenings and evaluations when appropriate for private school students suspected of having a disability under the IDEA where such students attend a private school located within the District. After a referral, the District will provide the parent/guardian notice of the District's intention to initiate the identification of the child. The District will conduct a screening to determine if a comprehensive evaluation of the student is necessary. After the screening, a multidisciplinary team will meet to determine whether any areas of concern exist and whether formal evaluation is required.

If the team determines that no evaluation is necessary, the District will provide appropriate notice to the parent/guardian of the District's decision. If the team determines that a formal evaluation is necessary, the District will notify the parent/guardian, request the parent/guardian's written consent to conduct such an evaluation, and will provide a copy of the procedural safeguards. The District will also provide the parent/guardian with a proposed evaluation plan. If the parents/guardians refuse to consent to an initial evaluation and the District believes that the student requires special educational services, the District will initiate due process procedures to obtain the necessary consent for evaluation.

The Board will provide that no single instrument, test or procedure will be used as the sole criterion for determining whether a student has a disability and what special education services are necessary for identified students with disabilities. Each child who is suspected of or identified as having a disability will be assessed using a variety of informal and formal assessments. After completing the administration of tests and other evaluation materials, the student's multidisciplinary team will convene to determine whether the student is a student with a disability. The parent/guardian will participate in this decision.

Determination of Eligibility for Children Ages 3 Through 5

To determine whether children ages 3 to 5 (not kindergarten-age eligible) are children with a disability under the Individuals with Disabilities Education Act (IDEA), the District will use *[select one of the following: (1) any IDEA disability category other than Young Child with a*

Developmental Delay; (2) only the IDEA disability category of Young Child with a Developmental Delay; or (3) any IDEA disability category including Young Child with a Developmental Delay].

To determine continuing eligibility under the IDEA for children ages 3 to 5 (kindergarten eligible, i.e., age 5 by August 1), the District will use [*select **one** of the following: (1) Young Child with a Developmental Delay or any of the other disability categories; or (2) any IDEA disability category other than Young Child with a Developmental Delay*].

Independent Educational Evaluations (IEE)

If the parent/guardian of a student with a disability disagrees with an evaluation obtained by the District pursuant to the IDEA or any component of an evaluation, he/she has the right to request an independent educational evaluation (IEE) at public expense. A request for an IEE may include a request for reimbursement of a previously obtained evaluation.

Procedures for Independent Educational Evaluation

The criteria for obtaining an independent educational evaluation at public expense are the same as for an evaluation obtained by the District. The following procedures apply to obtaining such an evaluation:

1. When a parent/guardian requests an IEE, the Director of Special Education will be notified. The District will request, but not require, that the parent/guardian review the District's evaluation with the District to identify areas of disagreement and the reasons for the disagreement with the District's evaluation. The District will decide whether to initiate due process proceedings to establish the appropriateness of its evaluation or proceed with procuring an IEE.
2. Upon request for an IEE, the District will provide to the parent/guardian information about where an IEE may be obtained and the District's criteria for IEEs. Referral sources for independent evaluations may be obtained from the Director of Special Education.
3. If the District decides to initiate due process proceedings, it will notify the parent/guardian of its decision and will provide a notice of action denying the request for an IEE. If the District's evaluation is found to be appropriate, the District will not pay for an IEE. The parent/guardian may obtain an independent evaluation at private expense and the District will consider the results of the evaluation if it meets the District's criteria for evaluations.
4. If the District decides to proceed with procuring an IEE, an evaluation plan will be developed which specifies those areas to be evaluated and who will conduct each assessment. The assessments to be completed will comply with the standards for minimum qualifications for evaluators, locations of evaluators, and cost limitations as

specified in this regulation. Notice of intent to evaluate will be provided, and the District will arrange for the completion of the IEE.

5. A parent/guardian may request only one IEE at public expense for each evaluation obtained by the District.
6. As part of the IEE, independent evaluators must agree to release their assessment information and results to the District prior to receipt of payment for services. The results of the independent evaluation will be considered if the evaluation meets the District's criteria for evaluations.
7. If the parent/guardian obtains an independent evaluation without the District's assistance and seeks payment for that evaluation by the District, the evaluation must comply with the standards for minimum qualifications for evaluators, locations of evaluators and cost limitations as specified in this regulation. Before the District will consider payment for independent evaluations obtained by a parent/guardian in this manner, independent evaluators must agree to release their assessment information and results to the District prior to receipt of payment for services. The results of the independent evaluation will be considered if the evaluation meets the District's criteria for evaluations.

Limitations on Location of Evaluators

Independent evaluators will be located within [specify geographic area]. Independent evaluators located outside of this area will be approved only on an exception basis, provided the parent/guardian demonstrates the necessity of using personnel outside this area based on the child's unique needs or other unique circumstances.

Qualifications for Evaluators

Evaluators with credentials other than those listed below, will not be approved unless the parent/guardian demonstrates the appropriateness of using evaluators with other qualifications.

Type of Assessment

Qualifications

Cognition	Licensed Psychologist, Certified School Psychological Examiner, or School Psychologist
Adaptive Behavior	Licensed Psychologist, Certified Special Education Teacher (Master's Degree), School Psychological Examiner, or School Psychologist
Achievement	Certified Special Education Teacher (Master's

	Degree), School Psychological Examiner, Licensed Psychologist, or School Psychologist
Speech/Language	Certified or Licensed Speech/Language Specialist
Social/Emotional/Behavioral	Certified Special Education Teacher (Master's Degree), School Psychological Examiner, School Psychologist, Social Worker, Licensed Psychiatrist, or Licensed Psychologist
Vision	Licensed Ophthalmologist or Licensed Optometrist
Functional Vision	Certified Teacher of the Visually Impaired
Visual Perception	Certified Special Education Teacher (Master's Degree), School Psychological Examiner, or Licensed Psychologist
Auditory Acuity	Licensed or Certified Audiologist

Assistive Technology, Auditory Perception, Health, Motor, Transition and other areas of assessment may be included as determined by individual school districts.

Cost Limitations for Evaluations

An independent educational evaluation will be limited to a total cost of \$1,000.00. Single evaluations will be limited to the following cost schedule:

Single Disciplinary Cost Schedule

Cognition	\$300 - \$400
Adaptive Behavior	\$100 - \$200
Achievement	\$200 - \$400
Speech/Language	\$200 - \$400
Social/Emotional Behavior	\$300 - \$400
Vision	\$ 60 - \$150

Functional Vision	\$ 60 - \$150
Visual Perception	\$100 - \$150
Auditory Acuity	\$ 60 - \$150
Auditory Perception (CAP)	\$100 - \$150
Health	\$ 50 - \$100
Neurological	\$500 - \$700
Motor	\$ 50 - \$250
Sensory - Motor Integration	\$200 - \$300

Costs above these maximum amounts will not be approved unless the higher rate is necessary in light of the child's unique needs or other unique circumstances. If the cost of an IEE exceeds these maximum amounts, the District may (1) initiate a due process hearing to show that its evaluation was appropriate, (2) pay the full cost of the IEE, or (3) pay that portion of the cost that is within the allowable limits, if the District determines that an evaluation could have been obtained within the limits and informs the parent/guardian of that determination.

PLACEMENT - PUBLIC SCHOOL STUDENTS

If a student is determined to be a student with a disability and in need of special educational services, the student's Individualized Education Program (IEP) team, which includes the student's parents/guardians, will convene to determine appropriate programming and placement.

Each student's IEP team will ensure that a student with a disability is educated in the least restrictive environment and will consider the extent to which the student's disability affects his/her ability to access the general curriculum. Students with disabilities may be assigned to special classes, separate schooling, or removed from the regular educational environment when the nature and severity of the student's disability is such that education in the regular educational environment with the use of supplementary aids and services cannot be achieved satisfactorily.

INDIVIDUALIZED EDUCATION PROGRAM (IEP) - PUBLIC SCHOOL STUDENTS

The District will ensure that all eligible public school students with disabilities who have been properly identified as being in need of special education will have written IEPs in effect at the

beginning of each school year. Each IEP will be reviewed at least annually. IEPs will contain the following information:

1. A statement of the student's present levels of educational performance, including how the student's disability affects the student's participation in appropriate activities;
2. A statement of annual measurable goals, including short-term objectives and benchmarks;
3. A statement of the special educational services to be provided and the extent to which the student will have access to the general curriculum and will participate in regular education;
4. An explanation of the extent, if any, to which the student will not participate with children without disabilities in the regular classroom and in extracurricular and nonacademic activities;
5. A statement of any individual modifications in the administration of State or District-wide assessments of student achievement that are needed in order for the student to participate in the assessment, or, if the IEP team determines that the student will not participate in a particular assessment, a statement of why the assessment is not appropriate for the student and how the student will be assessed;
6. The projected date of initiation and anticipated frequency, location, and duration of services and modifications; and
7. A statement of how the student's progress toward annual goals will be measured and how the parents/guardians will be informed of the student's progress and the extent to which the progress is sufficient to enable the student to achieve the goals by the end of the year.

Recording Devices at IEP Meetings

The Board of Education prohibits the use of audio, video, or other recording devices at IEP meetings. Exceptions to this prohibition will be made only under unusual circumstances when such recording is necessary to ensure parental rights guaranteed under Part B of the IDEA. Requests for such exceptions must be made in writing within a reasonable time prior to scheduled IEP meetings.

Transition Services

Beginning at least by age sixteen (16), the IEP will contain a statement of the needed transition services of the student that includes, when appropriate, a statement of the interagency responsibilities or any needed linkages.

Extended School Year (ESY)

The IEP team will determine on an annual basis whether the student requires extended school year (ESY) services. If appropriate, the notice of the IEP meeting will include that the team will consider ESY services.

In determining whether the student requires ESY services, the IEP team will consider, among other factors, whether the student will suffer regression to such a marked degree that the student's skills may not be recouped in a reasonable time at the inception of the subsequent school year, the degree of impairment and the ability of the student's parents/guardians to provide educational structure at home, the student's rate of progress, the student's behavioral and physical problems, the availability of alternative resources, the ability of the student to interact with students without disabilities, the areas of the student's curriculum that need continuous attention, and the student's vocational needs.

Decisions regarding the length or intensity of ESY services will not be limited to the length or intensity of the District's summer school program.

The IEP will show that the IEP team considered ESY services. If the IEP team determines that ESY services are required, the team will be responsible for preparing an appropriate ESY IEP or determining that the regular school year IEP will be implemented.

PLACEMENT - STUDENTS VOLUNTARILY ENROLLED IN PRIVATE SCHOOLS BY THEIR PARENTS

The District's activities under the Individuals with Disabilities Education Act (IDEA) regarding the location, identification, and evaluation of parentally-placed private school students with disabilities will be comparable to the activities undertaken for students in public schools.

However, a student with a disability voluntarily enrolled in a private school by his/her parents/guardians does not have an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school. Students with disabilities voluntarily enrolled in private schools by their parents/guardians are not entitled to a free appropriate public education.

In order to meet its obligations under the IDEA to students with disabilities voluntarily enrolled by their parents/guardians in private schools, the District will spend, for children aged 3 through 21, an amount that is the same proportion of the District's K-12 entitlement under Part B of the IDEA as the number of private school children with disabilities aged 3 through 21 residing in the District is to the total number of children with disabilities aged 3 through 21 residing in the District. For children aged 3 through 5, the District will spend an amount that is the same proportion of the District's Preschool entitlement under Part B of the IDEA as the number of

private school children with disabilities aged 3 through 5 residing in the District is to the total number of children with disabilities aged 3 through 5 residing in the District. Expenditures for child find activities will not be considered when determining whether the District has met its obligation.

The District will consult with representatives of private school students with disabilities to decide which students will receive services, what services will be provided, how and where the services will be provided, and how the services provided will be evaluated. The District will make the final decisions regarding the services to be provided private school children with disabilities.

For each private school student designated to receive services, the District will prepare a services plan that describes the specific special education and related services that the District will provide to the student. The District will ensure that a representative of the private school attends meetings to develop, review, and revise a services plan, or, if the representative cannot attend, will use other methods to ensure participation by the private school. To the extent appropriate, the services plan will be developed in a manner consistent with the requirements under the IDEA for an IEP.

The District will not provide special education and related services on the site of any religious school. Pursuant to the Missouri constitutional prohibition against the expenditure of taxpayer funds to support parochial schools, the District will not provide transportation for a religious school student from the student's home or the public school to the religious school.

Due process rights for students with disabilities voluntarily enrolled in private schools and their parents are limited. Only issues related to child find, including evaluations, can be raised in a due process complaint. There is no due process right to challenge the services that a student receives.