

# **ANNUAL PUBLIC NOTICE OF SPECIAL EDUCATION SERVICES, GIFTED SERVICES, AND CHAPTER 15/SECTION 504 SERVICES**

## **Annual Public Notice to Parents**

All Public Schools provide no-cost evaluations and appropriate programs to all students eligible for special education, gifted, and Chapter 15/Section 504 services. Services are made available to children that meet the eligibility requirements for special education, gifted, and/or Chapter 15/Section 504 services.

It is the responsibility of the school districts and charter schools to ensure that all children residing in the Commonwealth, who are in need of Special Education and related services, are identified, located, and evaluated. A federal law called the Individuals with Disabilities Education Act (IDEA 2004) as amended in 2004 requires this annual child find notice.

## **EARLY INTERVENTION SERVICES**

Lincoln Intermediate Unit #12 provides services for children who are developmentally delayed between the ages of three years and school age. Programs are available in a number of settings throughout the three county area. These services are available at no cost to parents. Available services include classroom instructional services, physical therapy, occupational therapy, and speech and language therapy. If you have a child whom you think is eligible for services, please contact LIU #12 Preschool Office at (717) 624-6475.

Screening for preschool children is available each month at The York Learning Center (York 717-718-5902), the LIU Central Office (New Oxford 717-624-6490), and the Franklin Learning Center (Chambersburg 717-263-1732). To schedule an appointment for a screening and/or evaluation call one of the numbers listed above.

Developmental delay is defined as a child who is less than the age of beginners and at least 3 years of age is considered to have a developmental delay when one of the following exists: (i) The child's score, on a developmental assessment device, on an assessment instrument which yields a score in months, indicates that the child is delayed by 25% of the child's chronological age in one or more developmental areas. (ii) The child is delayed in one or more of the developmental areas, as documented by test performance of 1.5 standard deviations below the mean on standardized tests. Developmental areas include cognitive, communicative, physical, social/emotional and self-help.

## **SPECIAL EDUCATION SERVICES**

### **Evaluation**

If a parent suspects their child may have a disability and be in need of special education services, an evaluation process is available at no cost through the school district or charter school in the parent live. This request for an evaluation should be made in writing to the contact person identified at the end of this notice. If a parent makes an oral request for an evaluation, the school district or charter school shall provide the parent with a form for that purpose. Pre-Referral Team, Child-Study Team, or Instruction Support Team (IST) activities may not serve as a barrier to the right of a parent to request an evaluation.

The evaluation process results in a written evaluation report. This report specifies a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction.

Every public school including charter schools have a procedure in place by which parents can request a special education evaluation. For information about the school district's procedures applicable to your child, contact the school, which your child attends. Telephone numbers and addresses for the school districts may be found at the end of this notice.

### **Consent**

School entities cannot proceed with an evaluation or with the initial provision of special education and related services, without the informed written consent of the parents.

### **Individualized Education Program (IEP)**

If, after an evaluation, your child is found to have a disability and to need special education, the public school will develop, with parent participation, an IEP. An IEP is a written document that specifically describes the services your child needs. The child's parent, the regular education teacher, the special education teacher, and representative of the school's special education program will be present at the IEP team meeting. If the IEP meeting follows the first evaluation of your child, the school may not proceed with delivery of special education services until the parent provides consent in a NOREP.

### **Notice of Recommended Educational Placement/Prior Written Notice (NOREP/PWN)**

The LEA must notify you in writing whenever it proposes or refuses to initiate or to change the identification, evaluation, educational program or placement of a child or whenever it refuses to initiate or make a change in the identification, evaluation, educational program or placement requested by a parent.

### **NOTICE FOR SERVICES UNDER CHAPTER 15 AND SECTION 504**

Students who are not eligible to receive special education services may qualify as protected handicapped students and therefore be protected by other federal and state laws intended to prevent discrimination. The school district or charter school must ensure that protected handicapped students have equal opportunity to participate in the school program and extracurricular activities to the maximum extent appropriate for each individual student. Section 504 covers qualified students with disabilities who attend schools receiving federal financial assistance. To be protected under Chapter 15/Section 504, a student must be determined to: 1) have a physical or mental impairment that substantially limits one or more major life activities; 2) have a record of such impairment, or 3) be regarded as having such impairment. Chapter 15/Section 504 require that school districts or charter schools provide a free and appropriate public education (FAPE) to qualified students in their jurisdictions who have a physical or mental impairment that substantially limits one or more major life activities.

For further information on the evaluation procedures and provision of services to protected handicapped students under Chapter 15/Section 504, parents should contact the school district of residence or charter school.

### **NOTICE OF SERVICES FOR GIFTED STUDENTS\***

While gifted is not included as one of the disabilities categories under the IDEA 2004, the Pennsylvania State Board of Education's regulations as set forth in Chapter 16, Special Education for Gifted Students, provide that gifted students are considered to be children with exceptionalities and are in need of specially designed instruction.

Under Chapter 16, each school district shall conduct public awareness activities to inform the public of gifted education services and programs and the manner by which to request these services and programs. These awareness activities shall be designed to reach parents of students enrolled in

the public schools and parent of children not enrolled in public schools.

### **Screening**

Chapter 16 requires that each school district shall adopt and use a system to locate and identify all students that are residents of the school district who are thought to be gifted and in need of specially designed instruction. Each school district shall determine the student's needs through a screening and evaluation process that meets the requirements of Chapter 16.

\*Does not apply to Charter Schools.

### **Gifted Multidisciplinary Evaluation**

For students who are potentially gifted students, the district will take the following steps:

1. Conduct the Gifted Multidisciplinary Evaluation
2. Compile a Gifted Written Report
3. Convene a Gifted Individualized Education program team meeting to determine whether the student is gifted; and,
4. Develop a Gifted Individualized Education program if the student is a gifted student.

For students who are gifted and eligible for Special Education, it is not necessary for school districts to conduct separate screening and evaluations, develop separate IEPs, or use separate procedural safeguards processes to provide for a student's needs as both a gifted and eligible for special education.

### **CONFIDENTIALITY OF STUDENT INFORMATION**

All school entities maintain educational records concerning children enrolled in public school, including students with disabilities. Educational records containing personally identifiable information about or related to children with disabilities are securely maintained, and not released without parent consent.

### **Consent for Disclosure of Personally Identifiable Information**

Parent consent must be obtained before personally identifiable information is released, except as permitted under Family Education Rights and Privacy Act (FERPA). The age of majority in Pennsylvania is 21. Each participating agency must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at each participating agency must assume responsibility for ensuring the confidentiality of any personally identifiable information. Each participating agency must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information.

Complaints concerning alleged failure of a public school to comply with the confidentiality requirements of the Family Educational Rights and Privacy Act may be addressed to the United States Department of Education as follows:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-5920  
Phone 1-800-872-5327

The address of these school districts, charter schools and intermediate unit are as follows:

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| <b>INTERMEDIATE UNIT</b>  |
| Lincoln Intermediate Unit #12<br>P.O. Box 70, 65 Billerbeck Street, New Oxford, PA 17350<br>Telephone: 717-624-4616 |

The public schools, intermediate unit, and charter schools prohibit discrimination in employment, educational programs, and activities on the basis of race, national origin, color, creed, religion, sex, age, disability, veteran status, marital status, or because a person is a disabled veteran. No preschool, elementary or secondary school pupil enrolled in a school district, intermediate unit, or charter school shall be denied equal opportunity or equal access to participate in age and program appropriate instruction or activities due to race, color, handicap, creed, national origin, marital status, or financial hardship.