

MONTGOMERY AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: EARLY INTERVENTION

ADOPTED: November 15, 2011

REVISED:

<p>1. Purpose Title 22 Sec. 14.104, 14.151, 14.154, 14.155 11 P.S. Sec. 875-301 et seq 20 U.S.C. Sec. 1414 34 CFR Sec. 300.1</p> <p>2. Definitions Title 22 Sec. 11.15, 14.101 11 P.S. Sec. 875-103 Pol. 201</p> <p>Title 22 Sec. 14.101, 14.102 20 U.S.C. Sec. 1401 34 CFR Sec. 300.8</p>	<p style="text-align: center;">PLEASE USE THIS POLICY ONLY IF THE DISTRICT IS THE MAWA HOLDER FOR EARLY INTERVENTION SERVICES</p> <p style="text-align: center;">113.5. EARLY INTERVENTION</p> <p>The district, in accordance with its mutually agreed-upon written arrangement (MAWA) with the Pennsylvania Department of Education, shall offer each eligible young child early intervention services that appropriately meet the child’s needs for educational, instructional, transitional and related services, including services to enable the family to enhance the young child’s development. An eligible young child who requires early intervention shall receive programs and services according to an individualized education program (IEP). The IEP shall provide early intervention services which allow an eligible young child to participate in appropriate activities to the maximum extent appropriate with nondisabled peers.</p> <p>Age of beginners - the age set by a Board of School Directors, pursuant to state regulation, for admission into first grade.</p> <p>Child with a disability - a child found to have one or more disabilities as defined by law, or a child who is less than the age of beginners and at least three (3) years of age who experiences developmental delays as defined by Pennsylvania law or regulation, who, by reason of these disabilities or developmental delay requires special education and related services.</p>
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<p>Title 22 Sec. 14.101, 14.102 11 P.S. Sec. 875-103 20 U.S.C. Sec. 1401</p>	<p>Eligible young child - a child, within the jurisdiction of the school district's MAWA, who is younger than the age of beginners for the district of residence and at least three (3) years of age; and who is identified as a child with a disability.</p>
<p>Title 22 Sec. 14.154, 14.155 20 U.S.C. Sec. 1414 34 CFR Sec. 300.320- 300.324</p>	<p>Individualized Education Program (IEP) - the written plan for the provision of free and appropriate early intervention services to an eligible young child that is developed, reviewed, implemented and revised in accordance with federal and state law and regulations. With written parental consent, the IEP shall include family services to provide assistance to the family in supporting the eligible young child's development. An individualized family service plan (IFSP) may serve as the IEP if it is consistent with policy and agreed to by the district and the child's parents/guardians.</p>
<p>Title 22 Sec. 14.102, 14.155 34 CFR Sec. 300.114- 300.117</p>	<p>Least restrictive environment (LRE) - to the maximum extent appropriate, eligible young children being served in a nonhome-based setting shall receive early intervention services in a setting with nondisabled children. A range of service options must be considered as provided by law and regulation. Each eligible young child's IEP must contain the recommended service option placement and the rationale for why it represents the least restrictive environment.</p>
<p>Title 22 Sec. 14.151 11 P.S. Sec. 875-103</p>	<p>Mutually agreed-upon written arrangement (MAWA) - an agreement between the district and the Pennsylvania Department of Education, that complies with applicable law and regulations, for the delivery of early intervention services to eligible young children.</p>
<p>20 U.S.C. Sec. 1401 34 CFR Sec. 300.30</p>	<p>Parent/Guardian - for purposes of this policy, parent/guardian shall have the definition of parent in IDEA statute and regulations, which includes a biological or adoptive parent of a child; a foster parent, unless prohibited by state law or regulations; a guardian authorized to act as the child's parent, in accordance with law or regulations; an individual acting in the place of a parent, including a grandparent or other relative, with whom the child lives or an individual legally responsible for the child's welfare; or an appointed surrogate parent, in accordance with law and regulations.</p>

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<p>3. Authority Title 22 Sec. 14.102, 14.104, 14.151- 14.158 11 P.S. Sec. 875-301 et seq 20 U.S.C. Sec. 1400 et seq 29 U.S.C. Sec. 794 42 U.S.C. Sec. 12101 et seq 34 CFR Part 300</p>	<p>The Board directs that all eligible young children shall be identified, evaluated, and provided with appropriate educational programs and services, in accordance with federal and state law and regulations and the district’s MAWA, and that the district comply with all procedural safeguards and parental notification requirements. The district shall ensure timely and proper development and submission of its annual Early Intervention Special Education Plan.</p>
<p>4. Delegation of Responsibility</p>	<p>The Superintendent or designee is directed to annually recommend to the Board the employment and retention of necessary, qualified staff and provision of required facilities, programs and services to provide for the needs of eligible young children.</p> <p>The Director of Special Education shall develop procedures for evaluating the effectiveness of the district's Early Intervention Special Education Plan and shall periodically report to the Board the criteria and results of such evaluation.</p>
<p>5. Guidelines Title 22 Sec. 14.154, 14.155 11 P.S. Sec. 875-301 20 U.S.C. Sec. 1414 34 CFR Sec. 300.320- 300.327</p>	<p>Each eligible young child shall be offered services pursuant to an IEP, which shall provide appropriate early intervention services in the least restrictive environment, in accordance with federal and state law and regulations. The IEP team for each eligible young child shall consider whether services should be provided during break periods to maintain skills.</p>
<p>Pol. 103, 103.1</p>	<p>The district prohibits discrimination based on disability. Eligible young children are entitled to receive services and accommodations that will permit them to participate in appropriate activities as required by law.</p>

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<p>Title 22 Sec. 14.104</p>	<p>The district’s Early Intervention Special Education Plan shall comply with the requirements of state and federal law and regulations and the district’s MAWA. The district shall establish procedures to ensure the plan is updated and implemented as required. The Early Intervention Special Education Plan shall meet the format, content and time for submission of the agency plans prescribed by the Secretary of the Department of Education.</p>
<p>Title 22 Sec. 14.121, 14.152 11 P.S. Sec. 875-305</p>	<p><u>Child Find/Outreach</u></p> <p>The Director of Special Education shall ensure that the district annually conducts awareness and outreach programs and activities designed to reach residents within the boundaries served by the district in accordance with the MAWA, including preschool-aged children, students who attend private schools, homeless children and children who are wards of the state.</p> <p>The district’s public awareness activities shall include annual publication of a written notice in newspapers and other media notifying residents about child identification activities; available early intervention and special education services and programs and how to request them; and procedures used to ensure confidentiality of student information. Written information shall be published in district handbooks and on the district website. Public awareness activities must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.</p>
<p>Title 22 Sec. 14.102, 14.123, 14.153 11 P.S. Sec. 875-301 20 U.S.C. Sec. 1414 34 CFR Sec. 300.300- 300.311, 300.502</p>	<p><u>Evaluations And Re-Evaluations</u></p> <p><i>Appropriate Evaluations And Purpose Of Evaluations –</i></p> <p>An appropriate evaluation shall be conducted for any child referred for evaluation because s/he is thought to be an eligible young child. Re-evaluations of eligible young children shall be conducted at least every two (2) years unless the parents/guardians and district agree that a re-evaluation is not necessary. Re-evaluations may be conducted at any time by mutual agreement of the district and parents/guardians or up to once a year upon parental request or due to the child’s needs. The district shall comply with requirements of state and federal law and regulations when conducting evaluations and re-evaluations, conducting a review of existing data, preparing evaluation or re-evaluation reports and providing required information to parents/guardians. An initial evaluation must include information to assist the group of qualified professionals and parents/guardians to determine whether the child has a disability and needs special education and related services. A re-evaluation must include information to assist the group of qualified professionals and parents/guardians to determine whether the child continues to have a disability and needs special education and related services.</p>

Informed Consent –

Informed parental consent must be obtained before conducting an initial evaluation or for additional evaluations not referenced in the original consent, including a re-evaluation that involves additional assessments. Review of existing data or screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation requiring parental consent. Parental consent to an evaluation is not consent to services which may be recommended as the result of an evaluation or re-evaluation.

Review Of Existing Data And Requirements For Evaluations –

Initial evaluations, if appropriate, and re-evaluations require a review of existing data or information, including that provided by parents/guardians, and classroom observations in order to identify any additional assessments required to address known or suspected disabilities or needs. An appropriate evaluation shall assist in determining the content of the IEP to enable an eligible young child to participate in appropriate activities.

An appropriate evaluation of a child shall include administration of a variety of testing and assessment procedures necessary to determine the existence of suspected disabilities as defined by state and federal law. No single assessment may be used as the sole criterion to determine whether a child is an eligible young child or to determine appropriate programming. A child shall be assessed in all areas related to the suspected disability including physical development, cognitive and sensory development, learning problems, learning strengths and educational need, communication development, social and emotional development, self-help skills, and an assessment of the family's perceived strengths and needs which will enhance the child's development.

Where feasible, assessments and evaluations shall be administered in a language and form most likely to provide accurate information about what the child knows and can do academically, developmentally, and functionally.

Qualification Of Evaluators –

Each evaluator must be qualified to carry out the evaluation, must select and properly administer testing and assessment procedures and must report any factor that might affect the validity of results obtained. The evaluator shall hold an active certification that qualifies the evaluator to conduct that type of evaluation. If certification is not issued for the particular area of professional practice in which the evaluator is lawfully engaged, the evaluator shall hold such license or other credentials as required for the area of professional practice under state law.

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<p>Pol. 103, 103.1</p> <p>34 CFR Sec. 300.502 Pol. 113.3</p> <p>11 P.S. Sec. 875-305 34 CFR Sec. 300.611- 300.625</p> <p>11 P.S. Sec. 875-301 Pol. 216</p> <p>34 CFR Sec. 300.611- 300.625</p>	<p><i>Nondiscrimination –</i></p> <p>All assessments and evaluation materials shall be selected and administered so as not to be discriminatory on a racial or cultural basis.</p> <p><i>Independent Educational Evaluations –</i></p> <p>A parent/guardian who disagrees with the results or content of an evaluation performed or obtained by the district may request an independent educational evaluation at public expense. Independent educational evaluations shall be conducted in accordance with applicable law and regulations and district policy.</p> <p><u>Records And Confidentiality</u></p> <p>The district shall maintain a system of safeguards to protect the confidentiality of eligible young children’s educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.</p> <p>District staff shall maintain the confidentiality of records and personally identifiable information, as required by law and regulations.</p> <p>The district shall obtain written parental consent prior to releasing a child’s record when prior consent is required by law, regulations or Board policy.</p> <p>The district, upon request of the parents/guardians, shall permit the parents/guardians of an eligible young child to inspect, review or copy educational records, and shall respond to parental requests for amendment of records, in accordance with applicable law and regulations.</p> <p>The district shall notify parents/guardians prior to destroying personally identifiable information in a child’s record that is no longer relevant or necessary for providing services to the child.</p>
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<p>11 P.S. Sec. 875-301 20 U.S.C. Sec. 1414 34 CFR Sec. 300.124 PDE Announcement: EI-09 #3</p> <p>Title 22 Sec. 14.154, 14.157 11 P.S. Sec. 875-301 PDE Announcement: EI-09 #19 PDE Part B Policies and Procedures 34 CFR Sec. 300.124</p> <p>Title 22 Sec. 14.154</p> <p>11 P.S. Sec. 875-301</p>	<p><u>Transition From Infant/Toddler Programs</u></p> <p>Infant/Toddler early intervention programs shall contact the district’s early intervention program prior to the third birthday of an eligible young child. A transition meeting that includes, at a minimum, the parent/guardian, a representative of the infant/toddler program, and a representative of the district’s program shall be conducted in accordance with applicable federal and state law and regulations. All aspects of the child’s current early intervention services shall be reviewed at the transition meeting and included in the individualized family service plan (IFSP) in preparation for the child’s transition. The IFSP shall be converted to the IEP when an eligible young child turns three (3) years of age, if necessary to allow for uninterrupted services throughout the transition year, and as agreed to by the district and the child’s parent/guardian.</p> <p><u>Transition To School-Aged Programs</u></p> <p>The district shall annually, prior to February 1, identify all eligible young children who are approaching the age for kindergarten or the age of beginners in their school district of residence. The district shall notify parents/guardians about the transition process and inform parents/guardians of children eligible for kindergarten that their children may remain in the early intervention program for another year; however, that the IEP team should fully inform parents/guardians of the advantages of transitioning to school-age programming with same-age peers.</p> <p>The district shall convene transition meetings for eligible young children reaching the age of beginners that include the child’s parents/guardians and a representative of the district of residence, and shall ascertain whether the parents/guardians intend to register the child with their district of residence or another educational program for the following school year.</p> <p>The IEP for eligible young children within one (1) year of transition to school-age programs shall include goals and objectives that address the transition process.</p> <p>The district shall notify parents/guardians of eligible young children that their child shall no longer be eligible for early intervention services once they reach the age of beginners for their district of residence, regardless of whether the parents/guardians enroll their children in the district of residence.</p> <p>Records of eligible young children receiving early intervention services shall not be shared with the district of residence or another educational program without parental consent.</p>
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<p>Title 22 Sec. 14.157 11 P.S. Sec. 875-301</p>	<p><u>Exit Criteria</u></p> <p>The district shall develop procedures, subject to procedural safeguards, to provide for the exit of eligible young children from early intervention programs and services based on one or more of the following criteria:</p> <ol style="list-style-type: none">1. The child has reached the age of beginners for his/her district of residence and is no longer eligible for early intervention services.2. The child has functioned within the range of normal development for four (4) months under his/her IEP, as verified by the IEP team.3. The parent/guardian has withdrawn the child from early intervention services. <p>The district shall provide appropriate transition services that address the needs of the eligible young child and parents/guardians.</p>
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References:

School Code – 24 P.S. Sec. 2509.11

State Board of Education Regulations – 22 PA Code Sec. 11.15, 14.101, 14.102, 14.104, 14.121, 14.151-14.158

Early Intervention Services – 11 P.S. Sec. 875-103, 875-301 et seq.

Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Family Educational Rights and Privacy, Title 34, Code of Federal Regulations – 34 CFR Part 99

Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300

Announcement: EI-09 #03, Pennsylvania Department of Education, Office of Child Development and Early Learning, Bureau of Early Intervention Services, *Transition of Toddlers to Preschool or Other Community Services*

Announcement: EI-09 #19, Pennsylvania Department of Education, Office of Child Development and Early Learning, Bureau of Early Intervention Services, *Transition of Preschool Children to School Age Programs*

Pennsylvania Department of Education Individuals with Disabilities Education Act Part B LEA Policies and Procedures under 34 C.F.R. §§300.101 - 300.126 (2009) – §300.124 – *Transition of Children from the Part C Program to Preschool Programs*

Pennsylvania Training and Technical Assistance Network – www.pattan.net

Board Policy – 103, 103.1, 113.2, 113.3, 201, 216

PSBA New 7/11