

WRITTEN PROCEDURES FOR SPECIAL EDUCATION PROGRAM REVIEWED ON 4.11.23

I. OVERVIEW

The following procedures are a general guide for District staff, students, and parents. Nothing in these procedures are binding on the District or create any contract or property right. These procedures do not override Board Policy. To the extent that anything in these procedures is contrary to state or federal law, such procedures shall be disregarded. In addition, the District will typically incorporate other practices and procedures (that may or may not be in writing elsewhere) to supplement, modify, or preempt the procedures listed in this document. Any person who has a question about the District's special education procedures or practices should contact a District administrator with their specific question(s). Finally, the District's administrative team may supplement, revise, remove, or rewrite any or all of these procedures at any time, so any person wishing to review the applicable procedures should check with the Director of Special Education to obtain an updated copy.

II. CHILD FIND

The District will develop procedures to ensure all children within the district have access to the child find process. The district will provide multiple methods to provide parents, guardians, and community members with information regarding how to refer a child for an evaluation and the identification process. Each school building will have a designated contact person who is knowledgeable about the district procedures, and the district will designate a contact person to oversee the child find process. The child find process will be consistent with Federal and state regulations (i.e., 34 CFR § 300.111 and 300.131; 92 NAC 51-006 and 92 NAC 51-015.03)

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Annual dissemination of Child Find activities	Special Education Director and Early Intervention Team	Annually	Student Handbook
Steps of referral process	Special Education Director	Reviewed on an ongoing basis	Forms developed and implemented, consistent with Rule 51

Staff training on Child Find and related issues	Special Education Director	Reviewed on an ongoing basis	Online and/or in-person trainings
Storing records regarding the District's Child Find obligations	Secretarial staff, Early Intervention Team and MTSS Staff	Saving on an ongoing basis	None
Informing parents of the SAT (MTSS) or problem-solving process	Building-level staff	Informing parents on an ongoing, as-needed basis	Child Find forms to identified parents

ADDITIONAL DISTRICT PROCEDURES FOR CHILD FIND:

III. TRANSITION FROM PART C TO PART B

The District will create procedures to ensure staff participate in transition planning with early intervention programs to ensure participating children are appropriately evaluated, identified, and have services in place by age 3 consistent with Federal regulations (34 CFR § 1 24, 34 CFR § 300 323) and state law (92 NAC 51-005 03).

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Who will be responsible for coordinating and communicating with early intervention programs associated with Part C to build district-level procedures?	Building-level staff	Annually	N/A
Who is the Part C contact? Where will the contact information be kept?	Special Education Director	N/A	Student Handbook and/or School Website

Which staff are assigned on the school level to attend meetings and facilitate discussions?	Those staff members identified by the Special Education Director	On an as-needed basis	N/A
What professional development is needed for those school-level staff (onboarding and refreshers)?	To be determined by the Special Education Director	On an ongoing basis	Online and/or in-person trainings
What parent information needs to be developed?	To be determined by the Special Education Director	On an ongoing basis	Letters, posters, and other documents developed and implemented by the District
How frequently will procedures be reviewed to identify problem areas and any needed revisions, updates, or areas of training?	To be determined by the Special Education Director	At least annually	N/A

ADDITIONAL DISTRICT PROCEDURES FOR TRANSITION FROM PART C TO PART B:

IV. EVALUATION

When a child is suspected of having a disability, the District will complete a comprehensive initial evaluation within 45 school days or 60 calendar days (whichever comes first) from the date of parental consent to determine eligibility for special education services. All evaluations (both initial evaluations and reevaluations) will be completed by multidisciplinary qualified professionals and will follow Federal and state regulations. The documented results of the evaluation will be provided to parents and included in student files. The district will purchase a variety of assessment instruments to

ensure district teams have access to appropriate measures to complete evaluations
 The district will follow publisher guidelines for assessments (professional qualifications, use of materials, interpretations) and will not use outdated or culturally inappropriate tools
 The district will identify procedures to audit a sampling of evaluations to ensure regulations are followed All evaluation components will be at district expense.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Referral team members	To be assigned by (District Staff) the Special Education Director	On an as needed basis	N/A
When a request for an evaluation or reevaluation is received, how long does the district have to respond to the request?	Special Education Director	On an as needed basis	Evaluation or reevaluation request forms
Definition of "must make reasonable efforts to obtain from parent informed consent"	Special Education Director	Reviewed on an ongoing basis	N/A
Who is responsible for sending the parental notice?	Building-level staff	On an ongoing basis	Parental notice forms
What are the steps needed in gaining consent for evaluation?	District Staff	On an ongoing basis	Evaluation consent forms

Selection of assessment instruments	District Staff	On an as needed basis	Forms and documents relating to the assessment instrument options
English Learner (EL) considerations in assessment planning and instrument selection	District Staff	On an ongoing basis	N/A
Transfer students	District Staff	On an ongoing basis or 60 calendar days from receiving SPED indication from previous state/school	N/A

ADDITIONAL DISTRICT PROCEDURES FOR EVALUATION:

V. SPECIFIC LEARNING DISABILITIES

The District will collect students' reading, math, and writing performance data throughout the school year. School teams will make data-based decisions to determine who is in need of general education interventions. Interventions will include evidenced-based practices. The students' progress will be monitored in the area of the deficit at least twice a month. School teams will review all collected data, and if it is suspected that a student has a specific learning disability, the student will be referred for an evaluation. The parent has a right to request an evaluation at any time. The district will develop procedures to ensure compliance with all Federal and state regulations concerning evaluations. District education and assessment staff receive ongoing training on such procedures and district-level policies.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
General intervention decision-making process and team members	District Staff	On an as-needed basis	N/A

Parent request for evaluations	District Administration and Special Education Director	On an as-needed basis	Request for Evaluation forms
Written evaluation results and signatures	District Staff and Special Education Director	On an as-needed basis	Written forms and signature pages
Meeting planning (notice, facilitation, etc)	Building-level staff	On an as-needed basis	Meeting notices, minutes, and other similar forms

ADDITIONAL DISTRICT PROCEDURES FOR SPECIFIC LEARNING DISABILITIES:

VI. REEVALUATION

All evaluations (initial evaluations and reevaluations) will be completed by multidisciplinary qualified professionals and will follow federal and state regulations. The documented results of the evaluation will be provided to parents and included in student files. The district will purchase a variety of assessment instruments to ensure district teams have access to appropriate measures to complete evaluations. The district will follow publisher guidelines for assessments (professional qualifications, use of materials, interpretations) and will not use outdated tools. All past evaluations will be reviewed before making decisions regarding current evaluation or reevaluation needs.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Coordinating reevaluations	District Special Education Staff	On an ongoing basis	Reevaluation notices and consent forms

Coordinating reevaluations for students who transfer into a school from within district, state, or out of state	District Staff	On an as-needed basis	Reevaluation notices and consent forms
Communicating reevaluation needs to parents	District Special Education Staff	On an as-needed basis	Reevaluation notices and consent forms
Interpreting test results	District Staff	Within a reasonable time after receiving test results	Test results
Notices and meeting documents	Building-level SPED staff	On an ongoing basis	Meeting notices, minutes, and other related forms

ADDITIONAL DISTRICT PROCEDURES FOR REEVALUATION:

VII. INDEPENDENT EDUCATION EVALUATIONS

The parent, guardian, or appointed surrogate will be notified of procedural safeguards consistent with federal and state regulations (34 CFR § 300.502 and 92 NAC 51-006.07) associated with Individual Education Evaluations (IEEs) at the time of evaluation. When a parent, guardian, or appointed surrogate disagrees with the outcomes of an evaluation and requests an IEE, the District will respond to the request within a reasonable number of days with a decision to move forward with the IEE or initiate a hearing to determine the appropriateness of the evaluation (consistent with 92 NAC 51-006.07D). The parent, guardian, or appointed surrogate will be given written notice of the decision. The district will maintain procedures outlining criteria associated with the evaluation and provide information to the parent upon request. The school team will consider independent evaluations (whether provided at parent or public expense) when making decisions.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Handling requests for IEE	Special Education Director	On an as-needed basis	N/A
Communicating options to parents regarding an IEE and IEE results	Special Education Director	On an as-needed basis	N/A
Coordinating and arranging for an IEE	Special Education Director	On an as-needed basis	N/A

ADDITIONAL DISTRICT PROCEDURES FOR INDEPENDENT EDUCATION EVALUATIONS:

VIII. DISABILITY VERIFICATION

A multidisciplinary team will identify whether a child is eligible for special education services after the completion of a comprehensive evaluation based on disability categories identified by state and federal regulations (34 CFR §300.8; 92 NAC 51-006.04).

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
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Professional development for staff on disability verification and related issues	Special Education Director or designee	On an ongoing basis	Online and/or in-person trainings
Ensuring all areas of a disability are included in evaluations before eligibility decisions are made	District Special Education Staff, Special Education Director or designee	On an ongoing basis	N/A
Facilitating disagreement when not all members of the team agree with a decision	District level administration or Special Education Director	Within a reasonable timeframe after the team makes its decision	N/A

ADDITIONAL DISTRICT PROCEDURES FOR DISABILITY VERIFICATION:

IX. ELIGIBILITY

Eligibility for services will be determined by a multidisciplinary team based on the results of a comprehensive evaluation. The team is responsible for ruling out the determinant factor is due to a lack of appropriate instruction in reading or math or due to lack of English proficiency. The team will prepare a written report documenting all evaluation findings in accordance with state and Federal requirements. The district will develop procedures determining who is responsible for providing the parent with a written report and the documentation of such actions. When a student is not eligible for services, the school multidisciplinary team will determine if general education interventions or strategies are needed.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
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Reviewing, analyzing and communicating the results of the evaluation to the team, including the parent, guardian, or appointed surrogate	Special Education Director or designee or District IEP Team	On an ongoing basis	N/A
Ensure that evaluations draw upon a variety of sources as outlined in federal and state regulations before decisions are made	Special Education Director or designee or District Team	On an ongoing basis	N/A
Ensure there is no disproportionality due to inappropriate identification	Special Education Director or designee	On an ongoing basis	Review of data and comparators

ADDITIONAL DISTRICT PROCEDURES FOR ELIGIBILITY:

X. CONSENT (EVALUATION AND PLACEMENT)

District staff will provide the parent, guardian, or appointed surrogate (when applicable) with information regarding decisions to evaluate (what they are proposing or rejecting, reasons for decisions, all options considered, why other options were rejected, what information was used to make decisions, and any other relevant information). Staff will review evaluation assessment plans with parents and will seek written permission for evaluation on the district consent form which will provide state and federal requirements. Informed consent for special education placement will be obtained on the IEP form before services are initiated.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Explaining and providing the parent, guardian, or appointed surrogate with a copy of their	District Special Education Staff or Special Education Director or designee	On an as-needed basis	Consent forms

procedural safeguards at the time of consent?			
Ensuring the information is accessible to a parent, guardian, or appointed surrogate who is not a native English speaker	Special Education Director or District SPED Staff	On an as-needed basis	Consent forms
Coordinating consent issues for students who are in private school or home school	Special Education Director or District Staff	On an as-needed basis	Consent forms

ADDITIONAL DISTRICT PROCEDURES FOR CONSENT:

XI. FREE AND APPROPRIATE PUBLIC EDUCATION

The District will provide a free appropriate public education to children with disabilities eligible for special education services in accordance with state and federal regulations. An IEP outlines each student's individual education plan and will be reasonably designed to meet the unique educational needs of the student.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Ensure accommodation/modifications and assistive technology needs are considered by the team and are tailored to appropriately meet the student's needs	Special Education Director	On an ongoing basis	N/A
Ensure FAPE for transfer students and students attending nonpublic schools	Special Education Director	On an ongoing basis	N/A

Ensure access to nonacademic and extracurricular services with the appropriate accommodations/modifications	Special Education Director and Activities Director Building Level Administration	On an ongoing basis	N/A
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ADDITIONAL DISTRICT PROCEDURES FOR FREE AND APPROPRIATE PUBLIC EDUCATION:

XII. PLACEMENT AND LRE

Individual Education Plans (IEPs) will be developed by teams, which will include all roles identified with Federal and state rules, within 30 calendar days from the initial eligibility decision and at least annually, consistent with state and federal rules and regulations. The District will use the state-provided model forms to make sure all required components are considered and included. While a draft may be developed before an IEP meeting, the draft will not be considered as the final version and shall be reviewed and revised based on the team, including the parent, input and consensus. If a parent requests an alternate means of attendance, the team will offer attendance via phone or virtual conferences. Procedures for such options will be developed to ensure confidentiality and to obtain proper signatures.

To the maximum extent appropriate, children with disabilities, including children in public or nonpublic schools and approved service agencies, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or the severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot adequately meet the student's needs be achieved satisfactorily.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Informing staff of the placement options within the continuum and the consideration process used to determine appropriate	Special Education Director or District Administration	On an as-needed basis	N/A

placement			
Consider and coordinate accommodations, modifications, assistive technology, and/or behavioral supports that have been implemented prior to moving a student to a more restrictive setting	Special Education Director or District Administration	On an as-needed basis	N/A

ADDITIONAL DISTRICT PROCEDURES FOR PLACEMENT AND LRE:

XIII. PROCEDURAL SAFEGUARDS

The District will implement procedural safeguards outlined in federal and state regulations (34 CFR § 300 500, 92 NAC 51-009 01). Parents will be given a copy of their procedural safeguards annually or upon initial referral or parental request for evaluation; upon request by a parent; upon receipt by the school district or approved cooperative of the first occurrence of the filing of a complaint under 92 NAC 51-009 11 and the first occurrence of filing a special education due process case under 92 NAC 55; and in accordance with the discipline procedures in 92 NAC 51-016.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
implement procedural safeguards for each of the following: - Parent participation in decisionmaking - Parent examination of records - Record access - Release of records - Record	Special Education Director and Superintendent	Destruction of records with notice 5 years after graduation, dismissal from services or exit from school district Names of staff with access to cumulative files updated annually	Board Policies, Student Handbook, and Related Release/Consent/Hearing Forms Record Access logs on cumulative files List of staff with access to the cumulative files

amendments Confidentiality safeguards Records regarding migratory children with disabilities Retention and destruction of records Prior written notice Dispute resolution processes (to include mediation and due process)			
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ADDITIONAL DISTRICT PROCEDURES FOR PROCEDURAL SAFEGUARDS:

XIV. SURROGATE PARENTS

Properly appointed surrogate parents will be treated as parents and guardians, in accordance with state and federal law.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Overseeing the process for identifying and coordinating the appointment of a surrogate	Special Education Director or District Administration	On an ongoing basis	N/A

ADDITIONAL DISTRICT PROCEDURES FOR SURROGATE PARENTS:

XV. DISCIPLINARY ACTIONS AND REMOVALS

The District will implement positive behavior intervention strategies to promote appropriate behaviors and improve school climate. Change of placement decisions related to disciplinary removals will be consistent with federal and state regulations

(Section 300 530, 92 NAC 51-009 016).

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Notify special education teachers of disciplinary removals	Building principal	Within a reasonable timeframe after the student is removed	Email message
Initiate manifestation determination review (MDR) processes	Special Education Director and District Administration	Within a reasonable timeframe after the student is removed	Meeting notice and student handbook
Send notices of the MDR meeting to parent	Special Education Director or District Staff	Within a reasonable timeframe after the student is removed	Meeting notice
Facilitate the MDR meeting and determine who needs to be included	Special Education Director or School Psychologist	N/A	MDR
Completing a prior written notice	Special Education Director or School Psychologist	Within a reasonable timeframe after the student is removed	PWN
Professional development on the MDR process	Special Education Director	On an ongoing basis	Online and/or in-person training

ADDITIONAL DISTRICT PROCEDURES FOR DISCIPLINARY ACTIONS AND REMOVALS:

XVI. COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT

The District will implement a comprehensive system of personnel development to include staff training and updates on areas of special education and best practices, annually.

ADDITIONAL DISTRICT PROCEDURES FOR COMPREHENSIVE SYSTEM FOR PERSONNEL DEVELOPMENT:

XVII. TRANSPORTATION

The District will coordinate and supply transportation needs of children with disabilities within the school district consistent with state and federal regulations (34 CFR § 300.34, 34 CFR § 300.107, and 34 CFR § 300.179; 92 NAC 51-009.07.07C4a, 92 NAC 51-009.003.49, 92 NAC 51-009.014) to include transportation services needed for children (including birth to 5-year-olds who are wards of the state, parentally placed nonpublic students who require services) to access academic, related services, and nonacademic services and activities as determined by the child's IEP team. Except when a parent is transporting only his or her child, the board of education shall require that the driver and vehicle meet the standards required by 92 NAC 91 and 92.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Ensure transportation needs are implemented in a timely manner	District Administration or Director of Transportation	On an ongoing basis	N/A
Coordinating reimbursement for eligible parents who transport their student	District Administration or Director of Transportation	On an as-needed basis	Mileage reimbursement form
Coordinating transportation needs of birth to 21-year-olds	District Administration or Director of Transportation	On an as-needed basis	N/A

ADDITIONAL DISTRICT PROCEDURES FOR TRANSPORTATION:

XVIII. ASSESSMENT PARTICIPATION AND REPORTING

For students with disabilities participating in the regular education assessment, the District will develop guidelines for the provision of appropriate accommodations on assessments. Students will only be eligible for participation in the alternate assessment if they meet state and federal regulations. The District will develop guidelines for the participation and accommodations of children with disabilities in alternate assessments.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
Review district guidelines for the provision of appropriate accommodations on regular state and benchmark assessments	District Staff and Special Education Director	Annually	N/A
Submit any reports to meet the reporting requirements	District Administration	Annually	N/A

ADDITIONAL DISTRICT PROCEDURES FOR ASSESSMENT PARTICIPATION AND REPORTING:

XIX. CONFIDENTIALITY

The District will protect the confidentiality of personally identifiable information in the education records of students with disabilities. The District shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, retaining, disclosing, and destroying student special education records, in accordance with Board policy, state requirements, and federal and state law and regulations.

Task	Person Ordinarily Responsible	Typical Timeframe	Applicable Forms (if any)
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Maintain records of parties who obtain access to education records collected, maintained, or used under Part B of the IDEA	Building-level secretarial staff	On an ongoing basis	Educational records/access forms
Securing parental consent for release of records, when needed	Building-level secretarial staff	On an ongoing basis	Parental consent/release forms
Destruction of records	Building-level secretarial staff	Annually	N/A

ADDITIONAL DISTRICT PROCEDURES FOR CONFIDENTIALITY:

XX. MISCELLANEOUS

DATES REVIEWED:

April 11, 2023