

Annual Public Notice of Special Education Services

All public schools in the Riverview Intermediate Unit 06 provide special education and related service to children with disabilities who are ages three through twenty-one. The purpose of this notice is to describe (1) the types of disabilities that might qualify the child for such programs and services, (2) the special education programs and related services that are available, (3) the process by which the public schools screen and evaluate such students to determine eligibility, and (4) the special rights that pertain to such children and their parents or legal guardians.

What types of disability might qualify a child for special education and related services?

Under the federal Individuals with Disabilities Education Act, or “IDEA,” children qualify for special education and related services if they have one or more of the following disabilities and, as a result, need such services: (1) **mental retardation**; (2) **deaf/hearing impairments**, including deafness; (3) **speech or language impairments**; (4) **blind/visual impairments**, including blindness; (5) **emotional disturbance**; (6) **orthopedic impairments**, or physical disabilities; (7) **autism**, including pervasive developmental disorders; (8) **traumatic brain injury**, or neurological impairment; (9) **other health impairment**; and (10) **specific learning disabilities**. Children age three through the age of admission to first grade are also eligible if they have **developmental delays** and, as a result, need special education and related services. Children with more than one of the foregoing disabilities could qualify for special education and related services as having **multiple disabilities**.

The legal definitions of these disabilities, which the public schools are required to apply under the IDEA, may differ from those used in medical or clinical practice. The legal definitions, moreover, could apply to children with disabilities that have very different medical or clinical disorders. A child with attention deficit hyperactivity disorder, for example, could qualify for special education and related services as a child with “other health impairments,” “emotional disturbance,” or “specific learning disabilities” if the child meets the eligibility criteria under one or more of these disability categories and if the child needs special education and related services as a result.

Under Section 504 of the federal Rehabilitation Act of 1973, and under the federal Americans with Disabilities Act, some school age children with disabilities who do not meet the eligibility criteria outlined above might nevertheless be eligible for special protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a **mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program**.

What programs and services are available for children with disabilities?

Public schools must ensure that children with disabilities are educated to the maximum extent possible in the least restrictive environment, and that the instruction they receive conforms as much as possible to the instruction that non-disabled students receive. Programs and services available to students with disabilities, in descending order of preference, are (1) regular class placement with supplementary aides and services provided as needed in that environment; (2) regular class placement for most of the school day with itinerant service by a special education teacher either in or out of the regular classroom; (3) regular class placement for most of the school day with instruction provided by special education teacher in a resource classroom; (4) part time special education class placement in a regular public school or alternative setting; and (5) special education class placement or special education services provided outside the regular class for most or all of the school day, either in a regular public school or alternative setting.

Depending on the nature and severity of the disability, the public school can provide special education programs and services in (1) the public school the child would attend if not disabled, (2) an alternative regular public school either in or outside the school district of residence, (3) a special education center operated by a public school entity, (4) an approved private school or other private facility licensed to serve children with disabilities, (5) a residential school, (6) approved out-of-state program, or (7) the home.

Special education services are provided according to the primary educational needs of the child, not the category of disability. The types of service available are (1) learning support, for students who primarily need assistance with the acquisition of academic skills; (2) life skills support, for students who primarily need assistance with development of skills for independent living; (3) emotional support, for students who primarily need assistance with social or emotional development; (4) deaf or hearing impaired support, for students who primarily need assistance with deafness; (5) blind or visually impaired support, for students who primarily need assistance with blindness; (6) physical support, for students who primarily require physical assistance in the learning environment; (7) autistic support, for students who primarily need assistance in the areas affected by autism spectrum disorders; and (8) multiple disabilities support, for students who primarily need assistance in multiple areas affected by their disabilities.

Related services are designed to enable the child to participate in his or her program of special education. Examples of related services include, but are not limited to, speech and language therapy, occupational therapy, physical therapy, nursing services, audiologist services, counseling, and family training.

Children of preschool age are served by the Riverview Intermediate Unit in a variety of home and school-based settings that take into account the chronological and developmental age and primary needs of the child. As with school age programs, preschool programs must ensure that to the maximum extent possible, children with disabilities are educated with non-disabled peers.

The public school, in conjunction with the parents, determines the type and intensity of special education and related services that a particular child needs based exclusively on the unique program of special education and related services that the school develops for that child. The child's program is described in writing in an individualized education program, or "IEP," which is developed by an IEP team consisting of educators, parents, and other persons with special expertise or familiarity with the child. The parents of the child have the right to be notified of and to participate in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant but reviewed at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational progress to the student at all times. IEPs contain, at a minimum, a statement of present levels of educational performance, an enumeration of the annual goals and short-term objectives or benchmarks established for the child (these may only be for student taking the alternative state assessment), and a statement of the special education and related services that the child needs to make meaningful educational progress. For children aged fourteen and older, the IEP must also include an appropriate transition plan to assist in the attainment of post-secondary objectives. The public school must invite the child to the IEP team meeting at which the transition plan is developed.

How do the public schools screen and evaluate children to determine eligibility for special education and related services?

Screening

Public schools undertake a pre-referral screening process before referring most children for a multidisciplinary team evaluation. When concerns raised either by school staff or parents warrant screening, the child is referred through a pre-referral screening process sometimes called an "instruction support team" ("IST"), or sometimes called the "child study team." The IST is responsible for assessing the currently achievement and performance of the child, for designing schoolbased interventions to address concerns raised, and for assessing the effectiveness of those schoolbased interventions. If the concern that resulted in the referral can be addressed without special education services, or is the result of the lack of English proficiency or appropriate instruction; the IST will recommend interventions other than multidisciplinary team evaluation. Parents nevertheless have the right to request a multidisciplinary team evaluation at any time, regardless of the outcome of the screening process.

For information about the dates of various screening activities in your local public school or to request screening activities for a particular child, contact the local public school directly. Telephone numbers and addresses for these schools can be found in the blue pages section of the telephone book under the heading "Schools." Parents of preschool age children, age three through five, may obtain information about screening activities, or may request a screening of their children, by calling or writing the Riverview Intermediate Unit, Early Intervention Services, 270 Mayfield Road, Clarion, PA 16214; phone number 814-226-7103 or 1-800-672-7123.

Parents of children enrolled in private schools may contact the school district where they reside regarding screening and evaluation.

Multidisciplinary team evaluation

The public schools must conduct a multidisciplinary team evaluation of every child who is thought to have a disability. The multidisciplinary team is a group of professionals who are trained in and experienced with the testing, assessment, and observation of children to determine whether they have disabilities and, if so, to identify their primary educational strengths and needs. Parents are members of the multidisciplinary team. Public schools must reevaluate school-age students receiving special education services every three years and children with mental retardation and pre-school-age students receiving special education services every two years.

Parents may request a multidisciplinary team evaluation of their children at any time. They must do so in writing. Every public school has a procedure in place by which parents can request an evaluation. For information about the procedures that apply in your public school, contact the public elementary, middle, or high school to which children in your area are assigned. (Telephone numbers and addresses for these schools can be found in the blue pages section of the telephone book under the heading "Schools.") Parents of preschool age children, age three through five, may request an evaluation in writing by addressing a letter as follows: Riverview Intermediate Unit, Early Intervention Services, 270 Mayfield Road, Clarion, PA 16214 phone number 814-226-7103. If the public school denies the parents' request for an evaluation, the parents have the right to challenge the denial through an impartial hearing or through voluntary alternative dispute resolution such as a prehearing conference or mediation.

Parents of children in private schools may request a multidisciplinary team evaluation of their children without enrolling in the public schools. If, after an evaluation, the multidisciplinary team determines that the child is eligible for special education and related services, the public school must offer the parents an IEP and a public school-sponsored placement. If parents wish to take advantage of such an offer, they might have to enroll or re-enroll their child in the public schools.

Before the public school can proceed with an evaluation, it must notify the parents in writing of the specific types of testing and assessment it proposes to conduct, of the date and time of the evaluation, and of the parents' rights. The evaluation cannot begin until the parent has signed the written notice indicating that he or she consents to the proposed testing and assessments and has returned the notice to the public school.

What special rights and protections do children with disabilities and their parents have?

Student Records

The public schools of Riverview Intermediate Unit maintain records concerning all children enrolled in public school, including students with disabilities. Records containing personally identifiable information about or related to children with disabilities could include, but are not limited to, cumulative grade reports, discipline records, enrollment and attendance records, health records, individualized education programs, notices of recommended assignment, notices of intent to evaluate and reevaluate, comprehensive evaluation reports, other evaluation reports by public school staff and by outside evaluators, work samples, test data, data entered into the PennData system, correspondence between school staff and home, instructional support team documents, referral data, memoranda, and other education-related documents. Records can be maintained on paper, on microfiche, on audio or videotape, and electronically. In the case of personally-identifiable information on paper or stored on magnetic or video tape, the term maintain shall mean kept in a secure file or desk drawer or in the continuous and secure control of a school official with a legitimate educational interest in the content thereof. In the case of personally-identifiable digital information that is electronically-stored, including electronic mail, the term shall mean kept in a secure database located on a server or servers, disk partition, or other electronic storage system specifically designated by the superintendent or his or her designee as a "student records maintenance site." Records can be located in the central administrative offices of the public school, the administrative offices of the Riverview Intermediate Unit, the school building or building at which the student attended or attends school, private schools and facilities at which the public school has placed the child for educational purposes, central storage facilities and electronic storage systems, and in the secure possession of teachers, building administrators, specialists, psychologists, counselors, and other school staff with a legitimate educational interest in the information contained therein. All records are confidential.

Records are maintained as long as they remain educationally relevant. Public schools are required by law, however, to maintain a written record of each child's name, address, telephone number, grades, attendance records, classes

attended, grade level completed, and year completed for at least 100 years beyond the date on which the child attains the age of twenty-four and to maintain health records for at least two years beyond the date on which the student ceases to be enrolled. The purposes of collecting and maintaining records are (1) to ensure that the child receives programs and services consistent with his or her IEP; (2) to monitor the ongoing effectiveness of programming for the child; (3) to document for the public school and the parents that the student is making meaningful progress; (4) to satisfy the requirements of state and federal agencies who have an interest in inspecting or reviewing documents concerning particular students or groups of students for purposes of compliance monitoring, complaint investigation, and fiscal and program audits; and (5) to inform future programming for and evaluations of the child.

When educational records, other than those which must be maintained, are no longer educationally relevant to the education of students and young children with disabilities, the public school must inform parents of children when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child and may destroy the records or, at the request of the parents, must destroy them. Public schools are not required to destroy records that are no longer educationally relevant unless the parents so request in writing.

Notification of Rights Under FERPA (Family Educational Rights and Privacy Act)

Access to Records

Upon submitting a request to do so in writing, parents have the right to access the educational records of their child within forty-five days or before any due process hearing, whichever is sooner. The public school will presume that the parent has authority to inspect and review records relating to his or her child unless the agency has been advised in writing that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

Access affords the parents to the following: (1) a response to reasonable requests for an explanation and interpretation of these records by public school personnel; (2) copies of the records if providing copies is the only means by which the parents can effectively exercise their right of inspection and review; and (3) inspection and review of the records by a representative of your choosing upon presentation to the records custodian of a written authorization from the parent. The public school can charge a fee not to exceed its actual costs for copying records so long as the fee does not effectively prevent the parents from exercising their right to inspect and review those records. The public school may not charge a fee to search for or retrieve student records.

After reviewing records, parents may ask the public school to change any information that they believe is inaccurate or misleading or violates the child's privacy rights. The school will make the requested changes or reject the request within forty-five days of the receipt of the request in writing. If the school rejects the request, the parent may request an informal hearing. The hearing can be held before any public school official who does not have a direct interest in its outcome. If the parents are dissatisfied with the outcome of the informal hearing, they may submit to the public school a statement outlining their disagreement with the record. The school thereafter must attach a copy of that statement to all copies of the record disclosed to third parties.

Parental Consent for Disclosure of Records

Parent consent is required in writing prior to the release of any personally identifiable information concerning a child with disabilities. Parent consent is not required, however, prior to the release of information (1) to a hearing officer in a special education due process hearing; (2) to public school staff and contractors with a legitimate educational interest in the information –

including teachers of the child, building administrators, guidance counselors to whom the child is assigned, members of instructional support and multidisciplinary teams in the course of screening and evaluation activities, public school administrators with responsibility for programs in which the student is enrolled or intends to be enrolled, program specialists and instructional aides working with the child, therapeutic staff working with the child, and substitutes for any of the foregoing persons, clerical staff of the agencies enumerated above who are responsible for the maintenance and security of education records and to attorneys, consultants, and school board members when school board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or legal dispute, any employee or contractor of the District of residence, the Riverview Intermediate Unit, the area vocational technical school, and any public or private school or facility that the district is using or is proposing to use to provide elementary or secondary education to the student in place of a public school, who is or will be responsible for

providing or supervising the provision of education, education-related services, or extra-curricular activities or experiences to or for the student, when—

- (1) particular information concerning that student is currently or potentially relevant to the provision of such education, education-related services, or extracurricular activities or experiences, or
- (2) when such information is necessary to protect the health, safety, or welfare of other students with whom the student might have contact;
- (3) to officials or staff of other schools and school systems at which the student is enrolled or intends to enroll;
- (4) to federal or state education officials and agencies and to the Comptroller of the United States;
- (5) to accrediting organizations to carry out their accrediting functions;
- (6) to comply with a lawful subpoena or judicial order;
- (7) in conjunction with a health or safety emergency to the extent necessary to protect the health and safety of the child or others; or
- (8) that the public schools have designated as “directory information.” Disclosure without consent of the parent is subject to certain conditions more fully described in the Family Educational Rights and Privacy Act, 20 U.S.C § 1332g, and its implementing regulation, 34 C.F.R. Part 99.

The public schools of Riverview Intermediate Unit have designated the following as “directory information”:

- (1) the name, address, and telephone number of the child;
- (2) the date and place of birth of the child;
- (3) participation in school clubs and extracurricular activities;
- (4) weight and height of members of athletic teams;
- (5) dates of attendance;
- (6) diplomas and awards received;
- (7) the most recent previous institution or school attended by the child; and
- (8) names of parents, siblings, and other family members.

The parent of an actively enrolled public school student may, within thirty days of the publication of this notice, request in writing that information here designated as directory not be disclosed without parental consent. If the public school does not receive such request within this time, it will assume that it may release such information without consent. Written notice must be received either at the local public school in which the child is enrolled or at the administrative offices of the public school at the appropriate address listed below.

This notice is only a summary of the special education services, evaluation and screening activities, and rights and protections pertaining to children with disabilities, children thought to be disabled, and their parents. For more information or to request evaluation or screening of a public or private school child contact, the public school nearest you. The number and addresses of all public schools in Riverview Intermediate Unit are located in the blue pages of the telephone book under the heading “Schools.” Information can also be obtained, and screenings and evaluations requested, by contacting the offices of special education or student services in each of the various school districts or, for preschool children, at Riverview Intermediate Unit. The addresses of these schools are as follows:

Allegheny-Clarion Valley School District
776 State Route 58, PO Box 100
Foxburg, PA 16036
724-659-5820

Keystone School District
451 Huston Ave.
Knox, PA 16232
814-797-5921

Brockway Area School District
40 North Street
Brockway, PA 15824
814-265-8411

North Clarion County District
10439 Rte. 36
Tionesta, PA 16353
814-744-8536

Brookville Area School District
104 Jenks Street; PO Box 479
Brookville, PA 15825
814-849-1100

Oil City Area School District
825 Grandview Road
Oil City, PA 16301
814-676-1867

Clarion Area School District
221 Liberty Street
Clarion, PA 16214
814-226-6110

Punxsutawney Area School District
475 Beyer Avenue
Punxsutawney, PA 15767
814-938-5151

Clarion County Career Center
447 Career Lane
Shippenville, PA 16254
814-226-4391

Clarion-Limestone Area District
4091 C-L School Road
Strattanville, PA 16258
814-764-5111

Cranberry Area School District
3 Education Drive
Seneca, PA 16346
814-676-5628

DuBois Area School District
500 Liberty Boulevard
DuBois, PA 15801
814-371-2700

Forest Area School District
22318 Route 62
Tionesta, PA 16353
814-755-4491

Franklin Area School District
702 Liberty Street
Franklin, PA 16323
814-432-8917

Jeff Tech
576 Vo-Tech Rd.
Reynoldsville, PA 15851
814-653-8265

Redbank Valley School District
920 Broad Street
New Bethlehem, PA 16242
814-275-2426

Titusville Area School District
221 N. Washington Street
Titusville, PA 16354
814-827-2715

Union School District
354 Baker Street, Suite 2
Rimersburg, PA 16248
814-473-6311

Valley Grove School District
429 Wiley Avenue
Franklin, PA 16323
814-432-4919

Venango Technology Center
1 Vo-Tech Drive
Oil City, PA 16301
814-677-3097

Riverview Intermediate Unit 6
270 Mayfield Road
Clarion, PA 16214
814-226-7103
800-672-7123