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Proposed Changes to the Special Education & Student Related Services Handbook for 2023-2024 School Year.

6/12/2023

Dear Huron School District Board Member,

I have reviewed and revised the Special Education & Student Related Services Handbook and am submitting the documents for approval.

The following changes were made:

- Page 1: Date change: 2023-2024
- Page 2: Change phone number: "353-6680" to "353-6997"
- Page 7: Change, next to Developmentally Delayed, 5 to 8 to match new age set by SD DOE
- Page 7: Change "Disturbed" to "Disability" to match new category name by SD DOE
- Page 8: Change "Disturbed" to "Disability" to match new category name by SD DOE

Sincerely,

Ralyna Schilling

Special Education & Student Related Services



HANDBOOK
2022-2023

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Introduction

The special education program in the Huron Schools serves approximately 500 students ranging in age from birth to twenty-one years. Instructional and support services are delivered by special education teachers, school psychologists, speech language pathologists, speech language pathologist assistants, behavior strategists, physical therapists, occupational therapists, deaf educators, interpreters, caseworkers, school health providers, and paraprofessionals. As is specified in federal and state law, students with disabilities are served in the least restrictive environment to the maximum extent possible. Thus, at all schools in the district there are special needs students participating as appropriate in general education classrooms and general curriculum.

Special education services include individualized specially designed instruction in academic, self-help, communication, motor, vocational and social skill areas. Individual Education Programs (IEPs) are developed annually. Goals and/or objectives are written for each student to meet the weakness identified by formal testing, skill based assessment, and observations. Carefully sequenced instruction is provided and data measuring student progress is maintained.

Mission Statement

The Huron School District Special Services Department believes that we must educate each child as a part of their home, school, and community, while acknowledging that there are diverse capabilities in each human being. We believe that students can learn what we want them to learn given appropriate resources and time. This education must be developed in the least restrictive environment in order to maximize and make relevant each child's fullest potential.

Philosophy of Special Education and Related Services

Because public education is a fundamental right of all children and every child is entitled to an equal opportunity to obtain an education, the Huron educational community upholds the following tenets as the basis for decisions regarding all children, and particularly those children with special learning needs.

- All children are recognized as unique individuals and valued equally. Neither their abilities nor their disabilities determine their value.
- Every child has the right to a free and appropriate public education that includes all financial and human resources necessary.
- The purpose of education is to increase the ability of students to function interdependently and productively in their home, work and social and community environments while increasing the students' feelings of self-worth and personal adequacy.
- Families are essential in the educational process and must be continually involved in the education of their children.
- All children can learn and thereby profit from appropriate educational services.
- Individual programs must be developed by both general and special educators, parents, the student, and other involved persons as appropriate on the basis of information gathered from multiple sources. These programs must portray a comprehensive and accurate view of the student, and his or her learning needs and abilities.
- Students with unique learning needs must be served in the least restrictive environment appropriate to meet those needs. This most often calls for accommodations to be made in regular classrooms with non-disabled peers through the use of support services to teachers in these classrooms.
- Early identification and intervention are essential in order to address the social, behavioral, physical, and academic needs of students.
- A continuum of educational programs and services is required to meet the needs of Huron students from birth through age 21 who are disabled.
- Comprehensive student-centered services require cooperative efforts of educational and other human service agencies.

Program Description

Huron School District uses a wide variety of service delivery methods to meet the needs of students as identified in their IEPs. The following descriptions are examples of program designs used throughout the district to provide the continuum of service options needed by students receiving special education services. Unless specifically noted, these services exist at all grade levels. Program designs vary to some extent from building to building, and from year to year, as administration and special education staff makes adjustments to meet the needs of their current student populations. It is also important to note that, at times, aspects of the different program designs may be blended in a unique way. The District encourages building staff to be creative in designing programs to meet the individual needs of their students and to best utilize the strengths of staff members.

Early Intervention Services

Child Find activities and screening for children birth to five years of age identify children who are developmentally on target in the areas of motor, concept development and communication. Information on developmentally appropriate activities to enhance the child's continual growth is shared at the time of screening. Referrals for children who may need a more comprehensive evaluation to determine the need for special services will be made by the screening team. An evaluation may include educational, psychological, gross motor, fine motor, speech/language, and/or health.

Birth-three-year-old children who are found eligible through the evaluation process may be supported in the home, community preschools, and community settings. Interdisciplinary teams including occupational therapists, speech/language pathologists, physical therapists, psychologists, special education teachers, and paraprofessionals work together to provide on-going instruction, therapy and language training.

Early Childhood Services

Special education center-based classroom programs are provided for students age three to five years with significant disabilities; these services are located at **McKinley Learning Center**. Students receiving these services have disabilities and/or behaviors that require extensive support services. Children who are found eligible through the evaluation process may be supported by interdisciplinary teams including special education teachers, speech/language pathologists, occupational therapists, physical therapists, and paraprofessionals who work together to provide on-going instruction, therapy and language training.

General Classroom-Based Services

Students may be placed in general education classrooms with appropriate aids and services provided by the special education staff. The special education teacher, speech/language pathologist, physical therapist, occupational therapist, behavior strategist, and paraprofessionals may work with the student in the general classroom. The special education case manager is responsible for developing and managing the IEP and consults with the staff and family to ensure that the inclusion program is conducive to meaningful progress for the child.

Resource Classroom Services

Special education students may receive specially designed instruction, directed by a special services staff member, in areas of need as identified on their IEPs. The special education teacher, the general education teacher, or a paraprofessional may provide the instruction in a small group in the resource room. Related services such as occupational therapy and speech/language therapy are provided if the need is identified on the IEP.

Some school-age students with significant disabilities may be enrolled in a special education classroom. Special education teachers and paraprofessionals staff these classrooms. The staff-to-student ratio is very low, and the curriculum is determined by the IEP. The emphasis is on functional academics and life-long skills that are necessary for maximum independence. Even though the student is assigned to a special education classroom, he/she has frequent opportunities to participate with students without disabilities in both general education classroom and extracurricular settings.

Behavior Support Services

The District provides additional services to students receiving special education services who are not experiencing school success because of behavioral, social, and/or emotional concerns. Services are provided in social learning classrooms. The services are specific to current needs and include some of the following: assistance to special education and general education staff in writing and monitoring behavior intervention plans; family contacts and/or family histories, liaison with outside agencies as appropriate; classroom observations and/or consultation with teachers; and other interventions as appropriate.

Transition Services

All special education students age sixteen and above have a transition component on their IEP. Transition services promote movement from school to post-school activities including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.

The goal of the high school transition services is to help students with disabilities achieve the maximum independence possible. Classes emphasize the acquisition of functional academics and skills necessary for independent living. Classes designed to teach necessary job skills, social skills and daily living skills.

Staff works to develop comprehensive work experience placements for each student. The work experience placements vary depending on the skills, maturity and age of the student. Eligible students are referred to the Department of Vocational Rehabilitation. The common goal for students is to transition into a job, further vocational training, or into state supported pre-vocational training and eventual employment.

When appropriate, students with mild disabilities participate in the general education programs with additional guidance from the special education staff to identify individual vocational and employment goals. For students who require more support, transition activities may include: career exploration, program visits to community support providers and post-secondary institutes, assistance in selecting the right program, help with enrollment procedures, and follow-up to monitor success after placement. During transition, the district may help students access community services so they can plan for independent living arrangements, resolve transportation/mobility issues, and make connections with other appropriate adult service agencies.

If their IEP's specify the need, students who have vocational services, or others who may encounter significant challenges in their quest for suitable adult-oriented training, may receive enhanced transition services between the ages of eighteen and twenty-one. Students receiving these services typically have completed most of their academic secondary education and are ready to concentrate on vocational training and/or placement. Special education staff helps students and their family's access services in the community that will better assure them of a reasonable quality of life as a young adult. These services are available only to students who have not graduated from high school. By law, students who have graduated are no longer eligible to receive special education services.

Related Services

Related services include developmental, corrective, transportation and other supportive services as are required to assist a student receiving special education to be more successful in the educational setting. Related services are provided, in a regular classroom setting or in a separate setting, to special education students in the District as identified on IEPs. Related services staff includes speech/language pathologists, physical therapists, occupational therapists, school psychologists, school health, transportation, and assistive technology devices and services.

Home-Based Services

School age students sometimes receive home-based services on a temporary basis because of health needs. The district strives to return these students to a regular school environment as soon as possible.

Alternative Placement Services

Special education services are provided in every school throughout the district. If the needs are greater than can be provided in the student's home attendance area, self-contained programs are available. Residential placements are provided for those students that we are unable to serve with local resources.

Disability Categories

Autism
Cognitive Impairment

Multiple Disabilities
Other Health Impaired

Deaf-Blind
Developmentally Delayed (3-5 Year old)
Emotionally Disturbed
Hearing Impaired/Deaf
Learning Disabled

Physically Impaired
Prolonged Assistance
Speech/Language Impaired
Traumatic Brain Injury
Visually Impaired

Related Services

Counseling Services
Occupational Therapy
Physical Therapy
Psychological Services

School Health Services
Social Work Services
Speech/Language Therapy
Transportation

13 IDEA School-Age Disability Categories

Autism Spectrum Disorder is a developmental disability that significantly affects verbal and nonverbal communication and social interaction and results in adverse effects, generally evident before age three, on the child's educational performance. Other characteristics often associated with autism spectrum disorder are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.

The term does not apply if the student's educational performance is adversely affected primarily because the student has an emotional disturbance as defined under Part B of Individuals with Disabilities Education Act.

Cognitive Disability is significantly below-average general intellectual functioning, existing concurrently with deficits in adaptive behavior skills and manifested before the age of 18, that adversely affects a child's educational performance.

Deafness is a hearing loss so severe that a child is impaired in processing linguistic information through hearing, even with amplification, that adversely affects a child's educational performance.

Deaf-Blindness means simultaneous hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

Emotional Disturbance is a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance: (a) An inability to learn that cannot be explained by

intellectual, sensory, or health factors. (b) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers. (c) Inappropriate types of behavior or feelings under normal circumstances. (d) A general pervasive mood of unhappiness or depression. (e) A tendency to develop physical symptoms or fears associated with personal or school problems.

The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

Hearing Impairment may be identified if an unaided hearing loss of 35 to 69 decibels is present that makes the acquisition of receptive and expressive language skills difficult with or without the help of amplification.

Multiple Disabilities means simultaneous impairments (such as cognitive disability-blindness or a cognitive disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in a special education program solely for one of the impairments. The term does not include deaf-blindness.

Orthopedic Impairment is a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures). There must be evidence of the following: (1) That the student's impaired motor functioning significantly interferes with educational performance; (2) That the student exhibits deficits in muscular or neuromuscular functioning that significantly limit the student's ability to move about, sit, or manipulate materials required for learning; (3) That the student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; and (4) That current medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

Other Health Impairment - means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that— (a) is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette's syndrome; and (b) adversely affects a child's educational performance.

Specific Learning Disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities; of cognitive disability; emotional disturbance; or environmental, cultural, or economic disadvantage.

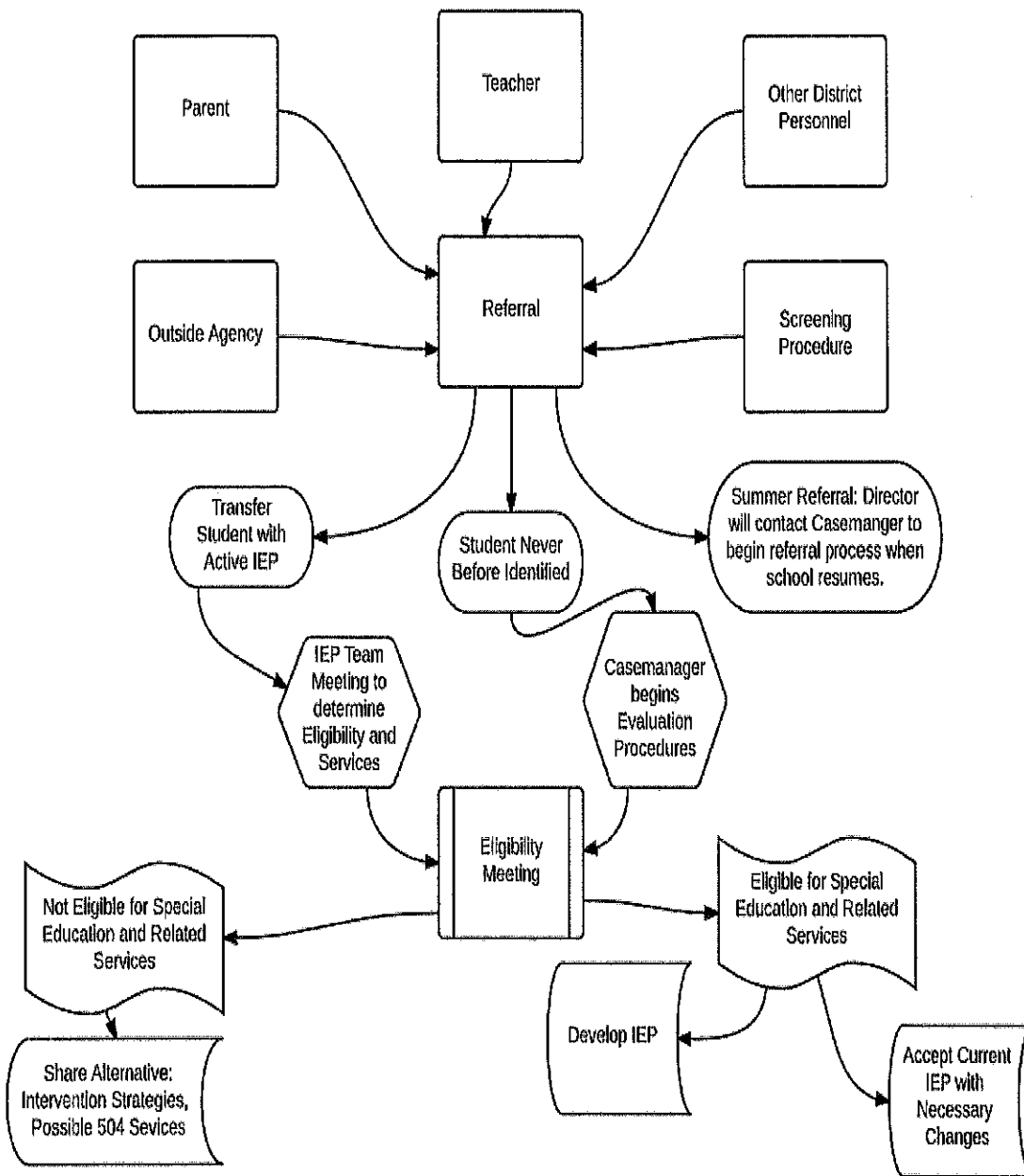
Speech or Language Impairment is a communication disorder such as stuttering, impaired articulation, language disorder, or a voice disorder that adversely affects a child's educational performance.

Articulation Disorder includes all non-maturational speech deviations based primarily on incorrect production of speech sounds including: omissions, substitutions, additions, or distortions of phonemes within words. Articulation patterns that can be attributed to cultural or ethnic background are not disabilities.

Traumatic Brain Injury means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

Visual Loss, including Blindness is an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

Referral Process



Individualized Education Program (IEP) Synopsis

Individual Education Program (IEP): An IEP is a written statement of the educational program designed to meet a child with a disability's individual needs. The document sets reasonable learning goals for the child, and state the services that the school district will provide. A team that includes key school staff, the child's parents, and the child when age appropriate develops the IEP. The team meets, reviews the assessment

information available about the child, and designs an educational program to address the child's educational needs that result from his/her disability. IDEA requires that the student be invited to any IEP meeting where transition services will be discussed. These are services designed to help the student plan for his/her transition to adulthood and life after high school.

An IEP meeting must be held within 30 calendar days after it is determined, through a full and individual evaluation, that a child has one of the disabilities listed in IDEA and needs special education and related services. A child's IEP must also be reviewed at least annually thereafter to determine whether the annual goals are being achieved and must be revised as appropriate.

Each child's IEP must contain specific information, as listed within IDEA, our nation's special education law. This includes (but is not limited to):

- the child's present levels of academic achievement and functional performance, describing how the child is currently doing in school and how the child's disability affects his or her involvement and progress in the general curriculum
- annual goals for the child stating what the team determines he/she can reasonably accomplish in a year
- the special education and related services to be provided to the child, including supplementary aids and services (such as a communication device) and changes to the program or supports for school personnel
- how much of the school day the child will be educated separately from nondisabled children or not participate in extracurricular or other nonacademic activities such as lunch or clubs
- how (and if) the child is to participate in state and district-wide assessments, including what modifications to tests the child needs
- when services and modifications will begin, how often they will be provided, where they will be provided, and how long they will last
- how school personnel will measure the child's progress toward the annual goals.

Free Appropriate Public Education (FAPE)

FAPE requires education and related services to be provided at public expense, under public supervision and direction, and without charge. The services provided must meet the standards of the Department of Education for all students and be designed to meet the student's IEP goals and short-term objectives.

Least Restrictive Environment (LRE)

LRE examines the setting in which the student will be receiving an education. The law presumes that students with disabilities are most appropriately educated with their same aged, non-disabled peers in the general education setting.

Attending special classes or separate schools, or removing students with disabilities from the general education classroom, occurs only when the nature or severity of the

disability prevents the student from achieving satisfactory progress even when supplementary aids and services are used.

Accommodations and Modifications

Accommodations are a change in the way students access instruction and demonstrate understanding. Accommodations do not change content, benchmarks, or performance criteria. Ex: extended time, alternate test form (oral or written).

Modifications change what students are expected to learn. Modifications change the content, benchmark or performance criteria. Ex: content at instructional level instead of grade level, reduction in the number of benchmarks or new ideas.

Parent Rights

Parent Rights can be found at <http://doe.sd.gov/sped/parentalrights.aspx>

Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the school receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the school to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Huron School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Family Educational Rights and Privacy Act (FERPA) Notice for Directory Information

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that the Huron School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the Huron School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Huron School District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and

- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.¹

If you do not want the Huron School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing. The Huron School District has designated the following information as directory information: [Note: an LEA may, but does not have to, include all the information listed below.]

- | | |
|---|---|
| -Student's name | -Participation in officially recognized activities and sports |
| -Address | -Weight and height of members of athletic teams |
| -Telephone listing | -Degrees, honors, and awards received |
| -Electronic mail address | -The most recent educational agency or institution attended |
| -Photograph | |
| -Date and place of birth | |
| -Major field of study | |
| -Dates of attendance | |
| -Grade level | |
| -Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.) | |

See the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))

¹ These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).

- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))

Section 504 of The Rehabilitation Act and Americans with Disabilities Act

NOTICE OF NONDISCRIMINATION

It is the policy of Huron School District that no student shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any district educational program or activity receiving assistance.

Equal opportunity is a priority of the
Huron School District

Any person having inquiries concerning the school's compliance with the regulations implementing Section 504 is directed to contact:

Site 504 Coordinator: Ralyna Schilling

School: Huron School District

Phone/Fax: 605-353-6997