

**WINSLOW PUBLIC SCHOOLS
25 MESSALONSKEE AVENUE
WATERVILLE, ME 04901**

REFERRAL AND USE OF GENERAL EDUCATION INTERVENTIONS

It shall be the policy of Winslow Public Schools to refer all school-age students suspected of having a disability that requires special education to the Individualized Education Program IEP Team for an evaluation in the suspected areas of disability. Referrals of students to the IEP Team may be made by parent/legal guardian at any time and by professional school staff regardless of the results of the initial child-find activities, but after completion of the general education intervention process. Other individuals or agency representatives (including representatives of the Department of Health and Human Services) with knowledge of the child may also make referrals. Any such referral should be made in accordance with procedures that may be approved by the Superintendent of Schools. It is also understood that parents/guardians may refuse pursuing any referral at any time.

Regardless of the source of the referral, a referral will be considered received by the school unit on the date that the written referral is received by the office of the director of special education.

The Superintendent of Schools, in consultation with the Director of Special Education, will develop procedures for referral and the use of pre-referral interventions within the local school unit, and may, from time to time, amend those procedures as necessary.

ADOPTED: February 3, 1992; **REVISED:** November 4, 1996; **REVISED:** May 21, 2003;
REVISED: January 23, 2012; **REVISED:** 1/25/16

SOURCE: Board Policy

**WINSLOW PUBLIC SCHOOLS
25 MESSALONSKEE AVENUE
WATERVILLE, ME 04901**

**REFERRAL AND USE OF GENERAL EDUCATION INTERVENTIONS – ADMINISTRATIVE
PROCEDURE**

REFERRAL:

Winslow Public Schools shall refer to the Individualized Education Program (IEP Team) all school-age students suspected of having a disability that requires special education and related services. Referrals to the IEP Team may be made by a student's parent/legal guardian, by professional school staff, or by others with knowledge of the student. Referrals should be made and processed consistent with these procedures.

A. Referrals by parent/legal guardian

A parent/legal guardian may refer his or her student to the IEP Team at any time. That referral shall be made in writing directly to the office of the Director of Special Education. Should the parent/legal guardian/legal guardian seek to make a referral through other professional staff (such as teachers, guidance counselors, or administrators), that professional staff member shall directly assist the family in making the referral in writing to the office of the Director of Special Education. Should a parent/legal guardian attempt to make a referral orally, professional staff shall assist the parent/legal guardian in reducing that referral to writing and submitting it to the office of the Director of Special Education.

A parent/legal guardian referral shall be processed consistent with these procedures and governing timelines even if the student is receiving interventions pursuant to the District's pre-referral procedures (discussed below). Those General Education Interventions shall continue during the referral process, however.

B. Referrals by Staff

Any professional employee of the school unit may refer a child to the IEP Team regardless of the results of initial child-find activities, but only after completion of any general education intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances where the school unit and parent/legal guardian agree to do so. Even in that situation, however, general education interventions will continue during the referral process.

Professional school staff shall prepare a referral in writing and shall submit that referral directly to the office of the Director of Special Education.

C. Referrals by Others

Individuals or agency representatives (including representatives of the Department of Health and Human Services) with knowledge of the student may refer that student to the IEP Team regardless of the results of initial child-find activities, but only after completion of any general education intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances where the school unit and parent/legal guardian agree to do so. Even in that situation, however, general education interventions will continue during the referral process.

Should such a person attempt to make a referral orally, professional staff shall assist that person in reducing that referral to writing and submitting it to the office of the Director of Special Education.

D. Receipt of Referral

Regardless of the source of the referral, a referral is received by the school unit on the date that the written referral is received by the office of the Director of Special Education. It shall be signed and dated by the special education director/designee, thereby indicating the date of the receipt of that referral.

E. Time Line for Processing Referral

Once the referral has been received in the office of the Director of Special Education, the IEP Team shall review existing evaluation data and determine the need for additional evaluations. The IEP Team may conduct its review without a meeting. If additional evaluations are needed, the local unit must send a "consent to evaluate" form to the parent/legal guardian within 15 school days of receipt of the referral. Also upon receipt of the referral (from any source), the local unit shall send the parent/legal guardian its written notice form documenting that referral.

Once the office of the Director of Special Education receives the signed consent for evaluation back from the parent/legal guardian, the local unit shall have 45 school days to complete the evaluation and to hold an IEP Team meeting to determine whether the student qualifies for special education services. If the student is identified as a student with a disability in need of special education, the Team should develop an IEP for that student either at that same meeting or within 30 calendar days of determining that the student is eligible.

The local unit shall implement the IEP as soon as possible following the IEP Team meeting when the child is found eligible, but no later than 30 calendar days after that meeting.

F. Transfer Students

Students who have already been identified as in need of special education services and who transfer into the school unit from another school unit *within Maine* shall, on enrollment and in consultation with the parent/legal guardian, be provided with FAPE (including services comparable to those described in the student's IEP from the previous school unit) until the local unit either adopts the student's IEP from the previous unit or develops, adopts, and implements a new IEP.

Students who have already been identified as in need of special services and who transfer into the school unit from another school unit *from outside of Maine* shall, on enrollment and in consultation with the parent/legal guardian, be provided with FAPE (including services comparable to those described in the child's IEP from the previous school unit) until the local unit conducts an evaluation to determine whether the student is eligible for special education and, if so, develops, adopts, and implements a new IEP.

If the transfer student's current IEP from his or her prior school unit is not available or is believed to be inappropriate by either the parent/legal guardian or the school, the local unit should develop a new IEP through appropriate procedures within a short time after the student enrolls at the school.

If a student transfers into the school unit after the referral time line has begun in the previous school unit but before an eligibility determination has been made, the time line referenced above for completing that process shall not apply if the local unit is making sufficient progress to ensure a prompt completion of the evaluation, and the parent/legal guardian and school unit agree to a specific time when the evaluation will be completed and the eligibility decision made.

G. General Education Interventions

General education interventions are general education procedures involving regular benchmark assessment of all children, using curriculum based measurements, to monitor child progress and identify those children who are at risk of failing. Children who are at risk receive responsive interventions in the general education program that attempt to resolve the presenting problems of concern. General educators are encouraged to confer with specialists and teaching professionals, but general education personnel are responsible for the implementation of the intervention.

Winslow Public Schools shall implement general education interventions. These interventions shall include:

- a. Documentation that every child, prior to entering the general education intervention process, was provided with appropriate instruction in reading, including the essential components of reading instruction (as defined in Section 1208(3) of the Elementary

and Secondary Education Act of 1965 (ESEA), appropriate mastery based instruction in math, appropriate instruction in writing process, and positive behavioral supports;

- b. A team-based decision-making process;
- c. Screening at reasonable intervals to determine whether all children are progressing toward meeting the content standards of the parameters for essential instruction and graduation requirements;
- d. Data Analysis of screening results focusing on determining to what extent all children are progressing toward meeting the content standards of the parameters for essential instruction and graduation requirements and identifying which children are not making adequate progress towards these goals and are in need of targeted general education interventions;
- e. A determination as to whether a child's assessed difficulties are likely the result of linguistic or cultural differences;
- f. Provision of research-based general education interventions targeted at the child's presenting academic and/or behavioral concerns as determined by screening results;
- g. Repeated formative assessments of student response to targeted interventions, conducted at reasonable intervals, that generate rate based measurable data for both specifying academic and behavioral concerns and monitoring child progress during general education interventions;
- h. Documentation that parents/legal guardians were notified about the process, given the opportunity to participate in instructional decision-making, and kept informed of their child's progress during targeted general education interventions;
- i. A team shall review the child's progress no later than sixty (60) school days after the start of formal general education interventions and approximately every thirty (30) school days thereafter. At each meeting the team shall review data on the child's progress to determine if modifications to the general education interventions are needed and/or if a referral to special education is indicated; and
- j. Provisions for targeted general education interventions to continue during any subsequent special education referral.

The parent/legal guardian of a child receiving general education interventions may request that the agency conduct a full and individual evaluation for possible special education eligibility determination at any time during Winslow Public Schools' established general education intervention process.

The general education interventions developed through this pre-referral process shall continue in the event of a referral while the referral is being handled by the Individualized Education program (IEP) Team, and the resulting data shall become part of the child's special education file.

January 25, 2016