



School District of Manawa

Curriculum COMMITTEE MEETING

Manawa School District Office - Board Room
800 Beech Street, Manawa WI
(920)596-2525

Wednesday, June 5, 2024
5:15 P.M.

Board of Education MISSION Statement: *We Will Represent Our Community while Advocating For Our Stakeholders by Developing Strong Policy and Providing Direction For Our Future.*

Board of Education Committee Members: Emmert (C), Fietzer, and Risko

*Notice is hereby given that School Board members who are not members of the **Curriculum Committee**, up to and possibly including all Board members, may attend the above-noticed committee meeting so as to constitute a quorum of the Board. However, the role of any Board member who is not a member of the above-identified committee is limited to information gathering and participation in the committee's discussion. The Board shall take no action as a governmental body as part of the committee meeting.*

❖ **CALL TO ORDER**

❖ **PLEDGE OF ALLEGIANCE**

❖ **ROLL CALL - Verification of Quorum** ➤ *B.O.E. Members Present:*

❖ **COMPLIANCE WITH OPEN MEETING LAW NOTIFICATION** [*§19.84(2) Wis. Stats.*]

❖ **AGENDA**

1. Review & Discussion Handbook(s)
 - a. Special Education (SpEd) Handbook/Plan
 - b. Gifted and Talented (GT) Handbook/Plan
 - c. English Learner (EL) Handbook/Plan
 - d. Response to Intervention (RTI) Handbook/Plan
 - e. Section 504 - ADA Handbook/Plan

* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

**Upon request to the District Administrator, submitted twenty-four (24) hours in advance, the District shall make reasonable accommodations including the provision of informational material in an alternative format for a disabled person to be able to attend this meeting.

2. Discussion Summer School, 2024
 - a. MEMO Enrollment #'s (Staffing)

3. Discussion I-Ready Data Review
Yearly Recap of Growth
 - Complete Assessment Data will be available at the committee meeting to ensure accurate and complete end of year assessment data is collected between now and June 5, 2024. Several students are completing their assessments in the coming days.

4. Discussion Water Related Trip Request 24/25 School Year
 - a. MEMO & Application Material

5. Informational Wit & Wisdom Update (Cost Savings)

6. Discussion Item
 - a. Before & After School Care
 - b. Review of Community Child Care Survey - Draft

❖ **FUTURE MEETING AGENDA ITEMS**



❖ **ADJOURN**

UPCOMING MEETING(S):

Regular Board of Education Meetings

- Regular **Board of Education** Meetings take place the 4th Monday every month.

Committee Meeting Dates and Times may be altered (June, July, & August)

- **Buildings, Grounds & Finance Committee** Meetings scheduled 2nd Wednesday every month.
- **Curriculum Committee** Meetings scheduled 1st Wednesday every month.
- **Policy & Human Resource Committee** Meetings scheduled 1st Wednesday every month.



School District of Manawa
Special Education
Policies and Procedures

Adopted from:
Model Local Educational Agency Special Education Policies and Procedures
Revised July 2022
Jill K. Underly, PhD, State Superintendent
Wisconsin Department of Public Instruction

Approved by the School District of Manawa Board of Education:
JUNE 2024

TABLE OF CONTENTS

<u>Definitions</u>	6
<u>Full Educational Opportunity Goal</u>	19
<u>Free Appropriate Public Education</u>	20
General	
Hearing Aids and External Components of Surgically Implanted Devices	
Physical Education	
Assistive Technology	
Extended School Year	
Participation in Assessments	
Methods of Ensuring a Free Appropriate Public Education	
<u>Public Information</u>	23
<u>Child Find</u>	24
General	
Referral	
<u>IEP Team</u>	25
Participants	
IEP Team Attendance	
Parent Participation in IEP Team Meetings	
IEP Team Duties	
Timeline	
<u>Evaluation</u>	28
General	
Initial Evaluations	
IEP Team Determination of Eligibility or	
Continuing Eligibility (Initial and Reevaluation)	
Reevaluation	
Evaluation Report	
Evaluation Safeguards	
Additional Requirements for Specific Learning Disabilities	
<u>Determination of Eligibility</u>	34
<u>Disability Categories</u>	35
Autism	
Blind and Visually Impaired	
Deaf and Hard of Hearing	
Deafblind	
Emotional Behavioral Disability	
Intellectual Disability	
Orthopedic Impairment	
Other Health Impairment	
Significant Developmental Delay	
Specific Learning Disability	
Speech and Language Impairment	
Traumatic Brain Injury	
<u>Developing, Reviewing and Revising an IEP</u>	50

IEP in Effect	
<u>IEP Development</u>	<u>50</u>
<u>IEP Review and Revision</u>	<u>51</u>
<u>Amendments to the IEP</u>	<u>52</u>
<u>IEP Content</u>	<u>52</u>
<u>Placement</u>	<u>54</u>
Least Restrictive Environment	
Notice of Placement	
Consent for Placement	
<u>Parent Revocation of Consent</u>	<u>56</u>
<u>Related Services: Physical and Occupational Therapy</u>	<u>56</u>
Physical Therapists' Licensure and Service Requirements	
School Physical Therapist Assistants' Qualifications and Supervision of Physical Therapy	
Occupational Therapists' Licensure and Service Requirements	
Delegation and Supervision of Occupational Therapy	
Responsibility of a School Occupational Therapist	
School Occupational Therapy Assistants' Qualifications and Supervision	
<u>Transition from Birth to 3 Programs</u>	<u>60</u>
<u>Transfer Pupils</u>	<u>60</u>
In-State Transfer Students	
Out-of-State Transfer Students	
Transmittal of Records	
<u>Charter Schools</u>	<u>61</u>
<u>Due Process Procedures</u>	<u>62</u>
Opportunity to Examine Records and Parent Participation in Meetings	
Notice	
Procedural Safeguards Notice	
Independent Educational Evaluations	
Surrogate Parents	
Mediation	
Due Process Hearings	
Transfer of Rights at Age of Majority	
<u>Discipline Procedures</u>	<u>69</u>
Authority of School Personnel	
Placement in Interim Alternative Educational Settings	
Manifestation Determination Reviews	
Placement During Appeals	
Protections for Children Not Yet Eligible for Special Education & Related Services	
<u>Confidentiality of Information</u>	<u>75</u>
Notice to Parents	
Access Rights	
Amendment of Records at Parent's Request	
Consent	
Safeguards	
Destruction of Information	

Transfer of Confidentiality Rights at Age of Majority	
<u>Children With Disabilities Enrolled in Private Schools by Their Parents</u>	78
Child Find	
Provision of Services	
Expenditures	
Consultation	
Equitable Services Determined	
Equitable Services Provided	
Location of Services and Transportation	
Requirement that Funds Not Benefit a Private School	
Use of Personnel	
Separate Classes Prohibited	
Property, Equipment, and Supplies	
Parentally Placed Children in Private Schools when FAPE is at Issue	
<u>Children with Disabilities in Private Schools Placed or Referred by the Local Educational Agency</u>	83
Development, Review, and Revision of the IEP	
<u>Children in Residential Care Centers</u>	84
<u>Placement Disputes; School Board Referrals; Interagency Cooperation</u>	86
<u>Local Educational Agency Reporting to State</u>	86
<u>Appendix of Federal law and regulations referenced in the Model Policies and Procedures</u>	88

Model Local Educational Agency Special Education Policies and Procedures

Preface

As a condition of funding under the Individuals with Disabilities Education Act (IDEA), local educational agencies are required to establish written policies and procedures for implementing federal special education laws. In addition, Wisconsin law requires local educational agencies to establish written policies and procedures for implementing state and federal special education requirements. *Model Local Educational Agency Special Education Policies and Procedures* has been developed to help local educational agencies meet their obligation to establish and implement special education requirements. A local educational agency may establish special education requirements by adopting the model policies and procedures. The document may also be used as a reference tool and for staff development activities to promote understanding of and compliance with special education requirements.

The state special education statutes, subchapter V, chapter 115, Wis. Stats., incorporate the statutory provisions of Part B of the IDEA. Local educational agencies in Wisconsin must also comply with IDEA's regulations. Therefore, the model policies and procedures are derived primarily from Wisconsin special education statutes and IDEA regulations. A small number of policies and procedures are derived from Wisconsin special education rules, chapter PI 11, Wis. Admin. Code. The underlying law can be found by using the following tools:

1. the table of contents to the IDEA Regulations found at 34 CFR Part 300, Vol. 71 Federal Register, No. 156 (August 14, 2006);
2. the table of contents of the state special education statute, Subchapter V, Chapter 115, Wis. Stats.; and
3. the table of contents for the state special education rules, Chapter PI 11, Wis. Admin. Code.

Definitions

For the purpose of these policies, the following definitions apply:

- "Assistive technology device" means any item, piece of equipment or product system that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of that device. 34 CFR § 300.5.

- "Assistive technology service" means any service that directly assists a child with a disability in the selection, acquisition or use of an assistive technology device, including all of the following:
 - evaluating the needs of the child, including a functional evaluation of the child in the child's customary environment;
 - purchasing, leasing or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
 - selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
 - coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitative plans and programs;
 - training or technical assistance for a child with a disability or, if appropriate, the child's family; and
 - training or technical assistance for professionals, including individuals providing education and rehabilitation services, employers or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that child. 34 CFR § 300.6.

- "Business day" means Monday through Friday, except for federal and state holidays unless holidays are specifically included in the designation of business day. 34 CFR § 300.11.

- "Charter school" means a school under contract with a school board under Wis. Stat. § 118.40, or with one of the entities under Wis. Stat. § 118.40(2)(2r)(b), or a school established and operated by one of the entities under Wis. Stat. §§ 118.40(2r)(b), 115.001(1).

- "Child" means any person who is at least three years old but not yet 21 years old and who has not graduated from high school and, for the duration of a school term, any person who becomes 21 years old during that school term and who has not graduated from high school, and includes a child who is homeless, a child who is a ward of the state, county, or child welfare agency, and a child who is attending a private school. Wis. Stat. § 115.76(3).

- "Child with a disability" means a child who, by reason of any of the following, needs special education and related services:
 - autism;
 - blind and visually impaired
 - deaf and hard of hearing
 - deafblind
 - emotional behavioral disability;
 - intellectual disabilities;
 - orthopedic impairments;
 - other health impairments;

- significant developmental delay;
- specific learning disabilities;
- speech or language impairments; or
- traumatic brain injury.

If the School District of Manawa determines through an appropriate evaluation that a child has one of the impairments listed above but only needs a related service and not special education, the child is not a child with a disability. "Child with a disability" may, at the discretion of the local educational agency and consistent with Department of Public Instruction rules, include a child who, by reason of his or her significant developmental delay, needs special education and related services. 34 CFR § 300.8; Wis. Stat. § 115.76(5).

- "Consent" means:

- the parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;
- the parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
- the parent also understands the granting of consent is voluntary on the part of the parent and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

34 CFR § 300.9.

- "Controlled substance" means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substance Act, 21 U.S.C. § 812(c). 34 CFR § 300.530(i)(1).

- "Core academic subjects" means English, reading or language arts, mathematics, science, foreign languages, civic and government, economics, arts, history, and geography. 34 CFR § 300.10.

- "Day" means calendar day unless otherwise indicated as business day or school day. 34 CFR § 300.11.

- "Destruction," as used in the section on confidentiality in these policies, means physical destruction or removal of personal identifiers from information so the information is no longer personally identifiable. 34 CFR § 300.611(a).

- "Division" means the Division for Learning Support: Equity and Advocacy in the Department of Public Instruction. Wis. Stat. § 115.76(6).

- "Education records" means the type of records covered under the definition of "education records" set forth in the regulations implementing the Family Educational Rights and Privacy Act of 1974. See Appendix; 34 CFR § 300.611(b).

- “Elementary school” means a nonprofit institutional day or residential school, including a public elementary charter school that provides elementary education, as determined under State law. State law defines elementary grades as including K4-8th grade. 34 CFR § 300.13; Wis. Stat. § 115.01(2).
- “Equipment” means machinery, utilities, and built-in equipment, and any necessary enclosures or structures to house the machinery, utilities, or equipment; and all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture; printed, published and audio-visual instructional materials; telecommunications, sensory, and other technological aids and devices; and books, periodicals, documents; and other related materials. 34 CFR § 300.14.
- "Evaluation" means procedures used to determine whether a child has a disability and the nature and extent of the special education and related services the child needs. 34 CFR § 300.15.
- "Extended school year services" means special education and related services that are provided to a child with a disability and meet the standards of the State of Wisconsin. These services are provided beyond the normal school year of the local educational agency, in accordance with the individualized education program (IEP), and at no cost to the parents of the child. 30 CFR § 300.106(b).
- "Free appropriate public education" means special education and related services that are provided at public expense and under public supervision and direction, and without charge, meet the standards of the Department of Public Instruction, include an appropriate preschool, elementary or secondary school education; and are provided in conformity with an IEP. 30 CFR § 300.17; Wis. Stat. § 115.76(7).
- "General curriculum" means the same curriculum as for nondisabled children. 34 CFR § 300.320(a)(1)(i).
- "Hearing officer" means an independent examiner appointed to conduct due process hearings under Wis. Stat. § 115.80. Wis. Stat. § 115.76(8).
- "Highly Qualified Teacher" means that a person has met the Department of Public Instruction's approved or recognized certification, licensing, registration in which he/she is providing special education or related services, consistent with provision 34 CFR § 300.18.
- “Homeless children” has the meaning given the term *homeless children and youths* in section 725 of the McKinney-Vento Homeless Assistance Act 42 U.S.C. § 11434(a), as amended, 42 U.S.C. § 11431 *et seq.* See Appendix; 34 CFR § 300.19.
- "Illegal drug" means a controlled substance but does not include such a substance that is legally possessed or used under the supervision of a licensed healthcare professional or that is legally possessed or used under any other authority under federal law. 34 CFR § 300.530(i)(2).

- "Include" means that the items named are not all of the possible items that are covered whether like or unlike the ones named. 34 CFR § 300.20.
- "Independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question. 34 CFR § 300.502.
- "Individualized education program" (IEP) means a written statement for a child with a disability that is developed, reviewed, and revised in accordance with Wis. Stat. § 115.787, and 34 CFR §§ 300.320 through 300.324. 34 CFR § 300.22; Wis. Stat. § 115.76(9).
- "IEP Team" means a group of individuals described in Wis. Stat. § 115.78 that is responsible for evaluating the child to determine the child's eligibility or continued eligibility for special education and related services and the educational needs of the child; developing, reviewing, or revising an IEP for the child; and determining the special education placement for the child. 34 CFR § 300.23; Wis. Stat. § 115.78.
- "Limited English Proficiency" has the meaning given the term in section 9101 (25) of the Elementary and Secondary Education Act (ESEA).
- "Local educational agency," except as otherwise provided, means:
 - the school district in which the child with a disability resides,
 - when the child attends a nonresident school district under Wis. Stat. §§ 118.51 (open enrollment) or 121.84(1)(a) or (4) (tuition waiver), the district of attendance;
 - the Department of Health and Family Services if the child with a disability resides in an institution or facility operated by the Department of Health and Family Services; or
 - the Department of Corrections if the child with a disability resides in a Type 1 secured correctional facility, as defined in Wis. Stat. § 938.02(19), or a Type 1 prison, as defined in Wis. Stat. § 301.01(5).

Wis. Stat. § 115.76(10).

- "Native language," for individuals with limited English proficiency, means the language normally used by that individual. For children with limited English proficiency, the term means the language normally used by the parents of the child, except that in all direct contact with a child (including evaluation of the child), the term means the language normally used by the child in the home or learning environment. For an individual with deafness or blindness, or for an individual with no written language, the mode of communication is that normally used by the individual (such as sign language, Braille, or oral communication). 34 CFR § 300.29; Wis. Stat. § 115.76(11).
- "Nonacademic and extracurricular services and activities" may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with disabilities and employment by the public agency and assistance in making outside employment available. 34 CFR § 300.107.

- “Parent” means any of the following:
 - a biological parent;
 - a husband who has consented to the artificial insemination of his wife under Wis. Stat. § 891.40;
 - a male who is presumed to be the child’s father under Wis. Stat. § 891.41;
 - a male who has been adjudicated the child’s father under subchapter VIII of chapter 48, under subchapter IIX of chapter 767, by final order or judgment of an Indian tribal court of competent jurisdiction or by final order or judgment of a court of competent jurisdiction in another state;
 - an adoptive parent;
 - a legal guardian;
 - a person acting as a parent of a child with whom the child lives;
 - a person appointed as a sustaining parent under Wis. Stat. § 48.428;
 - a person assigned as a surrogate parent under Wis. Stat. § 115.792(1)(a)2; and
 - a foster parent, if the right and responsibility of all of the aforementioned individuals to make educational decisions concerning the child has been extinguished by termination of parental rights, by transfer of guardianship or legal custody or by other court order; the foster parent has an ongoing, long-term parental relationship with the child; the foster parent is willing to make educational decisions required of parents under special education law; and the foster parent has no interests that would conflict with the interests of the child.

The biological or adoptive parent, when attempting to act as a parent of the child, must be presumed to be the parent unless that person does not have legal authority to make educational decisions for the child. 34 CFR § 300.30(b).

"Parent" does not include any person whose parental rights have been terminated; the state, county, or a child welfare agency if a child was made a ward of the state, county, or child welfare agency under chapter 54 or 880 or if a child has been placed in the legal custody or guardianship of the state, county, or a child welfare agency under chapter 48 or chapter 767; or an American Indian tribal agency if the child was made a ward of the agency or placed in the legal custody or guardianship of the agency. 34 CFR § 300.30; Wis. Stat. § 115.76(12).

"Person acting as a parent of a child" means a relative of the child or a private individual allowed to act as a parent of a child by the child's biological or adoptive parents or guardian, and includes the child's grandparent, neighbor, friend, or private individual caring for the child with the explicit or tacit approval of the child's biological or adoptive parents or guardian. "Person acting as a parent of a child" does not include any person that receives public funds to care for the child if such funds exceed the cost of such care. 34 CFR § 300.30(a)(4); Wis. Stat. § 115.76(13).

- "Participating agency," as used in the section on *Confidentiality of Information* in these policies, means any agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under the Individuals with Disabilities Education Act. 34 CFR § 300.611(c).

- "Personally identifiable" means information that includes the name of the child, the child's parent or other family member; the address of the child; a personal identifier such as the child's social security number or student number; or a list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty. 34 CFR § 300.32.
- "Parentally-placed private school children with disabilities" are children with disabilities enrolled by their parents in private schools or facilities, including religious schools or facilities that meet the definition of elementary school or secondary school, other than children with disabilities placed or referred to private schools by public agencies. 34 CFR § 300.130.
- "Public Agency" includes the State Educational Agency, Local Educational Agency, Cooperative Educational Service Agency (CESA), charter schools operating under Wis. Stat. § 118.40(2r), county children with disabilities education board, and any other political subdivisions of the State that are responsible for providing education to children with disabilities. 34 CFR § 300.33.
- "Pupil Records" means all records relating to individual pupils maintained by a school but does not include:
 - notes or records maintained for personal use by a teacher or other person to be licensed if such records or notes are not available to others;
 - records necessary for, and available only to persons involved in, the psychological treatment of a pupil; and
 - law enforcement unit records.

Wis. Stat. § 118.125(1)(d).

- "Record" means any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics. Wis. Stat. § 118.125(1)(e).
- "Related services" means transportation and such developmental, corrective and other supportive services (including speech-language pathology and audiology services; interpreting services; psychological services; physical and occupational therapy; recreation, including therapeutic recreation; social work services; school health services; school nursing services designed to enable a child with a disability to receive a free appropriate public education as described in the child's IEP; parent counseling and training; counseling services, including rehabilitation counseling; orientation and mobility services; medical services for diagnostic or evaluative purposes only; and the early identification and assessment of disabilities in children) as may be required to assist a child with a disability to benefit from special education. "Related services" does not include a medical device that is surgically implanted, the optimization of device functioning, maintenance of the device, or the replacement of such a device. Nothing in this definition limits the rights of a child with a surgically implanted device to receive related services as determined by the IEP Team to be necessary, limits the responsibility of a public agency to appropriately monitor and maintain medical devices that are needed to maintain the health and safety of the child, while the child is transported to and from school or is at school; or prevents the routine checking of an external

component of a surgically implanted device to make sure it is functioning properly. 34 CFR § 300.34; Wis. Stat. § 115.76(14).

In this definition:

- "Audiology" includes:
 - identification of children with hearing loss;
 - determination of the range, nature, and degree of hearing loss including referral for medical or other professional attention for the habilitation of hearing;
 - provision of habilitative activities such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation and speech conservation;
 - creation and administration of programs for prevention of hearing loss;
 - counseling and guidance of pupils, parents, and teachers regarding hearing loss; and
 - determination of the child's need for group and individual amplification, selecting and fitting an appropriate aid and evaluating the effectiveness of amplification.
- "Counseling services" means services provided by qualified social workers, psychologists, guidance counselors or other qualified personnel.
- "Early identification and assessment of disabilities in children" means the implementation of a formal plan for identifying a disability as early as possible in a child's life.
- "Interpreting services," as used with respect to children who are deaf or hard of hearing, includes oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and transcription services, and special interpreting services for children who are deaf-blind.
- "Medical services" means services provided by a licensed physician to determine a child's medically-related disability that results in the child's need for special education and related services.
- "Occupational therapy" means services provided by a qualified occupational therapist, and includes:
 - improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation;
 - improving ability to perform tasks for independent functioning if functions are impaired or lost; and
 - preventing, through early intervention, initial or further impairment or loss of function.
- "Orientation and mobility services" means services provided to blind or visually impaired students by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community, and includes teaching students the following as appropriate:

- spatial and environmental concepts and use of information received by the senses (such as sound, temperature, and vibrations) to establish, maintain, or regain orientation and line of travel (for example, using sound at a traffic light to cross the street);
 - to use the long cane or a service animal to supplement visual travel skills or as a tool for safely negotiating the environment for students with no available travel vision;
 - to understand and use remaining vision and distance low vision aids, as appropriate; and
 - other concepts, techniques, and tools.
- "Parent counseling and training" means assisting parents in understanding the special needs of their child, providing parents with information about child development, and helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP.
 - "Physical therapy" means services provided by a qualified physical therapist.
 - "Psychological services" includes:
 - administering psychological and educational tests, and other assessment procedures;
 - interpreting assessment results;
 - obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;
 - consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observations, and behavioral evaluations;
 - planning and managing a program of psychological services, including psychological counseling for children and parents; and
 - assisting in developing positive behavioral intervention strategies.
 - "Recreation" includes:
 - assessment of leisure function;
 - therapeutic recreation services;
 - recreation programs in schools and community agencies; and
 - leisure education.
 - "Rehabilitation counseling services" means services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation services provided to a student with disabilities by vocational rehabilitation programs funded under the Rehabilitation Act of 1973, as amended.
 - "School health services" means health services provided by a qualified school nurse or other qualified person that are designed to enable a child with a disability to receive FAPE as described in the child's IEP.

- “School nurse services” mean health services provided by a qualified school nurse, designed to enable a child with a disability to receive FAPE as described in the child’s IEP.
- "Social work services in schools" includes:
 - preparing a social or developmental history on a child with a disability;
 - group and individual counseling with the child and family;
 - working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school;
 - mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and
 - assisting in developing positive behavioral intervention strategies.
- "Speech-language pathology services" include:
 - identification of children with speech or language impairments;
 - diagnosis and appraisal of specific speech or language impairments;
 - referral for medical or other professional attention necessary for the habilitation of speech or language impairments;
 - provision of speech and language services for the habilitation or prevention of communicative impairments; and
 - counseling and guidance of parents, children, and teachers regarding speech and language impairments.
- "Transportation" includes:
 - travel to and from school and between schools;
 - travel in and around school buildings; and
 - specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

34 CFR § 300.34.

- “Residential care center for children and youth” means a facility operated by a child welfare agency licensed under Wis. Stat. § 48.60 for the care and maintenance of children residing in that facility. Wis. Stat. § 115.76(14g).
- “Responsible Local Educational Agency:” as used in the section on children in residential care centers means the local educational agency that was responsible for providing a free, appropriate public education to the child before the placement of the child in a residential care center for children and youth.
- Except “responsible local educational agency” means the school district in which the residential care center for children and youth is located if before the placement of the child in a residential care center for children and youth, the children resided in an: institute or facility operated

by the department of health and family services; a Type 1 juvenile correctional facility; or a Type 1 prison.

Wis. Stat. § 115.81.

- "School day" means any day, including a partial day, that children are in attendance at school for instructional purposes. The term "school day" has the same meaning for all children in school, including children with and without disabilities. 34 CFR § 300.11.
- "Scientifically-based research" has the meaning given the term in section 9101(37) of the ESEA. See Appendix; 34 CFR § 300.35.
- "Secondary school" means a nonprofit institutional day or residential school including a public secondary charter school that provides secondary education for grades 9-12. 34 CFR § 300.36.
- "Serious bodily injury" has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code. See Appendix; 34 CFR § 300.530(i)(3).
- "Services plan" means a written statement that describes the special education and related services the school district will provide to a parentally-placed child with a disability enrolled in a private school located in the district, including the location of the services and any transportation necessary, consistent with 34 CFR §§ 300.132, 300.137-139. 34 CFR § 300.37.
- "Special education" means specially designed instruction, regardless of where the instruction is conducted, that is provided at no cost to the child or the child's parents, to meet the unique needs of a child with a disability, including:
 - instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings;
 - instruction in physical education;
 - speech-language pathology services, or any other related service, if the service consists of specially designed instruction and is considered special education rather than a related service under Wisconsin standards;
 - travel training; and
 - vocational education.

The terms in the definition of special education are defined as follows:

- "At no cost" means that all specially designed instruction is provided without charge, but does not preclude incidental fees that are normally charged to nondisabled students or their parents as a part of the regular education program.
- "Physical education" means the development of:
 - physical and motor fitness;

- fundamental motor skills and patterns; and
- skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports).

The term includes special physical education, adaptive physical education, movement education, and motor development.

○ "Specially-designed instruction" means adapting content, methodology or delivery of instruction:

- to address the unique needs of an eligible child that result from the child's disability; and
- to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the local educational agency that apply to all children.

○ "Travel training" means providing instruction, as appropriate, to children with significant intellectual disabilities and any other children with disabilities who require this instruction to enable them to develop an awareness of the environment in which they live and learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in school, in the home, at work, and in the community).

○ "Vocational education" means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

34 CFR § 300.39; Wis. Stat. § 115.76(15).

- "Supplementary aids and services" mean aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings to enable a child with a disability to be educated with nondisabled children to the maximum extent appropriate. 34 CFR § 300.42, 115.76(16).

- A "transfer pupil with a disability" means a child with a disability under the Individuals with Disabilities Education Act whose residence has changed from a local educational agency in this state to another local educational agency in this state or from a public agency in another state to a local educational agency in this state. Wis. Admin. Code § PI 11.07.

- "Transition services" means a coordinated set of activities for a child with a disability that:

- is designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including:

- postsecondary education;
- vocational education;
- integrated employment (including supported employment);
- continuing and adult education;

- adult services;
 - independent living; or
 - community participation
- is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and includes:
- instruction;
 - related services;
 - community experiences;
 - the development of employment and other post-school adult living objectives; and
 - if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

34 CFR § 300.43.

- “Universal Design” has the meaning given the term in section 3 of the Assistive Technology Act of 1998, as amended, 29 U.S.C. § 3002. See Appendix; 34 CFR § 300.44.
- "Weapon" has the meaning given the term “dangerous weapon” under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code. See Appendix; 34 CFR § 300.530(i)(4).

Full Educational Opportunity Goal

It is the goal of the School District of Manawa to provide full educational opportunity to all children with disabilities in the area served by the local educational agency. The local educational agency has available to all of its children with disabilities the variety of educational programs and services available to nondisabled children in the local educational agency, including: art, music, industrial arts, consumer and homemaking education, and vocational education or any program or activity in which nondisabled children participate. The School District of Manawa provides supplementary aids and services determined appropriate and necessary by the child’s IEP Team, to ensure that children with disabilities have an equal opportunity to participate in nonacademic and extracurricular services and activities. 34 CFR §§ 300.107; 300.109; 300.110; 300.201.

Free Appropriate Public Education

General. All children with disabilities for whom the School District of Manawa is responsible are provided a free appropriate public education. Special education and related services are provided to these children with disabilities, including, as required by 34 CFR § 300.530(d), children with disabilities who have been suspended or expelled from school. Children with disabilities entitled to a free appropriate public education are children age three, but not yet 21 who have not graduated from high school with a regular high school diploma and, for the duration of a school term, persons who become 21 years old during that school term and who have not graduated from high school with a regular diploma. A regular high school diploma does not include an alternative degree that is

not fully aligned with the State's academic standards, such as a certificate or a general educational development credential (GED). The special education and related services provided to children addresses all of their special education and related services needs and are provided by personnel qualified as required by 34 CFR §§ 300.156, 300.101(a), 300.102(a)(3)(iv), 300.156; Wis. Stat. § 115.76(3).

The School District of Manawa provides prior written notice of a change in placement consistent with the requirements in the law when a child with a disability graduates from high school with a regular diploma. Additionally, for those students who graduate from high school with a regular diploma as well as students who exceed the age of eligibility, the School District of Manawa provides a summary of their academic achievement and functional performance, including recommendations on how to assist the child in meeting the child's postsecondary goals. 34 CFR §§ 300.102(a)(3)(iii), 300.305(e)(3).

The School District of Manawa ensures that an IEP is in effect for each eligible child no later than the child's third birthday. If the child's third birthday occurs during the summer, the child's IEP team determines when the IEP services will begin. 34 CFR § 300.101(b).

If a placement in a public or private residential program is necessary to provide special education and related services to a child with a disability, the program, including non-medical care and room and board, is provided at no cost to the parents of the child. 34 CFR § 300.104.

The School District of Manawa admits a nonresident child if the program is appropriate for the child's disability. When a resident child is refused admittance to another local educational agency, the resident local educational agency ensures that a free appropriate public education is provided to the child. When board and lodging are not furnished to a nonresident child with a disability, the resident local educational agency provides transportation, except as provided in Wis. Stat. § 115.82(2)(a) and (b). Wis. Stat. § 115.82.

After a child with a disability has been removed from his or her current placement for ten school days in the same school year, for any subsequent removal, the School District of Manawa provides services, although in another setting, so as to enable the child to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the child's IEP. In such a case, school personnel, in consultation with at least one of the child's teachers, determine the extent of the services. When there is a change of placement, the IEP team determines the appropriate services. 34 CFR § 300.530(d).

Hearing Aids and External Components of Surgically Implanted Medical Devices. The School District of Manawa ensures that hearing aids worn in school by children with hearing impairments, including deafness, are functioning properly. The School District of Manawa ensures that the external components of surgically implanted medical devices are functioning properly, but is not responsible for the post-surgical maintenance, programming, or replacement of the medical devices that has been surgically implanted, or of an external component of the surgically implanted medical device. 34 CFR § 300.113.

Physical Education. Physical education services, specially designed if necessary, are made available to every child with a disability unless the LEA does not provide physical education to

children without disabilities in the same grades. Each child with a disability is afforded the opportunity to participate in regular physical education programs available to nondisabled children unless the child is enrolled full time in a separate facility, or the child needs specially designed physical education as prescribed in the child's IEP.

If specially designed physical education is prescribed in a child's IEP, the School District of Manawa provides the services directly or makes arrangements for those services to be provided through other public or private programs. The School District of Manawa ensures that a child with a disability who is enrolled in a separate facility receives appropriate physical education services in compliance with the law. 34 CFR § 300.108.

Assistive Technology. The School District of Manawa makes available assistive technology devices or assistive technology services, or both, to a child with a disability if required as part of the child's special education, related services, or supplementary aids and services. If a child's IEP team determines that access to school-purchased assistive technology devices or services in the child's home or in other settings is necessary for the child to receive a free appropriate public education, the devices or services are provided. 34 CFR § 300.105.

Extended School Year. The School District of Manawa ensures that extended school year services are available to each child with a disability as necessary to provide a free appropriate public education. Extended school year services are provided when a child's IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education to the child. The School District of Manawa does not limit extended school year services to particular categories of disability, or unilaterally limit the type, amount, or duration of those services. 34 CFR § 300.106.

Participation in Assessments. Children with disabilities attending the School District of Manawa are included in all state-wide and district-wide assessment programs with appropriate accommodations. Those children who cannot participate in state-wide or district-wide assessments participate in alternate assessments. Needed accommodations or alternate assessments are identified by the IEP team and are specified in the child's IEP.
20 U.S.C. § 1412(a)(16); Wis. Stat. § 115.77(1m)(bg).

Methods of Ensuring a Free Appropriate Education. If a public agency, other than an educational agency, fails to meet its obligation under federal or state law or under state policy or interagency agreement to provide or pay for any services that are also considered special education and related services that are necessary for ensuring a free appropriate public education to a child, the School District of Manawa provides or pays for these services to the child in a timely manner. 34 CFR § 300.154(b)(2).

When the School District of Manawa uses Medicaid or other public insurance benefits programs in which a child participates to provide or pay for special education and related services necessary for the child to receive a free appropriate public education as permitted under the public insurance program, the School District of Manawa obtains parent consent each time access to public benefits or insurance is sought.

Furthermore, the School District of Manawa does not:

- require parents to sign up for or enroll in public insurance programs in order for their child to receive a free appropriate public education under Part B of the Act;
- require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for special education and related services; or
- use a child's benefits under a public insurance program if that use would:
 - decrease available lifetime coverage or any other insured benefit,
 - result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside of the time the child is in school,
 - increase premiums or lead to the discontinuation of benefits or insurance or
 - risk loss of eligibility for home and community-based waivers based on aggregate health-related expenditures.

Each time the School District of Manawa proposes to access the proceeds of a parents' private insurance to provide services necessary for the child to receive a free appropriate public education, the School District of Manawa:

- obtains informed parent consent; and
- informs the parents that their refusal to permit the School District of Manawa to access their private insurance does not relieve the public agency of its responsibility to ensure that all required services are provided at no cost to the parents.

34 CFR § 300.154.

The School District of Manawa timely provides instructional materials in accessible formats to children who are blind, children with print disabilities, or other children with disabilities as required in the child's IEP. 34 CFR § 300.210.

Except for the circumstances provided for in Wis. Stat. §§ 118.51(12)(a) and (b)2 of the Full-Time Open Enrollment law, if a non-resident child with a disability is attending the School District of Manawa under the Full-Time Open Enrollment law, the local educational agency provides an educational placement for the child. If tuition charges are required by the placement, the School District of Manawa pays tuition charges instead of the resident school district. Wis. Stat. § 115.79(1)(b).

Public Information

The School District of Manawa regularly publicizes information about its special education procedures and services. Further, the School District of Manawa makes available to any person, upon request, all documents relating to the School District of Manawa's eligibility for state and federal special education funds. 34 CFR § 300.212; Wis. Stat. §§ 115.77(1m)(g) and (h).

If the School District of Manawa receives a notice from the Department of Public Instruction that it is in noncompliance with respect to state or federal special education law and the Department of

Public Instruction is proposing to reduce or withhold any further payments to the School District of Manawa until the Department of Public Instruction is satisfied that the School District of Manawa is complying with that requirement, the local educational agency gives public notice of the pending state actions. 34 CFR § 300.222(b).

Child Find

General. The School District of Manawa identifies, locates, and evaluates all children with disabilities, regardless of the severity of their disability, who are in need of special education and related services, including children attending private schools, children who are made a ward of the state, county, or child welfare agency under chapter 54 or 880, children who are not yet three years of age, highly mobile children such as migrant and homeless children, and children who are suspected of being a child with a disability even though they are advancing from grade to grade. 34 CFR § 300.111; Wis. Stat. § 115.77(1m)(a).

Referral. The School District of Manawa accepts and processes referrals of children suspected to have a disability. The School District of Manawa has written procedures for accepting and processing referrals. Licensed school personnel who reasonably believe a child has a disability are required to make a referral.

Prior to submitting a referral, the people required to make referrals inform the parents of their intent to make a referral. If this School District of Manawa receives a referral for a child who is attending this School District of Manawa under the Full-Time Open Enrollment law or a tuition waiver under Wis. Stat. §§ 121.84(1)(a) or (4), the School District of Manawa provides the name of the child and related information to the local educational agency of residence. Whenever this School District of Manawa receives a referral for a resident child attending school in another local educational agency under the Full-Time Open Enrollment law or a tuition waiver under Wis. Stat. §§ 121.84(1)(a) or (4), the School District of Manawa provides the name of the child and related information to the local educational agency of attendance.

The School District of Manawa accepts written referrals. Each referral includes the name of the child and reasons why the person making the referral believes that the child is a child with a disability. The School District of Manawa documents and dates the receipt of each referral.

At least annually, the School District of Manawa informs parents and persons required by law to make referrals about the School District of Manawa's referral and evaluation procedures.

The School District of Manawa provides information and in-service opportunities for its licensed staff to familiarize them with the School District of Manawa's referral procedures. Wis. Stat. § 115.777.

IEP Team

The School District of Manawa establishes an IEP team for each child referred to the School District of Manawa.

Participants. The IEP team for each child consists of all of the following:

- the parents of the child;
- at least one regular education teacher of the child if the child is, or may be, participating in a regular education environment;
- at least one special education teacher who has recent training or experience related to the child's known or suspected area of special education needs or, where appropriate, at least one special education provider of the child;
- a representative of the School District of Manawa (LEA):
 - who is qualified to provide or supervise the provision of special education,
 - who is knowledgeable about the general education curriculum, and
 - who is knowledgeable about and authorized to commit the available resources of the School District of Manawa (who may be another member of the IEP team if the criteria are met);
- an individual who can interpret the instructional implications of evaluation results, who may otherwise be a team member;
- an appropriate therapist if the child is suspected to need occupational therapy or physical therapy or both. Wis. Admin. Code § PI 11.24.
- a department-licensed speech or language pathologist when documenting a speech or language impairment and the need for speech or language services. Wis. Admin. Code § PI 11.36(5)(e).
- at the discretion of the parent or School District of Manawa, other individuals who have knowledge or special expertise about the child, including related services personnel as appropriate. The determination of the individual's knowledge or special expertise is made by the party (parents or School District of Manawa) who invited the individual to be a member of the IEP team;
- whenever appropriate, the child;
- at least one person designated by the school board of the child's school district of residence who has knowledge or special expertise about the child when the student is attending a public school in a nonresident school district under Full-Time Open Enrollment Law, or a tuition waiver under Wis. Stat. §§ 121.84(1)(a) or (4),

In addition to the above members, the School District of Manawa invites the following:

- To the extent appropriate, a representative of any participating agency that is likely to be responsible for providing or paying for transition services, if the parents or the child who has reached the age of majority provides consent; and
- The student, when the purpose of the meeting will be consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals. If the student does not attend the IEP Team meeting, the School District of Manawa takes other steps to ensure consideration of the student's preferences and interests.
- If requested by the parent, at the initial IEP Team meeting for a child previously served under Part C, the Part C service coordinator or other representatives of the Part C System will be invited.

34 CFR § 300.321; Wis. Stat. § 115.78; Wis. Admin. Code § 11.24(2).

IEP Team Attendance. An IEP Team member is not required to attend an IEP Team meeting, in whole, or in part, if the parent of a child with a disability and the School District of Manawa agree, in writing, the attendance is not necessary because the member's area of curriculum or related services is not being modified or discussed.

An IEP Team member may be excused from attending an IEP Team meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of curriculum or related services, if the parent, in writing, and the School District of Manawa consent to the excusal, and the member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior the meeting. 34 CFR § 300.321(e); Wis. Stat. § 115.78(5).

Parent Participation in IEP Team Meetings. The School District of Manawa takes steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate, including:

- notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
- scheduling the meeting at a mutually agreed on time and place.

The notice required in this policy:

- indicates the purpose, time, and location of the meeting and who will be in attendance; informs the parents of the provisions in these policies relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the child; and
- informs the parents that they can request the Part C coordinator or other representatives of the Part C system be at the initial IEP Team meeting for a child previously served under Part C of IDEA.

Beginning no later than in the first IEP that will be in effect when the child is 14, the notice also:

- indicates that a purpose of the meeting is the consideration of the postsecondary goals and transition services for the child;
- indicates that the School District of Manawa will invite the student; and
- identifies any other agency that will be invited to send a representative.

If neither parent can attend, the School District of Manawa agency uses other methods to ensure parent participation, including individual or conference calls.

The School District of Manawa may conduct meetings without a parent in attendance if the School District of Manawa is unable to convince the parents that they should attend. In this case the School District of Manawa has a record of its attempts to arrange a mutually agreed on time and place, such as:

- detailed records of telephone calls made or attempted and the results of those calls;
- copies of correspondence sent to the parents and any responses received; and
- detailed records of visits made to the parent's home or place of employment and the results of those visits.

The School District of Manawa takes whatever action is necessary to ensure that the parent understands the proceedings at the IEP Team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

Subject to the timeline requirements contained in this policy, if the parents of the child or the School District of Manawa staff determine at any meeting during the process of the evaluation, development of the IEP or placement of the child that additional time is needed to permit meaningful parental participation, the School District of Manawa provides it. Upon request, the School District of Manawa provides a copy of the most recent evaluation report to the child's parents at any meeting of the IEP team.

The School District of Manawa gives the parent a copy of the child's IEP at no cost to the parent. 34 CFR § 300.322; Wis. Stat. §§ 115.787(2)(g) and 115.78(3)(d).

IEP Team Duties. The IEP team does all of the following:

- evaluates the child to determine the child's eligibility or continued eligibility for special education and related services, and the educational needs of the child;
- develops an IEP for the child; and
- determines the special education placement for the child.

34 CFR § 300.324(a); Wis. Stat. § 115.78.

Timeline. Within 15 business days of receiving a referral, the School District of Manawa sends to the child's parents a request for consent to evaluate the child except that if the School District of Manawa determines that no additional data are necessary, the School District of Manawa notifies the child's parent of that determination within 15 business days of receiving the referral. The School District of Manawa determines if a child is a child with a disability within 60 days after receiving parental consent for the evaluation or provides notice that no additional data are needed. The 60-day period does not apply:

- if the child transfers into the School District of Manawa before the previous local educational agency has made an eligibility determination, sufficient progress is being made to ensure a prompt completion of the evaluation, and the child's parents agree to a specific time when the evaluation will be completed;
- if the child's parent repeatedly fails or refuses to produce the child for the evaluation; or
- if a child is being evaluated for a specific learning disability and the timeline is extended by mutual written agreement of the child's parents and IEP team.

The School District of Manawa conducts a meeting to develop an IEP and determine placement within 30 days of a determination that a child is a child with a disability.

If the parents of the child or School District of Manawa staff determine at any meeting during the process of evaluation, development of the IEP, or determination of placement, that additional time is needed to permit meaningful parent participation, the School District of Manawa provides it. 34 CFR §§ 300.301, 300.323, 300.309(c); Wis. Stat. §§ 115.777(3)(e), 115.78.

Evaluation

General. As part of an initial evaluation of a child and as part of any reevaluation of a child, the IEP team and other qualified professionals, as determined by the School District of Manawa:

- reviews existing evaluation data on the child, including evaluations and information provided by the child's parents, previous interventions, and the effects of those interventions, current classroom-based, local, or state assessments, classroom-based observations, and observations by teachers and related services providers; and
- on the basis of that review and information provided by the child's parents, identifies the additional data, if any, that are needed, to determine:
 - whether the child meets the criteria for a particular category of disability and the educational needs of the child or, in case of a reevaluation of a child, whether the child continues to meet the criteria for such a disability and the educational needs of the child;
 - the present levels of academic achievement and related developmental needs of the child;
 - whether the child needs specially designed instruction, or in the case of a reevaluation of a child, whether the child continues to need specially designed instruction; and
 - whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable, annual goals specified in the child's IEP and to participate, as appropriate, in the general education curriculum.
- The School District of Manawa administers such assessment and other evaluations as may be needed to produce the additional data.
- The review of existing evaluation data on the child may occur without conducting a meeting.

34 CFR § 300.305; Wis. Stat. § 115.782(2)(b).

The School District of Manawa does not require parental consent before reviewing existing data as part of an evaluation or reevaluation or administering a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, the School District of Manawa requires consent for all children. 34 CFR § 300.300(d)(1).

Screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not considered to be an evaluation for eligibility for special education and related services. 34 CFR § 300.302.

The School District of Manawa provides the parents of the child with proper written notice, of any evaluation procedures the agency proposes to conduct, and the names of the individuals who will conduct the evaluation, if known. 34 CFR § 300.304(a); Wis. Stat. § 115.782(1)(a).

Initial Evaluations. The School District of Manawa obtains informed consent from the child's parent before administering assessments or other evaluation materials to the child. Parental consent for the evaluation does not constitute consent for placement for receipt of special education and related services. 34 CFR § 300.300(a); Wis. Stat. § 115.782(1)(b).

If the child is a ward of the state and is not residing with the child's parent, the School District of Manawa is not required to obtain informed consent from the parent for an initial evaluation if: the School District of Manawa cannot, after reasonable efforts, locate the parent of the child; the rights of the parents of the child have been terminated in accordance with state law; or, the rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child. 34 CFR § 300.300(a)(2).

If the parent of a child enrolled in public school or seeking to be enrolled in public school does not provide consent for an initial evaluation or fails to respond to a request to provide consent, the School District of Manawa may, but is not required to, pursue the initial evaluation by utilizing mediation or due process. 34 CFR § 300.300(a)(3).

If a parent of a child who is home schooled or parentally placed in a private school does not provide consent, or the parent fails to respond to a request to provide consent, the School District of Manawa cannot use mediation or due process and is not required to consider the child as eligible for services. 34 CFR § 300.300(d)(4).

The School District of Manawa does not use a parent's refusal to consent to activities relating to conducting an initial evaluation to deny the parent or child any other service, benefit, or activity of the School District of Manawa. 34 CFR § 300.300(d)(3).

IEP Team Determination of Eligibility or Continuing Eligibility (Initial and Reevaluation). Following a review of existing data and administration of assessments and other evaluation materials (if any), the IEP team determines whether the child is or continues to be a child with a disability. For a child who does not otherwise meet the eligibility criteria under state law, the IEP team does not determine that the child is a child with a disability solely because the child has received inappropriate instruction in reading or math or because the child has limited proficiency in English. In interpreting evaluation data for the purpose of determining if a child is a child with a disability, and the educational needs of the child, the School District of Manawa draws upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The School District of Manawa ensures that information obtained from all of these sources is documented and carefully considered. 34 CFR § 300.306.

Reevaluation. In conducting reevaluations, the IEP team:

- evaluates a child with a disability in accordance with the law before determining that the child is no longer a child with a disability, and
- reevaluates a child with a disability in accordance with the law if the School District of Manawa determines that the educational or related services needs of the child, including the child's

academic and functional performance, warrant a reevaluation or if the child's parent or teacher requests a reevaluation. The IEP team shall reevaluate a child no more than once a year unless the child's parents and the School District of Manawa agree otherwise, and at least once every 3 years unless the child's parent and School District of Manawa agree that a reevaluation is unnecessary.

34 CFR §§ 300.303, 300.305(e)(1); Wis. Stat. § 115.782(4).

An evaluation is not required before the termination of a child's eligibility for special education and related services because he or she graduated from secondary school with a regular diploma or because he or she reached the age of 21. Under these circumstances, the School District of Manawa provides the child with a summary of the child's academic achievement and functional performance, including recommendations on how to assist the child in meeting his or her postsecondary goals. 34 CFR §§ 300.305(e)(2) and (3); Wis. Stat. § 115.782(4).

In conducting a reevaluation, the School District of Manawa obtains informed consent from the child's parent before administering new assessments and other evaluation materials. The School District of Manawa proceeds without consent only if the School District of Manawa has taken reasonable measures to obtain the consent and the child's parents have failed to respond. Reasonable measures are the measures required for conducting an IEP meeting without a parent in attendance. If the parent of a child enrolled in public school or seeking to be enrolled in public school refuses to provide consent, the School District of Manawa is not required to pursue the reevaluation, but may pursue the reevaluation by utilizing mediation or due process.

If a parent of a child who is home schooled or parentally placed in a private school refuses or fails to respond to a request for consent for a reevaluation, the School District of Manawa cannot use mediation or due process and is not required to consider the child as eligible for services. 34 CFR §§ 300.300(c) and (d); Wis. Stat. § 115.782(4)(b).

If the IEP team and other qualified professionals, as appropriate, finds no additional information is needed to determine whether a child continues to be a child with a disability, and to determine the child's educational needs, the School District of Manawa notifies the child's parents of that finding and the reasons for it, and that the parent has a right to request an assessment to determine whether the child continues to have a disability, and to determine the child's educational needs. The School District of Manawa conducts such an assessment if the parent requests it. 34 CFR § 300.305(d); Wis. Stat. § 115.782(4)(c).

Evaluation Report. When the IEP team determines a child's eligibility, the team prepares an evaluation report that includes documentation of the determination of eligibility. The School District of Manawa gives a copy of the evaluation report and the documentation of determination of eligibility at no cost to the child's parents. 34 CFR § 300.306(a); Wis. Stat. § 115.782(3)(b).

Evaluation Safeguards. When a School District of Manawa evaluates a child with a disability, the IEP team:

- does not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child;
- uses a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information, including information provided by the child's parent, that may assist in determining whether the child is a child with a disability and the content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum or, for preschool children, to participate in appropriate activities;
- uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors; and
- ensures all of the following:
 - assessments and other evaluation materials used to assess a child are selected and administered so as not to be racially or culturally discriminatory and are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do, academically, developmentally, and functionally, unless it is clearly not feasible to do so;
 - any assessments given to the child have been validated for the specific purpose for which they are used, are administered by trained and knowledgeable personnel, and are administered in accordance with any instructions provided by the producer of such assessments or evaluation materials;
 - the child is assessed in all areas of suspected disability; including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; and
 - assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are used.

34 CFR § 300.304; Wis. Stat. §§ 115.782(2) and 3(b).

The evaluation report includes documentation of determination of eligibility for special education. A copy of the evaluation report, including the documentation of eligibility is given to the child's parents.

In evaluating each child with a disability, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs whether or not commonly linked to the disability category in which the child has been classified. 34 CFR §§ 300.304 (c)(6)-(7).

The School District of Manawa ensures assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those designed to provide a single general intelligence quotient. 34 CFR § 300.304(c)(2).

The School District of Manawa ensures assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the skills the test purports to measure). 34 CFR § 300.304(c)(3).

Additional Requirements for Specific Learning Disabilities. When a school begins to use data from a multi-level system of support to consider if the student meets the Insufficient Progress criterion, the IEP team shall include the following additional members:

- at least one licensed person who is qualified to assess data on individual rate of progress using a psychometrically valid and reliable methodology;
- at least one licensed person who has implemented scientific, research-based or evidence-based, intensive interventions with the referred pupil
- at least one licensed person who is qualified to conduct individual diagnostic evaluations of children; and
- if the child does not have a licensed general education teacher, a general education classroom teacher licensed to teach a child of the same age, or for a child of less than school age, an individual qualified by the Department of Public Instruction to teach a child of his or her age.

Wis. Admin. Code PI § 11.36(6).

For a child suspected of having a specific learning disability, the documentation of the determination of eligibility shall include:

- whether the child has a specific learning disability;
- the basis for making that determination, including an assurance that the eligibility determination was based on a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior; and that the information obtained from all of these sources is documented and carefully considered;
- the relevant behavior, if any, noted during observation of the child and the relationship of that behavior to the child's academic functioning in the area of potential specific learning disability;
- documentation that the intensive intervention was applied in a manner highly consistent with its design, was closely aligned to pupil need, and was culturally appropriate;
- the educationally relevant medical findings, if any;
- whether the child does not achieve adequately for the child's age or to meet state approved grade-level standards and the child does not make sufficient progress to meet age or State-approved grade-level standards; the determination of the team concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional behavioral disability; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level; and
- if the child has participated in a process that assesses the child's response to scientific, research-based intervention, documentation that the child's parents were notified about the following:
 - the progress monitoring data collected;
 - strategies for increasing the child's rate of learning including the intensive interventions used, and
 - the parents' right to request an evaluation.

Each IEP team member certifies in writing whether the report reflects his or her conclusion. If the evaluation report does not reflect the IEP team member's conclusions, the member submits a separate statement presenting his or her conclusions. Wis. Admin. Code § PI 11.36(6).

Determination of Eligibility

An evaluation conducted by an IEP team under Wis. Stat. § 115.782, shall focus on the consideration of information and activities that assist the IEP team in determining the educational needs of the child. Specifically, the IEP team shall meet the evaluation criteria specified under Wis. Stat. § 115.782(2)(a), when conducting tests and using other evaluation materials in determining a child's disability. Evaluation means procedures used in accordance with §§300.304 through 300.311 to determine whether a child has a disability and the nature and extent of the specially designed instruction, supplementary aids and services, and related services that the child needs. 34 CFR § 300.15.

A child shall be identified as having a disability if the IEP team has determined from a comprehensive evaluation conducted under Wis. Stat. § 115.782, that the child has an impairment under Wis. Admin. Code § PI 11.36 that adversely affects the child's educational performance, and the child requires specially designed instruction. "Specially designed instruction" means adapting, as appropriate to the needs of an eligible child, the content, methodology, or delivery of instruction to address the unique needs of the child that result from the child's disability; and to ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children. 34 CFR § 300.39(a)(3).

Every special education evaluation must be sufficiently comprehensive to identify the effects of the student's disability and the student's disability-related needs, whether or not commonly linked to the disability category(s) in which the student has been classified. 34 CFR § 300.304(c)(6). The evaluation must yield sufficient information to allow the team to move forward to develop, or review and revise, the student's IEP if the student is found eligible for special education. This means the team must have the information needed to make decisions about how to educate the student so the student can access the general education curriculum and instruction to make progress toward meeting the expectations and standards that apply to all students of the same age or grade. Wis. Admin. Code § PI 11.35.

A child will not be determined to be a child with a disability if:

- The determinant factor for that determination is
- Lack of appropriate instruction in reading, including the essential components of reading instruction as defined in 20 U.S.C. § 6368(3); or
- Lack of appropriate instruction in math; or
- Limited English proficiency;
- The child does not otherwise meet the eligibility criteria; and,
- The child does not require specially designed instruction.

34 CFR § 300.306(b); Wis. Stat. § 115.782(3)(a).

Disability Categories

All provisions in these policies shall be construed consistent with 20 U.S.C. § 1400 et. seq. and the regulations promulgated thereunder. Wis. Admin. Code § PI 11.36.

Autism. Wis. Admin. Code § PI 11.36(8).

Autism means a developmental disability significantly affecting a child's social interaction and verbal and nonverbal communication, generally evident before age 3 that adversely affects learning and educational performance. Other characteristics often associated with autism 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 a child's educational performance is adversely affected primarily because the child has an emotional behavioral disability as defined in Wis. Admin. Code § PI 11.36(7).

The results of standardized or norm-referenced instruments used to evaluate and identify a child under this paragraph may not be reliable or valid. Therefore, alternative means of evaluation, such as criterion-referenced assessments, achievement assessments, observation and work samples shall be considered to identify a child under this paragraph. Augmentative communication strategies, such as facilitated communication, picture boards or signing shall be considered when evaluating a child under this paragraph. To identify a child as a child with autism, the criteria under 1. and 2. and one or more criteria under 3. through 6. shall be met.

1. The child displays difficulties or differences or both in interacting with people and events. The child may be unable to establish and maintain reciprocal relationships with people. The child may seek consistency in environmental events to the point of exhibiting rigidity in routines.
2. The child displays problems which extend beyond speech and language to other aspects of social communication, both receptively and expressively. The child's verbal language may be absent or, if present, lacks the usual communicative form which may involve deviance or delay or both. The child may have a speech or language disorder or both in addition to communication difficulties associated with autism.
3. The child exhibits delays, arrests, or regressions in motor, sensory, social, or learning skills. The child may exhibit precocious or advanced skill development, while other skills may develop at normal or extremely depressed rates. The child may not follow normal developmental patterns in the acquisition of skills.
4. The child exhibits abnormalities in the thinking process and in generalizing. The child exhibits strengths in concrete thinking while difficulties are demonstrated in abstract thinking, awareness, and judgment. Perseverant thinking and impaired ability to process symbolic information may be present.

5. The child exhibits unusual, inconsistent, repetitive, or unconventional responses to sounds, sights, smells, tastes, touch, or movement. The child may have a visual or hearing impairment or both in addition to sensory processing difficulties associated with autism.

6. The child displays marked distress over changes, insistence on following routines and a persistent preoccupation with or attachment to objects. The child's capacity to use objects in an age-appropriate or functional manner may be absent, arrested or delayed. The child may have difficulty displaying a range of interests or imaginative activities or both. The child may exhibit stereotyped body movements.

Blind and Visually Impaired. Wis. Admin. Code § PI 11.36(3).

Blind and visually impaired means even after correction a child's visual functioning adversely affects educational performance.

The IEP team may identify a child as blind and visually impaired after all of the following events occur:

1. A teacher of the blind and visually impaired licensed under Wis. Admin. Code § PI 34.051 conducts a functional vision evaluation which includes a review of medical information from an ophthalmologist or optometrist, formal and informal tests of visual functioning, and a determination of the implications of the blindness or visual impairment on the educational and curricular needs of the child.

2. An orientation and mobility specialist licensed under Wis. Admin. Code § PI 34.089 evaluates the child to determine if there are related orientation and mobility needs in home, school, or community environments. A child may meet this criteria even if they do not have orientation and mobility needs.

Upon re-evaluation, a child who met initial identification criteria and continues to demonstrate a need for special education under Wis. Admin. Code § PI 11.35, including specially designed instruction, is a child with a disability under this section.

Deaf and Hard of Hearing. Wis. Admin. Code § PI 11.36(4).

Deaf and hard of hearing means a decreased ability to detect sound in one or both ears with or without amplification, whether permanent or chronically fluctuating, which adversely affects a child's educational performance. This includes academic performance, speech perception, speech production, or communication including language acquisition or expression.

A current evaluation by an audiologist licensed under chapter 459, Stats., shall be one of the components for an initial evaluation of a child with suspected hearing loss. A teacher of the deaf or hard of hearing licensed under Wis. Admin. Code § PI 34.050 must be a member of the IEP team when determining eligibility.

Upon re-evaluation, a child who met initial identification criteria and continues to demonstrate a need for special education under Wis. Admin. Code § PI 11.35, including specially designed instruction, is a child with a disability under this section.

Deafblind. Wis. Admin. Code § PI 11.36(4m).

Deafblind means concomitantly deaf or hard of hearing and blind or visually impaired, the combination of which causes severe communication and other developmental and educational needs such that the individual disability-related needs of the student extend beyond the instruction and supports required for a student who is solely deaf or hard of hearing or blind or visually impaired.

Upon re-evaluation, a child who met initial identification criteria and continues to demonstrate a need for special education under Wis. Admin. Code § PI 11.35, including specially designed instruction, is a child with a disability under this section.

Emotional Behavioral Disability. Wis. Admin. Code § PI 11.36(7).

Emotional behavioral disability, pursuant to Wis. Stat. § 115.76(5)(a)5, means social, emotional, or behavioral functioning that so departs from the generally accepted, age appropriate ethnic or cultural norms that it adversely affects a child's academic progress, social relationships, personal adjustment, classroom adjustment, self-care, or vocational skills.

The IEP team may identify a child as having an emotional behavioral disability if the child meets the preceding definition and meets all of the following:

- The child demonstrates severe, chronic, and frequent behavior that is not the result of situational anxiety, stress, or conflict.
- The child's behavior described under par.(a) occurs in school and in at least one other setting.
- The child displays any of the following:
 - Inability to develop or maintain satisfactory interpersonal relationships.
 - Inappropriate affective or behavioral response to a normal situation.
 - Pervasive unhappiness, depression, or anxiety.
 - Physical symptoms, pains or fears associated with personal or school problems.
 - Inability to learn that cannot be explained by intellectual, sensory, or health factors.
 - Extreme withdrawal from social interactions.
 - Extreme aggressiveness for a long period of time.
 - Other inappropriate behaviors that are so different from children of similar age, ability, educational experiences, and opportunities that the child or other children in a regular or special education program are negatively affected.

The IEP team shall rely on a variety of sources of information, including systematic observations of the child in a variety of educational settings and shall have reviewed prior, documented interventions. If the IEP team knows the cause of the disability under this paragraph, the cause may be, but is not required to be, included in the IEP team's written evaluation summary.

The IEP team may not identify or refuse to identify a child as a child with an emotional behavioral disability solely on the basis that the child has another disability, or is socially maladjusted, adjudged delinquent, a dropout, chemically dependent, or a child whose behavior is primarily due to cultural deprivation, familial instability, suspected child abuse or socio-economic circumstances, or when medical or psychiatric diagnostic statements have been used to describe the child's behavior.

Intellectual Disability. Wis. Admin. Code § PI 11.36(1).

Intellectual disability means significant limitations both in intellectual functioning and in adaptive behavior as expressed in conceptual, social, and practical adaptive skills and manifested during the developmental period that adversely affects the child's educational performance. The IEP team may identify a child as having an intellectual disability if the child meets the following criteria:

1. The child has a standard score of 2 or more standard deviations below the mean on an individually administered intelligence test which takes into account the child's mode of communication and is developed to assess intellectual functioning using this mode. More than one intelligence test may be used to produce a comprehensive result.
2. The child has significant limitations in adaptive behavior that are demonstrated by a standards score of 2 or more standard deviations below the mean on standardized or nationally-normed measures, as measured by comprehensive, individual assessments that include interviews of the parents, tests, and observations of the child in adaptive behavior which are relevant to the child's age, including at least one of the following:
 - a. Conceptual skills;
 - b. Social adaptive skills;
 - c. Practical adaptive skills; or
 - d. An overall composite score on a standardized measure of conceptual, social, and practical skills.
3.
 - a. The child is age 3 through 5 and has a standard score of 2 or more standard deviations below the mean on standardized or nationally-normed measures, as measured by comprehensive, individual assessments, in the following areas: language development and communication, cognition, and general knowledge.
 - b. The child is age 6 through 21 and has a standard score of 2 or more standard deviations below the mean on standardized or nationally-normed measures, as measured by comprehensive, individual assessments, in general information and at least 2 of the following areas: written language, reading, and mathematics.

When it is determined that reliable and valid assessment results are not possible due to the child's functioning level or age, a standardized developmental scale or a body of evidence including informal measures shall be used to assess the child.

Upon re-evaluation, a child who met identification criteria for cognitive disability prior to September 1, 2015, and continues to demonstrate a need for special education under s. PI 11.35 (2), including specially designed instruction, is a child with a disability under this section.

NOTE: Intellectual disabilities typically manifest before age 18. An etiology should be determined when possible, so the IEP team can use this information for program planning.

Orthopedic Impairment. Wis. Admin. Code § PI 11.36(2).

Orthopedic impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes but is not limited to impairments caused by congenital anomaly such as clubfoot or absence of some member; impairments caused by disease such as

poliomyelitis or bone tuberculosis; and impairments from other causes such as cerebral palsy, amputations, and fractures or burns that cause contractures.

Other Health Impairment. 34 CFR § 300.8; Wis. Admin. Code § PI 11.36(10).

Other health impairment means having limited strength, vitality, or alertness due to chronic or acute health problems. The term includes but is not limited to a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, attention deficit disorder or attention deficit hyperactivity disorder, sickle cell anemia, Tourette syndrome, hemophilia, epilepsy, lead poisoning, leukemia, diabetes or acquired injuries to the brain caused by internal occurrences or degenerative conditions, which adversely affects a child's educational performance.

Significant Developmental Delay. Wis. Admin. Code § PI 11.36(11).

Significant developmental delay means children, age 3 through 9 years of age, who are experiencing significant delays in the areas of physical, cognition, communication, social-emotional or adaptive development.

All other suspected impairments are considered before identifying a child's primary impairment as significant developmental delay.

A child may be identified as having significant developmental delay when delays in development significantly challenge the child in two or more of the following five major life activities:

- Physical activity in gross motor skills such as the ability to move around and interact with the environment with appropriate coordination, balance, and strength; or fine motor skills, such as manually controlling and manipulating objects such as toys, drawing utensils and other useful objects in the environment.
- Intellectual activity such as the ability to acquire, use and retrieve information as demonstrated by the level of imitation, discrimination, representation, classification, sequencing, and problem-solving skills often observed in a child's play.
- Communication activity in expressive language such as the production of age-appropriate content, form and use of language; or receptive language, such as listening, receiving, and understanding language.
- Emotional activity such as the ability to feel and express emotions and develop a positive sense of oneself; or social activity, such as interacting with people, developing friendships with peers, and sustaining bonds with family members and other significant adults.
- Adaptive activity, such as caring for his or her own needs and acquiring independence in age-appropriate eating, toileting, dressing, and hygiene tasks.

Documentation of significant developmental delays and their detrimental effect upon the child's daily life shall be based upon qualitative and quantitative measures including all of the following:

- A developmental and basic health history including results from vision and hearing screenings and other pertinent information from parents and, if applicable, other caregivers or service providers.
- Observation of the child in his or her daily living environment such as the child's home with a parent or caregiver or an early education or care setting which includes peers who are typically

developing. If observation in these settings is not possible, observation in an alternative setting is permitted.

- Results from norm-referenced instruments are used to document significant delays of at least one and one-half standard deviations below the mean in two or more of the developmental areas which correspond to the major life activities. If it is clearly not appropriate to use norm-referenced instruments, other instruments such as criterion-referenced measures are used to document the significant delays.

Specific Learning Disability. Wis. Admin. Code § PI 11.36(6).

Specific learning disability, means a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken, or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or perform mathematical calculations, including conditions such 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, motor disabilities, intellectual disabilities, emotional disturbance, cultural factors, environmental, or economic disadvantage.

The IEP team may identify a child as having a specific learning disability if both of the following apply:

1. Inadequate Classroom Achievement

Upon initial identification, the child does not achieve adequately for his or her age or meet state-approved grade-level standards in one or more of the following eight areas of potential specific learning disabilities when provided with learning experiences and instruction appropriate for the child's age: oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, and mathematics problem solving.

A child's achievement is inadequate when the child's score, after intensive intervention, on one or more assessments of achievement is equal to or more than 1.25 standard deviations below the mean in one or more of the eight areas of potential specific learning disabilities. Assessments shall be individually administered, norm-referenced, valid, reliable, and diagnostic of impairment in the area of potential specific learning disabilities.

The 1.25 standard deviation requirement may not be used if the IEP team determines that the child cannot attain valid and reliable standard scores for academic achievement because of the child's test behavior, the child's language proficiency, an impairment of the child that interferes with the attainment of valid and reliable scores, or the absence of individually administered, norm-referenced, standardized, valid, and reliable diagnostic assessments of achievement appropriate for the child's age. If the IEP team makes such a determination, it shall document the reasons why it was not appropriate to consider standardized achievement testing and shall document that inadequate classroom achievement exists in at least one of the eight areas of potential specific learning disabilities using other empirical evidence.

The IEP team may consider scores within 1 standard error of the measurement of the 1.25 standard deviation criterion above to meet the inadequate classroom achievement criteria if the IEP team determines the child meets all other criteria.

2. Insufficient Progress. Upon evaluation, the child has made insufficient progress in one of the following areas:

a. *Insufficient response to intensive, scientific, research-based or evidence-based intervention.* The child does not make sufficient progress to meet age or state-approved grade-level standards in one or more of the eight areas of potential specific learning disabilities when using a process based on the child's response to intensive, scientific, research-based or evidence-based interventions.

Intensive interventions may be implemented prior to referral, or as part of an evaluation, for specific learning disability. The IEP team shall consider progress monitoring data from at least two intensive, scientific, research-based or evidence-based interventions, implemented with adequate fidelity and closely aligned to individual student learning needs. The median score of three probes is required to establish a stable baseline data point for progress monitoring. IEP teams shall use weekly or more frequent progress monitoring to evaluate rate of progress during intensive, scientific, research-based or evidence-based interventions.

Rate of progress during intensive interventions is insufficient when any of the following areas are true: the rate of progress of the referred child is the same or less than that of his or her same-age peers; the referred child's rate of progress is greater than that of his or her same-age peers but will not result in the referred child reaching the average range of his or her same-age peers' achievement for that area of potential disability in a reasonable period of time; or the referred child's rate of progress is greater than that of his or her same-age peers, but the intensity of the resources necessary to obtain this rate of progress cannot be maintained in general education.

If the LEA decides to use insufficient response to intensive, scientific, research-based or evidence-based intervention for any child being evaluated for specific learning disabilities enrolled in a school, the LEA shall use insufficient response to intensive, scientific, research-based or evidence-based interventions for all such evaluations of children enrolled in that school. At least ten days in advance of beginning to use insufficient response to intensive, scientific, research-based or evidence-based intervention in a school, the LEA will notify parents of all children enrolled in that school of the intent to use insufficient response to intensive, scientific, research-based or evidence-based intervention.

b. *Significant discrepancy or insufficient progress in achievement as compared to measured ability.* LEAs are permitted to use this option until November 30, 2013.

Upon initial evaluation, the child exhibits a significant discrepancy between the child's academic achievement in any of the eight areas of potential specific learning disabilities and intellectual ability as documented by the child's composite score on a multiple score instrument or the child's score on a single score instrument.

The IEP team may base a determination of significant discrepancy only upon the results of individually administered, norm-referenced, valid, and reliable diagnostic assessment of achievement. A significant discrepancy means a difference between standard scores for ability and achievement equal to or greater than 1.75 standard errors of the estimate below expected

achievement, using a standard regression procedure that accounts for the correlation between ability and achievement measures.

This regression procedure shall be used except when the IEP team determines that the child cannot attain valid and reliable standard scores for intellectual ability or achievement because of the child's test behavior, the child's language, another impairment of the child that interferes with the attainment of valid and reliable scores, or the absence of valid and reliable standardized, diagnostic tests appropriate for the child's age. If the IEP team makes such a determination, it shall document the reasons why it was not appropriate to use the regression procedure and shall document that a significant discrepancy exists, including documentation of a variable pattern of achievement or ability, in at least one of the eight areas of potential specific learning disabilities using other empirical evidence.

If the discrepancy between the child's ability and achievement approaches but does not reach the 1.75 standard error of the estimate cut-off for this subdivision paragraph, the child's performance in any of the eight areas of potential specific learning disabilities is variable, and the IEP team determines that the child meets all other criteria, the IEP team may consider that a significant discrepancy exists.

The IEP team may not identify a child as having a specific learning disability if the team's findings of inadequate classroom achievement or insufficient progress are primarily due to one of the following exclusionary factors:

- environmental, economic disadvantage or cultural factors;
- lack of appropriate instruction in reading, including in the essential components of reading instruction;
- lack of instruction in math;
- limited proficiency in English;
- any of the other impairments; and
- lack of appropriate instruction in the area(s) of potential specific learning disability under consideration.

The child must be systematically observed in the child's learning environment, including the general classroom setting when possible, to document the child's academic performance and behavior in any of the eight areas of potential specific learning disabilities.

The systematic observation of routine classroom instruction and monitoring of the child's performance in at least one of the eight areas of potential specific learning disabilities may be conducted before the child was referred for evaluation, or the systematic observation of the child's academic performance in at least one of the eight areas of potential specific learning disabilities shall be conducted after the child has been referred for an evaluation and parental consent is obtained. If the child is less than school age or out of school, at least one member of the IEP team will conduct a systematic observation of the child in an environment appropriate for a child of that age.

If the child has participated in a process that assesses the child's response to intensive, scientific, research-based or evidence-based interventions, the IEP team will use information from a systematic observation of pupil behavior and performance in the area or areas of potential specific learning disability during intensive intervention for that area, conducted by an individual who is not responsible for implementing the interventions with the referred pupil.

In addition to all other determinations, the IEP team shall base its decision of whether a child has a specific learning disability on a comprehensive evaluation using formal and informal assessment data regarding academic achievement and learning behavior from sources such as standardized tests, error analysis, criterion referenced measures, curriculum-based assessments, pupil work samples, interviews, systematic observations, analysis of the child's response to previous interventions, and analysis of classroom expectations and curriculum.

Upon reevaluation, a child who met initial identification criteria and continues to demonstrate a need for special education, including specially designed instruction, is a child with a disability under this section, unless the exclusionary factors now apply. If a child with a specific learning disability performs to generally accepted expectations in the general education classroom without specially designed instruction, the IEP team shall determine whether the child is no longer a child with a disability.

Speech and Language Impairment. Wis. Admin. Code § PI 11.36(5).

Definitions. In this subsection:

1. “Home languages” mean the languages used by the child or the parent of the child in their natural environment, or the modes of communication that are used by the child or the parent of the child in their natural environment, and may include languages other than English, sign language, braille, or augmentative and alternative communication.
2. “Natural environment” means settings that are natural or typical for a same-aged child without a disability and may include school, home, or community.
3. “Significant discrepancy” means performance on a norm-referenced assessment that meets the cutoff score for a speech or language disorder and is significantly below age- or grade-level expectations relative to a normative sample, often reported as a percentile or standard score.
4. “Speech or language impairment” means an impairment of speech or sound production, voice, fluency, or language that adversely affects educational performance or social, emotional, or vocational development.

Assessments and other evaluation materials used to conduct a comprehensive evaluation of a child’s speech and language development shall be provided and administered in the child’s home languages. Assessments and other evaluation materials shall be in the form most likely to yield accurate information unless it is not feasible to do so and shall describe the child’s speech and language abilities and how those abilities impact the child’s progress in the general education environment relative to the speech and language demands of the classroom and curriculum.

Interpretation of assessments shall be based on the representativeness of the normative sample and the psychometric properties of the assessment.

Speech Sound Disorder

Following consideration of the child's age, culture, language background, and dialect, the child meets all of the following conditions for a speech sound disorder:

- a. The child's speech sound production is documented to be delayed, as evidenced through at least one observation in a natural environment.
- b. The child's speech sound production is documented to be delayed, as measured by a criterion-referenced assessment, such as a developmental scale or a phonetic inventory, or significant discrepancy in performance from typical on a norm-referenced assessment.
- c. The child's intelligibility is below the expected range and not due to influences of home languages or dialect. Intelligibility ratings as documented by school staff or caregivers indicate an impact across environments.
- d. Speech sound production is less than 30% stimulable for incorrect sounds.

Phonological Disorder

Following consideration of the child's age, culture, language background, or dialect, the child demonstrates the characteristics of a phonological disorder, which include both of the following:

- a. The child's intelligibility is below the expected range and not due to influences of home languages or dialect. Intelligibility ratings as documented by school staff or caregivers indicate an impact across environments.
- b. The child's phonological process use is documented to be non-developmental or outside of the expected developmental range, as evidenced through at least one observation in a natural environment, and by measurement of either the presence of one or more phonological processes occurring at least 40%, significant discrepancy in performance from typical on a norm-referenced assessment, or both.

Voice Impairment

The child's voice is impaired in the absence of an acute, respiratory virus or infection and not due to temporary physical factors such as allergies, short term vocal abuse, or puberty. Following consideration of the child's age, culture, language background, or dialect, the child demonstrates characteristics of a voice impairment, which include any of the following:

- a. The child's vocal volume, including loudness.
- b. The child's vocal pitch, including range, inflection, or appropriateness.
- c. The child's vocal quality, including breathiness, hoarseness, or harshness.
- d. The child's vocal resonance, including hypernasality.

Fluency Disorder

The child exhibits characteristics of a fluency disorder, following consideration of the child's age, language background, culture, and dialect. The evaluation shall include a variety of measures, including case history, observation in natural environment, norm-referenced assessment or

disfluency analysis, and result in evidence of atypical fluency. The presence of one or more of the following characteristics shall indicate a fluency disorder:

- a. Speech disfluencies associated with stuttering or atypical disfluency, which include repetitions of phrases, words, syllables, and sounds or dysrhythmic phonations such as prolongations of sounds or blockages of airflow typically in excess of 2% of total syllables, one second of duration, and two or more iterations in a repetition. Non-verbal physical movements, such as eye blinking or head jerking, may accompany the stuttering. Negative feelings about oral communication may be significant enough to result in avoidance behaviors in an attempt to hide or diminish stuttering.
- b. A speech rate that is documented to be rapid, irregular, or both and may be accompanied by sound or syllable omissions, sequencing errors, or a high number of non-stuttering speech disfluencies such as interjections, phrase and whole word repetitions, and revisions. The resulting speech fluency pattern is considered to be significantly disruptive to efficient communication. Negative feelings and attitudes about oral communication may or may not be present under this disfluency profile.

Language Impairment

Following consideration of the child's age, culture, language background, or dialect, the child demonstrates a language impairment in the area of language form, content or use, as evidenced through an observation in a natural environment and by measurement of at least two of the following:

- a. Language sample analysis.
- b. Dynamic assessment.
- c. Developmental scales or another criterion-referenced assessment.
- d. Significant discrepancy from typical language skills on a norm-referenced assessment of comprehensive language.

Exclusionary Factors

The IEP team may not identify a child as a child with speech or language impairment when differences in speech or language are based on home languages, culture, or dialect unless the child has a speech or language impairment within the child's home languages, culture, or dialect. In determining whether the child has a speech or language impairment, the IEP team shall consider all of the following:

1. The child's background knowledge, stage of language acquisition, experience with narratives, and exposure to vocabulary to discern speech or language ability from speech or language difference, such as differences due to lack of exposure, stage of language acquisition, cultural or behavioral expectations.
2. Based on information and data collected, the IEP team must determine whether the child's speech or language skills are a result of a speech or language impairment or a difference due to culture, language background, or dialect.

AAC Considerations

In addition to the evaluations under pars. (am) to (c), the IEP team shall evaluate a child's language by assessing the child's augmentative and alternative communication skills, when appropriate to determine the child's needs.

IEP Team Members

An IEP team shall include the following:

1. A speech-language pathologist licensed under chapter PI 34 who shall incorporate information from the most recent assessment to assist the IEP team in documenting whether the child meets the criteria for a speech or language impairment as well as identifying the child's speech or language needs.
2. An educator with foundational knowledge in first and second language instruction and second language acquisition if the child is identified as an English Learner under 20 U.S.C. § 7801(20).

Re-evaluation

Upon re-evaluation, a child who met initial identification criteria and continues to demonstrate a need for special education under Wis. Admin. Code § PI 11.35, including specially designed instruction, is a child with a disability under this section.

Traumatic Brain Injury. Wis. Admin. Code § PI 11.36(9).

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; speech and language; memory; attention; reasoning; abstract thinking; communication; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and executive functions, such as organizing, evaluating, and carrying out goal-directed activities. The term does not apply to brain injuries that are congenital or degenerative or brain injuries induced by birth trauma.

Children whose educational performance is adversely affected as a result of acquired injuries to the brain caused by internal occurrences, such as vascular accidents, infections, anoxia, tumors, metabolic disorders and the effects of toxic substances or degenerative conditions may meet the criteria of one of the other impairments.

The results of standardized and norm-referenced instruments used to evaluate and identify a child as traumatic brain injured may not be reliable or valid. Therefore, alternative means of evaluation, such as criterion-referenced assessment, achievement assessment, observation, work samples, and neuropsychological assessment data are considered to identify a child who exhibits total or partial functional disability or psychosocial impairment in one or more areas listed above. Before a child may be identified as traumatic brain injured, available medical information from a licensed physician is considered.

Developing, Reviewing and Revising IEPs

IEP in Effect. At the beginning of each school year the local educational agency has in effect an IEP for each child with a disability within its jurisdiction. The School District of Manawa ensures that a meeting to develop an IEP and determine placement is conducted within 30 days of determination that the child is a child with a disability. The School District of Manawa ensures an IEP is in effect before special education and related services are provided to children with disabilities and is implemented as soon as possible following the meetings at which the IEP is developed. The School District of Manawa develops and implements an IEP for each child with a disability served by that agency including children placed in or referred to a private school or facility by the School District of Manawa.

The School District of Manawa ensures each child's IEP is accessible to each regular education teacher, special education teacher, related service provider and any other service provider who is responsible for its implementation. The School District of Manawa ensures each teacher and provider responsible for implementing a child's IEP is informed of his or her specific responsibilities related to implementing the child's IEP and the specific accommodations, modifications and supports that must be provided for the child in accordance with the IEP. The School District of Manawa provides special education and related services to a child with a disability in accordance with the child's IEP and makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP. 34 CFR §§ 300.323(a),(c)-(d); Wis. Stat. §§ 115.787(1), 115.78(3)(c).

IEP Development

In developing each child's IEP, the IEP team considers the strengths of the child, the concerns of the child's parents for enhancing the education of their child, and the results of the initial or most recent evaluation of the child, and the academic, developmental, and functional needs of the child.

The IEP team considers the following special factors:

- the use of positive behavioral interventions and supports, and other strategies, to address that behavior in the case of a child whose behavior impedes the child's learning or that of others;
- the language needs of the child as such needs relate to the child's IEP in the case of a child with limited English proficiency;
- instruction in Braille and the use of Braille in the case of a child who is visually impaired unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media, including an evaluation of the child's future needs for instruction in Braille or the use of Braille, that instruction in Braille or the use of Braille is not appropriate for the child;

- the communication needs of the child and, in the case of a child who is hearing impaired, the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level and full range of needs including opportunities for direct instruction in the child's language and communication mode; and
- whether the child requires assistive technology devices and services.

If, when considering these special factors, the IEP team determines a child needs a particular device or service in order to receive a free appropriate public education, the IEP team includes a statement to that effect in the IEP.

The child's regular education teacher, as a member on the IEP team, participates in the development of the IEP of the child to the extent appropriate. The teacher participates in the determination of appropriate positive behavioral interventions and supports and other strategies, supplementary aids and services, program modifications and supports for school personnel.

The School District of Manawa gives a copy of the IEP to the child's parents with the notice of placement. 34 CFR § 300.324(a); Wis. Stat. § 115.787(3).

IEP Review and Revision

The IEP team reviews the child's IEP periodically, but at least once a year, to determine whether the annual goals for the child are being achieved and revises the IEP as appropriate to address:

- any lack of expected progress toward the annual goals and in the general education curriculum;
- the results of any reevaluation;
- information about the child provided to or by the parents;
- the child's anticipated needs; or
- other matters.

In conducting a review of the child's IEP, the IEP team considers the special factors listed above under the development of the IEP section.

To the extent appropriate, the regular education teacher of the child, as a member on the IEP team, participates in the review and revision of the IEP of the child.

If a participating agency, other than the School District of Manawa, fails to provide transition services described in the IEP, the School District of Manawa reconvenes the IEP team to identify alternative strategies to meet the transition objectives for the child set out in the IEP. 34 CFR §§ 300.324(b) and (c); Wis. Stat. § 115.787(4).

Amendments to the IEP

In making changes to a child's IEP after the annual IEP team meeting for a school year, the parent of a child with a disability and the School District of Manawa may agree not to convene an IEP team meeting for the purposes of making those changes, and instead develop a written document to amend or modify the child's current IEP. If changes are made without a meeting, the School District of Manawa informs the child's IEP team of those changes.

Changes to the IEP may be made by either the entire IEP Team at an IEP team meeting or as described above by amending the IEP rather than redrafting the entire IEP. The School District of Manawa gives the child's parent a copy of the revised IEP with the amendments incorporated. 34 CFR §§ 300.324(a)(4)-(6); Wis. Stat. § 115.787(4)(c).

IEP Content

The IEP for each child with a disability includes:

- a statement of the child's present levels of academic achievement and functional performance including how the child's disability affects the child's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children) or, for a preschool child, as appropriate, how the disability affects the child's participation in appropriate activities;
- a statement of measurable annual goals for the child, including academic and functional goals, designed to meet the child's needs that result from the child's disability to enable the child to be involved in and progress in the general education curriculum and to meet each of the child's other educational needs that result from the child's disability;
- for children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;
- a statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child or on behalf of the child and a statement of the program modifications or supports for school personnel that will be provided to enable the child to:
 - advance appropriately toward attaining the annual goals;
 - be involved in and make progress in the general education curriculum and to participate in extracurricular and other non-academic activities; and
 - be educated and participate with other children with disabilities and nondisabled children in the activities described above;
- an explanation of the extent to which the child will not participate with nondisabled children in regular classes in the general education curriculum and in extracurricular and other nonacademic activities;
- a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance on state or district-wide assessments;
- if the IEP team determines a child must take an alternate assessment instead of participating in a particular regular state-wide or local educational agency-wide assessment of student achievement, a statement indicating why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child;
- the projected date for the beginning of the services and modifications described in the IEP and the anticipated frequency, duration and location of those services and modifications;

- beginning not later than in the first IEP that will be in effect when the child is 14 and updated annually thereafter until the child is no longer eligible for special education and related services, a statement of appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and a description of the transition services, including courses of study, needed to assist the child in reaching those goals;
- a statement that the student has been informed of the parental rights that will transfer to the pupil under special education law on reaching the age of 18, beginning at least one year before the child attains the age of 18, and annually thereafter until the pupil is no longer eligible for special education and related services;
- a description of how the child's progress toward attaining the annual goals will be measured; and
- a description of when periodic reports, such as quarterly reports or other periodic reports issued concurrent with report cards, on the child's progress toward attaining the annual goals will be provided to the parents.

34 CFR § 300.320; Wis. Stat. § 115.787.

Placement

The School District of Manawa ensures an evaluation is conducted before special education and related services are provided to a child with a disability and an educational placement is provided to implement each child's IEP. The IEP team makes placement decisions. The placement is based upon and implements the child's IEP, is determined at least annually, and in uniformity with the least restrictive environment provisions described below. 34 CFR §§ 300.301(a), 300.116(b); Wis. Stat. §§ 115.78(2), 115.79(1)(a) and (b).

Least Restrictive Environment. The School District of Manawa ensures the following:

- Unless the IEP requires a different arrangement, the child is educated in the school he or she would attend if not disabled.
- The placement is provided as close as possible to the child's home.
- In selecting the least restrictive environment consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs.
- A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.
- To the maximum extent appropriate, a child with a disability, including a child receiving publicly funded special education in a public or private institution or other care facility, is educated with children who are not disabled.
- Special classes, separate schooling, or any other removal of a child from the regular educational environment occurs only when the nature or severity of a child's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- The School District of Manawa ensures a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

- The School District of Manawa ensures a continuum of alternative placements is available and will be used that includes instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions.
- The continuum makes provision for supplementary services (such as resource room or itinerant instruction) that are provided in conjunction with regular class placement.
- The School District of Manawa provides or arranges for nonacademic and extracurricular services and activities including meals and recess periods so each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The School District of Manawa ensures that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.

34 CFR §§ 300.114-117.

Notice of Placement. Following the development of the IEP, a notice of placement and a copy of the child's IEP is given to the child's parent(s). 34 CFR § 300.503(b)(4); Wis. Stat. § 115.787(3)(e).

Consent for Placement. The School District of Manawa obtains informed and written parental consent prior to the initial provision of special education and related services to a child with a disability in a program providing special education and related services.

The School District of Manawa makes reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the child. If the parent of a child fails to respond or refuses to consent to services, the School District of Manawa cannot provide special education or related services and cannot use mediation or due process procedures in order to obtain agreement or a ruling that the services may be provided to the child.

If the parent of the child refuses to consent to the initial provision of special education and related services, or the parent fails to respond to a request to provide consent for the initial provision of special education and related services, the School District of Manawa will not be considered to be in violation of the requirement to make available FAPE to the child for the failure to provide the child with the special education and related services for which the School District of Manawa requests consent; and is not required to convene an IEP Team meeting or develop an IEP for the child for the special education and related services for which the School District of Manawa requests such consent. 34 CFR § 300.300(b); Wis. Stat. § 115.79(2).

Parent Revocation of Consent:

If, at any time subsequent to the initial provision of special education and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the school district:

- Will stop providing special education and related services to the child, but before doing so, will provide prior written notice in accordance with 34 CFR § 300.503;

- Will not use special education dispute resolution procedures, including mediation and due process, in order to obtain agreement or a ruling that the services may be provided to the child;
- Is not considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and
- Is not required to convene an IEP Team meeting or develop an IEP for the child for further provision of special education and related services;
- Is not required to amend the child's education records to remove any reference to the child's receipt of special education and related services because of the revocation of consent.

34 CFR § 300.300.

Related Services: Physical and Occupational Therapy

If a child is suspected to need occupational therapy or physical therapy or both, the IEP team includes an appropriate therapist. Wis. Admin. Code § PI 11.24(2).

Physical Therapists' Licensure and Service Requirements. The School District of Manawa ensures the following:

- Physical therapists are licensed by the Department of Public Instruction as school physical therapists.
- Caseloads for full-time physical therapists employed for a full day, 5 days a week, is a minimum of 15 children and a maximum of 30 children, or maximum of 45 children with one or more school physical therapist assistants. A caseload may be varied subject to DPI's approval. The caseload for a part-time school physical therapist may be prorated.
- The school physical therapist has medical information from a licensed physician regarding a child before the child receives physical therapy.
- The school physical therapist delegates to a school physical therapist assistant only those portions of a child's physical therapy which are consistent with the school physical therapist assistant's education, training, and experience.
- The school physical therapist supervises the physical therapy provided by a school physical therapist assistant. The school physical therapist develops a written policy and procedure for written and oral communication to the physical therapist assistant. The policy and procedure includes a specific description of the supervisory activities undertaken for the school physical therapist assistant which includes either of the following levels of supervision:
 - the school physical therapist has daily, direct contact on the premises with the school physical therapist assistant; or
 - the school physical therapist has direct, face-to-face contact with the school physical therapist assistant at least once every 14 calendar days. Between direct contacts the physical therapist is available by telecommunication. The school physical therapist providing general supervision provides an onsite reevaluation of each child's physical therapy a minimum of one time per calendar month or every tenth day of physical therapy, whichever is sooner, and adjusts the physical therapy as appropriate.
- A full-time school physical therapist supervises no more than two full-time equivalent physical therapist assistant positions which may include no more than three physical therapist assistants.

[Back to Table of Contents](#)

- Acts undertaken by a school physical therapist assistant are considered acts of the supervising physical therapist who has delegated the act.
- A school physical therapist conducts all physical therapy evaluations and reevaluations of a child, participates in the development of the child's IEP, and develops physical therapy treatment plans for the child. A school physical therapist is not represented by a school physical therapist assistant on an IEP team.

Wis. Admin. Code § PI 11.24(7).

School Physical Therapist Assistants' Qualifications and Supervision of Physical Therapy. The School District of Manawa ensures the following:

- Physical therapist assistants are licensed by the Department of Public Instruction as school physical therapists.
- The school physical therapist assistant providing physical therapy to a child is supervised by a school physical therapist as specified in these policies.

Wis. Admin. Code § PI 11.24(8).

Occupational Therapists' Licensure and Service Requirements. The School District of Manawa ensures the following:

- Occupational therapists are licensed by the Department of Public Instruction as school occupational therapists.
- Caseloads for full-time school occupational therapists employed for a full day, 5 days a week, is a minimum of 15 children and a maximum of 30 children, or maximum of 45 children with one or more school occupational therapist assistants. A caseload may be varied subject to DPI's approval. The caseload for a part-time school physical therapist may be prorated.
- The school occupational therapist has medical information before a child is evaluated for occupational therapy.

Wis. Admin. Code § PI 11.24(9).

The Delegation and Supervision of Occupational Therapy. The School District of Manawa ensures the following:

- The school occupational therapist may delegate to a school occupational therapy assistant only those portions of a child's occupational therapy which are consistent with the school occupational therapy assistant's education, training, and experience.
- The school occupational therapist supervises the occupational therapy provided by a school occupational therapy assistant. The school occupational therapist develops a written policy and procedure for written and oral communication to the occupational therapist assistant. The policy and procedure includes a specific description of the supervisory activities undertaken for the school occupational therapist assistant which includes either of the following levels of supervision:
 - the school occupational therapist has daily, direct contact on the premises with the school occupational therapy assistant; or
 - the school occupational therapist has direct, face-to-face contact with the school occupational therapy assistant at least once every 14 calendar days. Between direct contacts the

occupational therapist is available by telecommunication. The school occupational therapist providing general supervision provides an onsite reevaluation of each child's occupational therapy a minimum of every two weeks and adjusts the occupational therapy as appropriate.

- A full-time school occupational therapist supervises no more than two full-time equivalent occupational therapy assistant positions which includes no more than three occupational therapy assistants;
- An act undertaken by a school occupational therapy assistant is considered the act of the supervising occupational therapist who has delegated the act.

Wis. Admin. Code § PI 11.24(9).

The Responsibility of a School Occupational Therapist. The School District of Manawa ensures the following:

- A school occupational therapist conducts all occupational therapy evaluations and reevaluations of a child, participates in the development of the child's IEP, and develops occupational therapy treatment plans for the child.
- A school occupational therapist may not be represented by a school occupational therapy assistant on an IEP team.

Wis. Admin. Code § PI 11.24(9).

School Occupational Therapy Assistants' Qualifications and Supervision. The School District of Manawa ensures the following:

- Occupational therapy assistants are licensed by the Department of Public Instruction as school occupational therapy assistants.
- The school occupational therapy assistant providing occupational therapy to a child is supervised by a school occupational therapist as specified in these policies.

Wis. Admin. Code § PI 11.24(10).

Transition from Birth to Three Programs

The School District of Manawa of children with disabilities from the birth to three program for infants and toddlers with disabilities to preschool programs in the School District of Manawa. The School District of Manawa participates in transition planning conferences arranged by birth to three programs.

For children participating in birth to three programs who will participate in special education preschool programs in the School District of Manawa, the School District of Manawa has an IEP in effect by the child's third birthday.

If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP will begin. 34 CFR §§ 300.124, 300.101(b).

Transfer Pupils

In-State-Transfer Students

When a child with a disability (who had an IEP that was in effect in a previous Wisconsin local educational agency) transfers to the School District of Manawa and enrolls in a new school within the same school year, the School District of Manawa (in consultation with the parents) provides FAPE to the child, including services comparable to those described in the child's IEP from the previous agency, until the School District of Manawa:

- Adopts the child's IEP from the previous public agency; or
- Develops, adopts, and implements a new IEP.

The School District of Manawa adopts the evaluation and the eligibility determination of the sending local educational agency or conducts an evaluation and eligibility determination of the transfer pupil. The School District of Manawa does not adopt the evaluation and eligibility determination or the IEP of the sending local educational agency if the evaluation and eligibility determination or the IEP do not meet state and federal requirements. 34 CFR § 300.323(e).

Out-of-State Transfer Students

When a child with a disability (who had an IEP that was in effect in a previous agency in another State) transfers to the School District of Manawa, and enrolls in a new school within the same school year, this School District of Manawa, in consultation with the parents, provides the child with FAPE, including services comparable to those described in the child's IEP from the out-of-state agency, until the School District of Manawa:

- Conducts an evaluation and determines eligibility if determined to be necessary by this local educational agency; and
- Develops, adopts, and implements a new IEP, if appropriate.

34 CFR § 300.323(f).

Transmittal of Records

When the School District of Manawa receives a transfer pupil with a disability and does not receive the pupil's records from the sending local educational agency, the School District of Manawa takes reasonable steps, including a written request, to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child from the previous public agency in which the child was enrolled. When the School District of Manawa receives such a written request for a transfer pupil, the School District of Manawa transfers the pupil's records to the requesting local educational agency no later than the next working day from receipt of the written notice as required under Wis. Stat. § 118.125(4). 34 CFR § 300.323(g); Wis. Stat. § 118.125(4).

Due Process Procedures

Opportunity to Examine Records and Parent Participation in Meetings. The parents of a child with a disability are afforded, in accordance with the policies in the "Confidentiality" section of this document, an opportunity to:

- inspect and review all education records with respect to the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education to the child; and
- participate in meetings with respect to the identification, evaluation and educational placement of the child and the provision of a free appropriate public education to the child.

The School District of Manawa notifies parents consistent with the policies in the "Parent Participation in IEP Team Meetings" section of these policies to ensure that parents of children with disabilities have the opportunity to participate in meetings described above. The term "meeting" in this policy does not include informal or unscheduled conversations involving public agency personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that local educational agency personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

The IEP team, which includes the parent, makes decisions on the educational placement of the child. In implementing this policy, the School District of Manawa uses procedures consistent with the policies described above. If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the School District of Manawa uses other methods to ensure their participation including individual or conference telephone calls, or video conferencing. A placement decision may be made by the IEP team without the involvement of the parent if the School District of Manawa is unable to obtain the parent's participation in the decision. In this case, the School District of Manawa must have a record of its attempt to ensure parent involvement. 34 CFR §§ 300.501, 300.322(e).

Notice. The School District of Manawa ensures a child's parents are provided prior written notice a reasonable time before the School District of Manawa proposes to initiate or change or refuses to initiate or change the identification, evaluation or educational placement of the child or the provision of a free appropriate public education to the child. The notice contains:

- a description of the action proposed or refused;
- an explanation of why the local educational agency proposed or refused to take action;
- a statement that the parents of a child with a disability have protection under the procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- a description of any other options considered and the reason(s) they were rejected;
- a description of each evaluation procedure, assessment, record, or report used as a basis for the proposed or refused action;
- the names of the evaluators, if known, if the notices propose to evaluate or reevaluate the child;
- a description of any other factors relevant to the proposal or refusal; and
- sources for parents to contact to obtain assistance in understanding special education law.

Each prior written notice is written in language understandable to the general public, in the parent's native language or other means of communication unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the School District of Manawa takes steps to ensure the notice is translated orally or by other means to the parent in his or her native language or other mode of communication; the parent understands the content of the notice; and there is written evidence that these requirements have been met. 34 CFR § 300.503; Wis. Stat. § 115.792(2).

Procedural Safeguards Notice. A copy of the procedural safeguards available to the parents of a child with a disability is given to the parents one time a school year, except that a copy is given to the parents:

- upon initial referral or parent request for evaluation;
- upon receipt of the first IDEA State complaint and the first due process complaint;
- on the date on which the decision is made to make a disciplinary removal that constitutes a change of placement;
- upon request by a parent.

The procedural safeguards notice includes a full explanation of the procedural safeguards available under special education law written so as to be easily understood by the general public and in the native language of the child's parents unless it is clearly not feasible to do so, relating to:

- independent educational evaluation;
- prior written notice;
- parental consent;
- access to educational records;
- opportunity to present and resolve complaints through the due process complaint and State IDEA complaint procedures, including:
 - the time period in which to file a complaint;
 - the opportunity for the agency to resolve the complaint; and
 - the difference between the due process complaint and the State complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures.
- the child's placement during pendency of due process proceedings;
- procedures for pupils who are subject to placement in interim alternative educational settings under 20 U.S.C. § 1415(k);
- requirements for the unilateral placement by parents of pupils in private schools at public expense;
- availability of mediation;
- due process hearings including requirements for disclosure of evaluation results and recommendations;
- civil actions, including the time period in which to file those actions; and
- attorney fees.

34 CFR § 300.504.

Independent Educational Evaluations. A parent may obtain an independent educational evaluation of his or her child. If a parent requests information from the School District of Manawa about an independent evaluation, the School District of Manawa provides the parent with information about where an independent evaluation may be obtained and the agency criteria applicable for independent educational evaluations. A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the School District of Manawa. "Public expense" means the School District of Manawa either pays for the full cost of the evaluation or ensures the evaluation is otherwise provided at no cost to the parent.

If a parent requests an independent educational evaluation at public expense, the School District of Manawa, without unnecessary delay, either initiates a due process hearing to show its evaluation is appropriate or ensures an independent educational evaluation is provided at public expense unless the School District of Manawa demonstrates in a due process hearing that the evaluation obtained by the parent did not meet School District of Manawa criteria.

If a parent requests an independent educational evaluation, the School District of Manawa may ask for the parent's reason why he or she objects to the public evaluation. However, the School District of Manawa does not require the explanation and the School District of Manawa does not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation. A parent is entitled to only one independent educational evaluation at public expense each time the School District of Manawa conducts an evaluation with which the parent disagrees.

If the School District of Manawa initiates a hearing and the final decision is that the School District of Manawa's evaluation is appropriate, the parent still has the right to an independent educational evaluation but not at public expense. If the parent obtains an independent educational evaluation at public expense or shares with the School District of Manawa an evaluation obtained at private expense, the results of the evaluation must be considered by the School District of Manawa, if it meets agency criteria, in any decision made with respect to the provision of FAPE to the child.

If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense. When an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, is the same as the criteria that the School District of Manawa uses when it initiates an evaluation to the extent that those criteria are consistent with the parent's right to an independent educational evaluation. Except for the criteria described above, School District of Manawa does not impose conditions or timelines related to obtaining an independent educational evaluation at public expense. 34 CFR § 300.502.

Surrogate Parent. The School District of Manawa ensures the rights of a child are protected if no parent can be identified; the School District of Manawa, after reasonable efforts, cannot locate a parent; the child is a ward of the state; or the child is an unaccompanied homeless youth as defined in the McKinney-Vento Homeless Assistance Act. In such instances, the School District of Manawa assigns an individual to act as a surrogate for the parents. The School District of Manawa has a method for determining whether a child needs a surrogate parent and for assigning a surrogate parent

to the child. In the case of a child who is a ward of the State, the surrogate parent may be appointed by the judge overseeing the child's case.

The School District of Manawa ensures that a person selected as a surrogate parent is not an employee of the Department of Public Instruction, the School District of Manawa, or any other agency that is involved in the education or care of the child; has no personal or professional interest that conflicts with the interest of the child he or she represents; and has knowledge and skills that ensure adequate representation of the child. A person who otherwise qualifies to be a surrogate parent is not an employee of the School District of Manawa solely because he or she is paid by the School District of Manawa to serve as a surrogate parent.

For an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents until a surrogate parent can be appointed that meets all of the requirements for selection of surrogate parents.

The surrogate parent may represent the child in all matters relating to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child.

The local educational agency makes reasonable efforts to ensure the assignment of a surrogate parent not more than 30 days after it determines that one is needed. 34 CFR § 300.519; Wis. Stat. § 115.792(1)(a)2.

Mediation. When a local educational agency participates in a mediation under Wis. Stat. § 115, the local educational agency:

- keeps discussion that occurs during mediation confidential;
- does not use discussion that occurs during mediation as evidence in any subsequent hearing or civil proceeding;
- does not record a mediation session unless both parties and the mediator agree;
- may be represented by two individuals, unless the parties agree to additional representatives;
- may withdraw from mediation at any time;
- may recess a mediation session to consult advisors, whether or not present, or to consult privately with the mediator;
- assumes responsibility with the parents for additional compensation if the parties agree that the amount of the mediator's compensation should be greater than the Wisconsin Special Education Mediation System schedule allows; and
- assumes responsibility with the parents for the compensation of a mediator who is not on the mediation system roster.

If the parties resolve the dispute or a portion of the dispute through the mediation process, the parties must execute a legally binding agreement. The agreement is reduced to writing, signed by the parties and a copy is given to each party. The agreement states that all discussions that occurred during mediation are confidential and may not be used as evidence in any hearing or civil proceeding. The agreement is legally binding upon the parties and is enforceable in circuit court. The agreement is

signed by a representative of the local educational agency who has the authority to bind the local educational agency.

The Wisconsin Mediation System is voluntary on the part of the parties and the local educational agency does not use it to deny or delay a parent's right to a hearing on the parent's due process complaint, or to deny any other rights afforded under special education law. 34 CFR § 300.506; Wis. Stat. § 115.797.

Due Process Hearings. When the School District of Manawa files a request for a due process hearing, it will provide a copy of the hearing request to the other party, a copy to the DPI and will keep the hearing request confidential.

If the parent or the child's attorney files a written request for a due process hearing, the School District of Manawa will:

- inform the parent of any free or low cost legal and other relevant services available in the area;
- (unless it has previously sent a written notice to the parent regarding the item in dispute) within 10 days of receiving the hearing request, provide a written response that includes an explanation of why the agency proposed or refused to take the action raised in the hearing request; a description of other options that the IEP team considered and the reasons why those options were rejected; a description of each evaluation procedure, assessment, record, or report the agency used as the basis for the proposed or refused action; and, a description of the other factors that are relevant to the agency's proposed or refused action;
- within 10 days of receiving the request, send a written response that addresses the issues raised in the hearing request; and
- (except when the parents and School District of Manawa agree in writing to waive a meeting or use mediation) within 15 days of receiving the request and before the hearing is conducted, convene a meeting with the child's parents, a representative of the School District of Manawa who is authorized to make decisions on behalf of the agency, and the relevant members of the IEP team who have specific knowledge of the facts identified in the hearing request. If the meeting resolves any subject matter of the hearing request, the parents and the School District of Manawa will execute and sign a legally binding agreement.

When the School District of Manawa is a party to a due process hearing under Wis. Stat. § 115.80, the School District of Manawa:

- pays for the cost of the hearing;
- pays for the cost of an independent educational evaluation ordered by the hearing officer;
- discloses to all other parties, at least five business days before a hearing is conducted (other than an expedited hearing under the provisions of the Individuals with Disabilities Education Act), all evaluations completed by that date and recommendations based upon the School District of Manawa's evaluations that the School District of Manawa intends to use at the hearing; and
- except as provided in the "discipline" section of the School District of Manawa's policies, the School District of Manawa does not change the educational placement of a child during the pendency of a hearing or judicial proceedings unless the child's parents agree to the change. If the

child is applying for initial admission to a public school, the child, with the consent of the parents, is placed in the public school program until all due process proceedings have been completed.

Before filing a civil action under any federal law seeking relief that is also available under state special education law, the School District of Manawa exhausts the due process hearing procedures to the same extent as would be required had the action been brought under special education law. 34 CFR §§ 300.507, 300.508, 300.510; Wis. Stat. § 115.80.

Transfer of Rights at Age of Majority. When a child with a disability reaches the age of 18, unless he or she has been determined to be incompetent as defined by state law, the School District of Manawa transfers the rights of parents under the Individuals with Disabilities Education Act and Chapter 115, Wis. Stats., to the individual pupil. The School District of Manawa provides any required notices to both the parents and the adult pupil. The School District of Manawa notifies both the parents and the individual pupil of the transfer of rights. 34 CFR § 300.520; Wis. Stat. § 115.807.

Discipline Procedures

Authority of School Personnel. School personnel consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the discipline procedures of Individuals with Disabilities Education Act, is appropriate for a child with a disability who violates a code of school conduct.

School personnel are authorized to remove a child with a disability who violates a code of student conduct from the child's current placement to an appropriate interim alternative educational setting (IEAS), another setting, or suspension for not more than ten consecutive school days (to the extent those alternatives are applied to children without disabilities) consistent with state requirements relating to the suspension of pupils.

State law permits suspensions from school for up to five consecutive school days and for up to 15 consecutive school days when a notice of expulsion hearing has been sent. A child with a disability may be suspended for more than ten consecutive school days only if the conduct is not a manifestation of the child's disability and the requirements provided below are followed.

School personnel are authorized to remove a child with a disability for additional removals of not more than ten consecutive school days, consistent with state requirements, in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement).

If a child with a disability has been removed from his or her placement for 10 school days or less, the local educational agency provides services to the child if the local educational agency also provides services to children without disabilities who have been similarly removed.

For purposes of removals of a child with a disability from the child's current educational placement, a change of placement occurs if the removal is for more than ten consecutive school days or the child is subjected to a series of removals that constitute a pattern because

- the series of removals total more than ten school days in a school year;
- the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
- such additional factors as the length of each removal, the total amount of time the child is removed and the proximity of the removals to one another.

The School District of Manawa determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.

After a child with a disability has been removed from the current placement for ten school days in the same school year during any subsequent days of removal the School District of Manawa must provide services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

If the current removal is for not more than 10 consecutive school days and is not a change of placement, school personnel, in consultation with at least one of the child's teachers, determine the appropriate services.

The School District of Manawa applies the relevant disciplinary procedures for children without disabilities to the child only if, as a result of the manifestation determination review, the School District of Manawa determines the behavior of the child with a disability was not a manifestation of the child's disability. The School District of Manawa applies the relevant disciplinary procedures in the same manner in which they would be applied to children without disabilities.

A child with a disability whose behavior is determined not to be a manifestation of the child's disability continues to be provided education services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP. 34 CFR § 300.530; 300.536.

Placement in Interim Alternative Educational Settings. School personnel are authorized to remove a child with a disability to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability if:

- the child carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of the state or a local educational agency;
- the child knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the state or a local educational agency; or
- the child has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the state or a local educational agency.

34 CFR § 300.530(g).

The IEP team determines the interim alternative educational setting and the appropriate services to be provided. A child placed in an interim alternative educational setting:

- continues to receive educational services to enable the child to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and
- if the behavior is not a manifestation of the child's disability, receives, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur;
- if the behavior is a manifestation of the child's disability, receives either:
 - a functional behavior assessment, unless the School District of Manawa had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implemented a behavioral intervention plan, or
 - if a behavioral intervention plan already has been developed, a review of the behavioral intervention plan, and modifications to it, as necessary, to address the behavior.

34 CFR §§ 300.530, 300.531.

On the date on which the decision is made to place the child in an interim alternative educational setting or to make a removal that constitutes a change of placement for violating a code of conduct, the School District of Manawa notifies the parents of that decision and provides the parents a procedural safeguards notice. 34 CFR § 300.530(h).

When the School District of Manawa determines that maintaining the current placement of a child with a disability is substantially likely to result in injury to the child or others, the agency may request an expedited due process hearing to change the child's placement to an appropriate interim alternative educational setting for not more than 45 school days. The request for a due process hearing may be repeated if the School District of Manawa believes that returning the child to the original placement is substantially likely to result in injury to the child or others. 34 CFR § 300.532.

Manifestation Determination Reviews. Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child's IEP team (as determined by the parent and the School District of Manawa):

- review all relevant information in the student's file, including the child's IEP;
- any teacher observations; and
- any relevant information provided by the parents.

The conduct is determined to be a manifestation of the child's disability if the LEA, the parent, and relevant members of the child's IEP team determine that either:

- the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- the conduct in question was the direct result of the School District of Manawa's failure to implement the IEP.

If the LEA, the parent, and relevant members of the child's IEP team determine the conduct in question was the direct result of the School District of Manawa's failure to implement the IEP, the School District of Manawa takes immediate steps to remedy those deficiencies.

If the conduct was a manifestation of the child's disability, the IEP team returns the child to the placement from which the child was removed, unless the child has been placed in an interim alternative educational setting or the parent and School District of Manawa agree to a change of placement as part of the modification of the behavioral intervention plan, and either:

- conducts a functional behavioral assessment, unless the local educational agency had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implements a behavioral intervention plan for the child; or
- if a behavioral intervention plan has already been developed, the IEP team reviews the behavioral intervention plan, and modifies it, as necessary, to address the behavior.

If the conduct was not a manifestation of the child's disability, the child receives, as appropriate:

- a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur; and
- educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

34 CFR §§ 300.530(d)(e) and (f).

Placement During Appeals. The parent of a child with a disability who disagrees with any decision regarding a disciplinary change in placement or a manifestation determination, or the School District of Manawa believes that maintaining the current placement is substantially likely to result in injury to the child or others may appeal the decision by requesting a hearing. During such appeal, the child will remain in the placement to which the child was removed pending the decision of the hearing officer or until the expiration of the disciplinary placement, whichever occurs first. The parent and the School District of Manawa may agree to a different placement during the appeal.

Unless the School District of Manawa and the parents agree in writing to waive the resolution meeting or agree to use the mediation process, the School District of Manawa conducts a resolution meeting within seven days of receiving notice of the parent's due process complaint. 34 CFR §§ 300.532; 300.533.

Protections for Children Not Yet Eligible for Special Education and Related Services. The School District of Manawa provides the protections asserted for a child under the Individuals with Disabilities Education Act-Part B to a child who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of conduct of the School District of Manawa if the School District of Manawa had knowledge (as determined in accordance with the provisions below) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

The School District of Manawa has knowledge that a child is a child with a disability if before the behavior that precipitated the disciplinary action occurred:

- the parent of the child expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency, or a teacher of the child, that the child is in need of special education and related services;
- the parent of the child requested an IEP team evaluation of the child; or
- the teacher of the child, or other personnel of the School District of Manawa, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education of the agency or to other supervisory personnel of the agency.

The School District of Manawa does not have knowledge that a child is a child with a disability if:

- the parent of the child has not allowed an IEP team evaluation of the child or has refused special education services; or
- the School District of Manawa conducted an IEP team evaluation and determined that the child was not a child with a disability.

If the School District of Manawa does not have knowledge that a child is a child with a disability prior to taking disciplinary measures against the child, the School District of Manawa may subject the child to the same disciplinary measures as measures applied to children without disabilities who engaged in comparable behaviors. 34 CFR § 300.534.

If a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation is conducted in an expedited manner. Until the evaluation is completed, the School District of Manawa maintains the child in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

If the child is determined to be a child with a disability, taking into consideration information from the School District of Manawa's evaluation and information provided by the parents, the School District of Manawa provides special education and related services in accordance with the Individuals with Disabilities Education Act-Part B and state law, including legal requirements relating to discipline and the provision of a free appropriate public education to children with disabilities. 34 CFR § 300.534.

When the School District of Manawa reports a crime committed by a child with a disability, it ensures copies of the child's special education and disciplinary records are transmitted for consideration by the appropriate authorities to whom it reports the crime. The School District of Manawa transmits copies of the child's special education and disciplinary records only to the extent that the Family Educational Rights and Privacy Act permits transmission. 34 CFR § 300.535.

Confidentiality of Information

The Notice to Parents. The School District of Manawa notifies parents before any major child identification, location, or evaluation activity. The notice is published or announced in newspapers or other media, or both, with circulation adequate to notify parents of children attending the School District of Manawa of the activity. 34 CFR § 300.612(b).

The School District of Manawa gives notice that is adequate to fully inform parents about the confidentiality of personally identifiable information requirements in the law, including:

- a description of the extent that the notice is given in the native languages of the various population groups in the School District of Manawa;
- a description of the children on whom personally identifiable information is maintained, the types of information sought, the methods the local educational agency intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;
- a summary of the policies and procedures that participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; and
- a description of all of the rights of parents and children regarding this information, including the rights under the Family Educational Rights and Privacy Act of 1974 and the implementing regulations.

34 CFR § 300.612.

Access Rights. The School District of Manawa permits parents to inspect and review any education records relating to their children that are collected, maintained, or used by the agency under the Individuals with Disabilities Education Act-Part B. The agency complies with a request without unnecessary delay and before any meeting regarding an IEP, or any due process hearing or resolution session, and in no case more than 45 days after the request has been made.

The right to inspect and review education records includes:

- the right to a response from the participating agency to reasonable requests for explanations and interpretations of the records;
- the right to have copies of the records upon request; and
- the right to have a representative of the parent inspect and review the records.

The School District of Manawa presumes that the parent has authority to inspect and review records relating to his or her child unless the local educational agency has been advised that the parent does not have authority under state law. 34 CFR § 300.613.

The School District of Manawa keeps a record of parties obtaining access to education records collected, maintained, or used under the Individuals with Disabilities Education Act (except access by parents and authorized employees of the local educational agency), including the name of the party, the date access was given and the purpose for which the party is authorized to use the records. 34 CFR § 300.614.

The School District of Manawa provides parents on request a list of the types and locations of education records collected, maintained, or used by the agency. If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information. 34 CFR §§ 300.615, 300.616.

The School District of Manawa does not charge a fee for copies of records that are made for parents if the fee effectively prevents the parents from exercising their right to inspect and review those records. The School District of Manawa does not charge a fee to search for or to retrieve information in educational records. 34 CFR § 300.617.

Amendment of Records at Parent's Request. A parent who believes information in the education records collected, maintained, or used under the Individuals with Disabilities Education Act is inaccurate or misleading or violates the privacy or other rights of the child may request the local educational agency to amend the information. The local educational agency decides whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request. If the School District of Manawa decides to refuse to amend the information in accordance with the request, it informs the parent of the refusal and advises the parent of the right to an educational records hearing pursuant to the local educational agency's policies. 34 CFR § 300.618.

The School District of Manawa, on request, provides an opportunity for a hearing to challenge information in education records to ensure it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. 34 CFR § 300.619.

The hearing is conducted according to the procedures described in the Family Educational Rights and Privacy Act implementing regulations. If, as a result of the hearing, the School District of Manawa decides the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it amends the information accordingly and so informs the parent in writing. If, as a result of the hearing, the School District of Manawa decides the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it informs the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the School District of Manawa. 34 CFR §§ 300.619-621.

Any explanation placed in the records of the child under this section is maintained as part of the records of the child as long as the record or contested portion is maintained. If the records of the child or the contested portion are disclosed to any party, the explanation is also disclosed to the party. 34 CFR § 300.620(c)(2).

Consent. Parental consent is obtained before personally identifiable information is disclosed, unless the disclosure is authorized without parental consent under the Family Educational Rights and Privacy Act and Wis. Stat. § 118.125. Parental consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of the Individuals with Disabilities Education Act with the following exceptions:

- Parental consent or the consent of an eligible child who has reached the age of majority under state law, is obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.
- If a child is enrolled or is going to enroll in a private school that is not located in the local educational agency of the parent's residence, parental consent is obtained before any personally identifiable information about the child is released between school officials in the local educational agency where the private school is located and officials in the local educational agency of the parent's residence.

34 CFR § 300.622.

Safeguards. The School District of Manawa protects the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at the School District of Manawa assumes responsibility for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information receive training or instruction regarding the state's policies and procedures described in the regulations implementing the Individuals with Disabilities Education Act and the Family Educational Rights and Privacy Act. The School District of Manawa maintains, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information. 34 CFR § 300.623.

Destruction of Information. The School District of Manawa informs parents when personally identifiable information collected, maintained, or used under the Individuals with Disabilities Education Act is no longer needed to provide educational services to the child. The information is destroyed at the request of the parents. However, a permanent record of the student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation. 34 CFR § 300.624.

Transfer of Confidentiality Rights at Age of Majority. Under the regulations for the Family Educational Rights and Privacy Act, the rights of parents regarding education records are transferred to the student at age 18. When the rights accorded to parents under the Individuals with Disabilities Education Act are transferred to a student who reaches the age of majority, the rights regarding educational records in the Individuals with Disabilities Education Act also transfer to the student. However, the local educational agency provides any notice required under the Individuals with Disabilities Education Act to the student and the parents. 34 CFR §§ 300.625(b) and (c).

Children with Disabilities Enrolled in Private Schools by Their Parents

Child Find. The School District of Manawa locates, identifies, and evaluates all children with disabilities who are enrolled by their parents in private, including religious, elementary schools and secondary schools located in the school district. The child find process is designed to ensure the equitable participation of parentally-placed private school children and an accurate count of those children. The School District of Manawa undertakes child find activities similar to the activities undertaken for the agency's public school children. The child find process is completed in a time

period comparable to that for students attending public schools in this school district. In carrying out the child find requirements for parentally-placed private school students, the School District of Manawa includes parentally-placed private school children who reside in another state. 34 CFR § 300.131.

Any due process complaint regarding child find requirements must be filed with the school district in which the private school is located, and a copy must be forwarded to the Department of Public Instruction. 34 CFR § 300.140(b)(2).

Provision of Services. To the extent consistent with the number and location of children with disabilities who are enrolled by their parents in private, including religious, elementary, and secondary schools located in this school district, this school district provides for the participation of those children by providing them with special education and related services, including direct services determined in accordance with the provision under the “Equitable Services Determined” section of this policy.

A services plan is developed and implemented for each private school child with a disability designated by the School District of Manawa to receive special education and related services under the Individuals with Disabilities Education Act. The School District of Manawa maintains in its records, and provides to the Wisconsin Department of Public Instruction, the following information related to parentally-placed private school children: (1) the number of children evaluated; (2) the number of children determined to be children with disabilities; and (3) the number of children served. 34 CFR § 300.132.

Expenditures. In providing special education and related services, including direct services, to children with disabilities enrolled by their parents in private schools, the School District of Manawa spends, for children aged 3 through 21, an amount that is the same proportion of the School District of Manawa’s total Individuals with Disabilities Education Act flow-through grant as is the number of private school children with disabilities aged 3 through 21 who are enrolled by their parents in private, including religious, elementary schools and secondary schools located in this school district, is to the total number of children with disabilities in its jurisdiction aged 3 through 21.

For parentally placed private school children aged 3 through 5, the School District of Manawa spends an amount that is the same proportion of this school district’s total preschool entitlement funds as the number of parentally placed private school children with disabilities aged 3 through 5 is to the total number of children with disabilities in its jurisdiction aged 3 through 5. The School District of Manawa may provide services to private school children in excess of those required, consistent with the law and School District of Manawa policy.

In calculating the proportionate amount of Federal funds to be provided for parentally-placed private school children with disabilities, the School District of Manawa, after timely and meaningful consultation with representatives of private schools, conducts a thorough and complete child find process to determine the number of parentally-placed children with disabilities attending private schools located in the School District of Manawa.

After timely and meaningful consultation with representatives of parentally-placed private school children with disabilities, the School District of Manawa determines the number of parentally-placed private school children with disabilities attending private schools located in the School District of Manawa; and ensures the count is conducted on October 1 of each year. The child count is used to determine the amount the School District of Manawa must spend on providing special education and related services to parentally-placed private school children with disabilities in the next subsequent fiscal year. 34 CFR § 300.133(c)(2).

State and local funds may supplement and in no case supplant the proportionate amount of Federal funds required to be expended for parentally-placed private school children with disabilities under the Individuals with Disabilities Education Act. 34 CFR § 300.133(d).

The cost of carrying out child find requirements, including individual evaluations, is not considered in determining if the School District of Manawa has met its obligation to expend a proportionate amount of Individuals with Disabilities Education Act funds to provide equitable services. 34 CFR § 300.131(d).

If the School District of Manawa has not expended for equitable services all of the funds required by the end of the fiscal year for which Congress appropriated the funds, the district obligates the remaining funds for special education and related services (including direct services) to parentally-placed private school children with disabilities during a carry-over period of one additional year. 34 CFR § 300.133(a)(3).

Consultation. To ensure timely and meaningful consultation, the School District of Manawa consults with private school representatives and representatives of parents of parentally-placed private school children with disabilities during the design and development of special education and related services for the children regarding the following:

- the child find process, including how parentally-placed private school children suspected of having a disability can participate equitably, and how parents, teachers, and private school officials will be informed of the process;
- the determination of the proportionate share of Federal funds available to serve parentally-placed private school children with disabilities including the determination of how the proportionate share of those funds was calculated;
- the consultation process among the School District of Manawa, private school officials, and representatives of parents of parentally-placed private school children with disabilities, including how the process will operate throughout the school year to ensure that parentally-placed children with disabilities identified through the child find process can meaningfully participate in special education and related services;
- how, where, and by whom special education and related services will be provided for parentally-placed private school children with disabilities, including a discussion of the types of services, including direct services and alternate service delivery mechanisms, and how special education and related services will be apportioned if funds are insufficient to serve all parentally-placed private school children, and how and when those decisions will be made; and
- how, if the School District of Manawa disagrees with the views of the private school officials on the provision of services or the types of services (whether provided directly or through a

contract), the district will provide to the private school officials a written explanation of the reasons why the district chose not to provide services directly or through a contract.

When timely and meaningful consultation has occurred, the School District of Manawa must obtain a written affirmation signed by the representatives of participating schools. If the representatives do not provide the affirmation within a reasonable period of time, the School District of Manawa forwards the documentation of the consultation process to the Wisconsin Department of Public Instruction.

If a private school representative files a complaint under 34 CFR § 300.136 to the Wisconsin Department of Public Instruction, this school district will forward appropriate documentation to the department. 34 CFR §§ 300.134, 300.135, and 300.136.

Equitable Services Determined. No parentally-placed private school child with a disability has an individual right to receive some or all of the special education and related services the child would receive if enrolled in the public school. Decisions about the services that will be provided to parentally-placed private school children with disabilities are made in accordance with services plans and consultation processes contained in these policies.

The final decisions regarding services to be provided to eligible private school children are made by the School District of Manawa. 34 CFR § 300.137.

If a child with a disability is enrolled in a religious or other private school by the child's parents and will receive special education or related services from the School District of Manawa, the district initiates and conducts meetings to develop, review and revise a services plan for the child in accordance with the law. The School District of Manawa ensures a representative of the religious or other private school attends each meeting. If the representative cannot attend, the School District of Manawa uses other methods to ensure participation by the private school, including individual or conference telephone calls. 34 CFR § 300.137(c)(2).

Equitable Services Provided. The services provided to parentally-placed private school children with disabilities by the School District of Manawa are provided by personnel meeting the same standards as personnel providing services in this school district, except that private elementary school and secondary school teachers who are providing equitable services to parentally-placed private school children with disabilities do not have to meet the highly qualified special education teacher requirements. Parentally-placed private school children with disabilities may receive a different amount of services than children with disabilities in public schools. 34 CFR § 300.138(a)(2).

Each private school child with a disability who has been designated to receive services from the School District of Manawa has a services plan that describes the specific special education and related services the School District of Manawa will provide to the child in light of the services the district has determined (after consultation with representatives of private school children with disabilities) it will make available to parentally-placed private school children with disabilities. The services plan, to the extent appropriate, meets the IEP requirements with respect to the services provided. The services plan is developed, reviewed, and revised consistent with the provisions in

the law concerning IEP teams, when IEPs must be in effect, parent participation in IEP team meetings, and development, review, and revision of IEPs. 34 CFR § 300.138(b)(2).

Services to parentally-placed private school children with disabilities are provided by employees of the School District of Manawa or through contract by the district with an individual, association, agency, organization, or other entity. The services, including materials and equipment, are secular, neutral, and non-ideological. 34 CFR § 300.138(c).

Location of Services and Transportation. If the School District of Manawa provides services to private school children with disabilities at the child's private school, including a religiously affiliated private school, it will do so to the extent consistent with state and federal law. If necessary for the child to benefit from or participate in the services provided, this school district transports private school children with disabilities from the child's school or home to a site other than the child's private school and from the service site to the private school or the child's home, depending on the timing of the services. The School District of Manawa may include the cost of such transportation in calculating whether it has met the requirement to expend a proportionate amount of Individuals with Disabilities Education Act funds on services to parentally-placed private school children with disabilities. 34 CFR § 300.139(b)(2).

Requirement that funds not benefit a private school. The School District of Manawa does not use Individuals with Disabilities Education Act funds to finance the existing level of instruction in a private school or to otherwise benefit the private school. The funds are used to meet the special education and related services needs of parentally-placed private school children with disabilities, but not for meeting the needs of a private school or the general needs of the students enrolled in the private school. 34 CFR § 300.141.

Use of Personnel. Individuals with Disabilities Education Act funds are used to make public school personnel available in other than public facilities to the extent necessary to provide equitable services for parentally-placed private school children with disabilities and if those services are not normally provided by the private school. If the School District of Manawa pays for the services of an employee of a private school employee, the employee performs the services outside of his or her regular hours of duty and under public supervision and control. 34 CFR § 300.142.

Separate Classes Prohibited. The School District of Manawa does not use Individuals with Disabilities Education Act funds for classes that are organized separately on the basis of school enrollment or religion of the students if the classes are at the same site and include both students enrolled in public schools and students enrolled in private schools. 34 CFR § 300.143.

Property, Equipment, and Supplies. The School District of Manawa controls and administers Individuals with Disabilities Education Act funds used to provide special education and related services to parentally-placed private school children with disabilities and holds title to and administer materials, equipment, and property purchased with those funds. Equipment and supplies are placed in a private school for the period of time needed for the Individuals with Disabilities Education Act program. Equipment and supplies placed in a private school are used only for Individuals with Disabilities Education Act purposes and can be removed from the private school without remodeling the private school facility. Equipment and supplies are removed from a private

school if the equipment and supplies are no longer needed for Individuals with Disabilities Education Act purposes; or removal is necessary to avoid unauthorized use of the equipment and supplies for other than Individuals with Disabilities Education Act purposes. Individuals with Disabilities Education Act funds are not used for repairs, minor remodeling, or construction of private school facilities. 34 CFR § 300.144.

Parentally Placed Children in Private Schools When FAPE is at Issue. The School District of Manawa is not required to pay for the cost of education, including special education and related services, of a child with a disability at a private school or facility if the School District of Manawa made FAPE available to the child and the parents elected to place the child in a private school or facility. The child is considered a parentally placed private school child with a disability. 34 CFR § 300.148.

Children with Disabilities in Private Schools Placed or Referred by the School District of Manawa

When, pursuant to an IEP, a child with a disability is or has been placed in or referred to a private school or facility by the School District of Manawa as a means of providing special education and related services, the School District of Manawa ensures that the child:

- is provided special education and related services in conformance with an IEP that meets the requirements of the law and at no cost to the parents;
- is provided an education that meets the standards that apply to education provided by the Department of Public Instruction and local educational agencies including the requirements of Individuals with Disabilities Education Act, except that staff are not required to meet the highly qualified teacher requirements; and
- has all of the rights of a child with a disability who is served by a public agency.

34 CFR § 300.146.

Development, Review, and Revision of the IEP. Before the School District of Manawa places a child with a disability in, or refers a child to, a private school or facility, the School District of Manawa initiates and conducts a meeting to develop an IEP for the child in accordance with the law. The School District of Manawa ensures a representative of the private school or facility attends the meeting. If the representative cannot attend, the School District of Manawa uses other methods to ensure participation by the private school or facility, including individual or conference telephone calls.

After a child with a disability enters a private school or facility, any meetings to review and revise the child's IEP may be initiated and conducted by the private school or facility at the discretion of the School District of Manawa. If the School District of Manawa permits a private school or facility to initiate and conduct meetings to review and revise IEPs, the School District of Manawa ensures the parents and a School District of Manawa representative are involved in any decisions about the IEP and agree to any proposed changes in the IEP before those changes are implemented. Even if a

private school or facility implements a child's IEP, the School District of Manawa retains responsibility for compliance with the requirements of special education law. 34 CFR § 300.325.

When the School District of Manawa places a child, in a private school as a means of providing special education and related services, the School District of Manawa ensures an IEP is developed and implemented for each child with a disability and the special education and related services are provided in conformance with an IEP and at no cost to the parents. Wis. Stat. § 115.77(1m)(d).

Children in Residential Care Centers

When the responsible local educational agency receives a notice from a county or a state agency that a child will be placed in a residential care center, the local educational agency does all of the following:

- if the child is a child with a disability, as soon as reasonably possible and after consulting with the county or state agency, as appropriate, the local educational agency appoints an IEP team to review and revise, if necessary, the child's IEP and develop an educational placement offer;
- if the child has not been identified as a child with a disability, the local educational agency:
 - appoints staff to review the child's education records and develop a status report;
 - sends a copy of the status report to the county or state agency within 30 days after receiving the notice that the child will be placed in a residential care center;
 - appoints an IEP team to conduct an evaluation of the child if the local educational agency has reasonable cause to believe the child is a child with a disability;
 - ensures the IEP team conducts the evaluation; and
 - ensures the IEP team develops an IEP and an educational placement offer, in consultation with the county or state agency if the IEP team determines the child is a child with a disability.

Wis. Stat. § 115.81(3)(b).

When the responsible local educational agency offers an educational placement in a residential care center, the responsible local educational agency:

- ensures the child receives a free appropriate public education;
- ensures the child's treatment and security needs are considered when determining the least restrictive environment for the child;
- appoints an IEP team to reevaluate the child, as required by state law, while the child resides at the child caring institution;
- while the child resides at the residential care center, the local educational agency refers the child to another local educational agency after consulting the residential care center and a county department or state agency, if the responsible local educational agency determines that the child's special education needs may be appropriately served in a less restrictive setting in the other local educational agency; and
- assigns staff or an IEP team to develop a reintegration plan for a child leaving the residential care center, in cooperation with county and residential care center staff.

Wis. Stat. § 115.81(4)(a).

When this school district receives a referral from the responsible local educational agency because the referring responsible local educational agency believes the child's special education needs could be met in a less restrictive setting, this school district assigns staff to determine whether the child can appropriately receive special education and related services in the school district. If the assigned staff determine the child can appropriately receive special education and related services in this school district, it provides such services and may apply for state tuition payments under Wis. Stat. § 121.79(1)(a), for the child's educational expenses. If the assigned staff determines the child cannot appropriately receive special education and related services in this school district, the school district keeps a written record of the reasons for that determination. Wis. Stat. § 115.81(4)(c).

Placement Disputes; School Board Referrals; Interagency Cooperation

When a dispute arises between the School District of Manawa and the Wisconsin Department of Health and Family Services, the Wisconsin Department of Corrections, or a county, or between local educational agencies over the placement of a child, the School District of Manawa seeks resolution of the dispute from the State Superintendent. This provision applies only to a placement in a nonresidential educational program made under Wis. Stat. § 48.57 (1)(c) or to a placement in a residential care center made under Wis. Stat. § 115.81.

Annually, on or before August 15, the School District of Manawa reports to the county departments under Wis. Stat. §§ 51.42 and 51.437 the names of resident children who are at least 16, are not expected to be enrolled in an educational program two years from the date of the report and may require services from the county department.

If a public agency, as defined by Wis. Stat. § 166.20(1)(i), except that it does not include a local educational agency, is required by federal or state law or by an interagency agreement to provide or pay for the location, identification or evaluation of a child with a disability, including a child with a disability who is not yet 3 years of age, or for assistive technology devices or services, supplementary aids or services, transition services or special education or related services for a child with a disability, and fails to do so, the School District of Manawa provides or pays for the services. The School District of Manawa seeks reimbursement for the cost of providing the services from the public agency. Wis. Stat. § 115.812.

Local Educational Agency Reporting to State

The School District of Manawa, in providing for the education of children with disabilities within its jurisdiction, has established and implemented policies, procedures and programs that are consistent with state and federal special education requirements, policies and procedures. The School District of Manawa will modify them to the extent necessary to ensure compliance with the law if the provisions of federal or state laws or regulations are amended, if there is a new interpretation of Individuals with Disabilities Education Act by federal or state courts, or if there is an official finding of noncompliance with federal or state law or regulations. 34 CFR § 300.201; Wis. Stat. § 115.77(1m)(f).

The School District of Manawa files with the Department of Public Instruction information to demonstrate all personnel necessary to carry out the requirements of state and federal special education law are appropriately and adequately prepared, subject to the requirements of the personnel requirements of the Individuals with Disabilities Education Act and the Elementary and Secondary Education Act. 34 CFR § 300.207.

The School District of Manawa provides to the Department of Public Instruction information needed for the Department to meet its responsibilities under state and federal special education laws, including information related to the performance of children with disabilities participating in School District of Manawa special education programs. 34 CFR § 300.211; Wis. Stat. § 115.77(2).

The School District of Manawa reports its plan for providing special education and related services to children with disabilities to the Department of Public Instruction on a schedule and using instructions provided by the Department of Public Instruction. The plan includes:

- statements of assurance as required by applicable federal law;
- information relating to access of private school pupils to the School District of Manawa's special education and related services;
- assurances that the School District of Manawa, in providing for the children with disabilities within its jurisdiction, has in effect policies, procedures, and programs that are consistent with this subchapter and applicable federal law;
- the School District of Manawa's plan for ensuring that all personnel necessary to carry out the requirements of this subchapter are appropriately and adequately prepared according to applicable state and federal law;
- the data regarding children with disabilities and nondisabled children in the School District of Manawa that the division is required to collect or report to be in compliance with 20 U.S.C. §§ 1400 to 1482; and
- any other information the division requires to permit its review of the plan.

34 CFR § 300.200; Wis. Stat. § 115.77(4).

When the School District of Manawa participates in a county children with disabilities education board program, annually by October 1, the local educational agency and the county children with disabilities education board submit a report to the state superintendent. The report includes the portion of each school day that each pupil enrolled in the county program, who is also enrolled in the local educational agency, spent in county program classes in the previous school year, and the portion of the school day that the pupil spent in the School District of Manawa classes in the previous school year. Wis. Stat. § 115.817(5)(d).

Appendix of Federal Law and Regulations Referenced in the Model Policies and Procedures

34 CFR § 99.3 - Family Educational Rights and Privacy Act of 1974 – Definition of Education Records

- a) The term means those records that are:
 - (1) Directly related to a student; and
 - (2) Maintained by an educational agency or institution or by a party acting for the agency or institution.

- b) The term does not include:
 - (1) Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
 - (2) Records of the law enforcement unit of an educational agency or institution, subject to the provisions of Section 99.8.
 - (3) Records relating to an individual who is employed by an educational agency or institution, that:
 - A. Are made and maintained in the normal course of business;
 - B. Relate exclusively to the individual in that individual's capacity as an employee; and
 - C. Are not available for use for any other purpose.
 - (4) Records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student are education records and not excepted under paragraph (b)(3)(i) of this definition.
 - (5) Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - A. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
 - B. Made, maintained, or used only in connection with treatment of the student; and
 - C. Disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution; and
 - (6) Records that only contain information about an individual after he or she is no longer a student at that agency or institution.

42 U.S.C. § 11434a – McKinney-Vento Homeless Assistance Act, Definition of Homeless Children

(1) The term “homeless children and youths”—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302 (a)(1) of this title); and

(B) includes—

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 11302 (a)(2)(C) of this title);

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children (as such term is defined in section 6399 of title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).

18 U.S.C. § 1365(h) – Definition of Serious Bodily Injury

(1) the term “serious bodily injury” means bodily injury which involves—

(A) a substantial risk of death;

(B) extreme physical pain;

(C) protracted and obvious disfigurement; or

(D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty; and

(2) the term “bodily injury” means—

(A) a cut, abrasion, bruise, burn, or disfigurement;

(B) physical pain;

(C) illness;

(D) impairment of the function of a bodily member, organ, or mental faculty; or

(E) any other injury to the body, no matter how temporary.

29 U.S.C. § 3002(19) - Definition of Universal Design

The term “universal design” means a concept or philosophy for designing and delivering products and services that are usable by people with the widest possible range of functional capabilities, which include products and services that are directly accessible (without requiring assistive technologies) and products and services that are interoperable with assistive technologies.

18 U.S.C. § 930(g)(2) - Definition of Weapon

The term “dangerous weapon” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocketknife with a blade of less than 2 1/2 inches in length.

20 U.S.C. § 7801(37) – Definition of Scientifically Based Research

The term "scientifically based research"--

(A) means research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and

(B) includes research that--

- (i) employs systematic, empirical methods that draw on observation or experiment;
- (ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;
- (iii) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;
- (iv) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;
- (v) ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; and
- (vi) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.



School District of Manawa

Gifted and Talented (G/T)

Plan

Approved by the Manawa Board of Education

TENTATIVE - June 2024

Table of Contents

Mission and Vision 3
What is Giftedness? 3
Bright Child Versus Gifted Child 4
Descriptions of Gifted & Talented Identification Areas 5
Identification of Students 6
Service Delivery Model 7
Gifted & Talented Identification and Options 9
Decision Process 12
Referral for Gifted & Talented Services 13
Parent/Guardian/Student Gifted & Talented Referral Form 14
Teacher Gifted & Talented Referral Form 16
Gifted & Talented Learning Plan 19

Mission and Vision

Mission Statement:

The School District of Manawa is the place where students choose to excel academically and realize their strengths.

Vision Statement:

The School District of Manawa engages students to reach their full potential in a changing global society through highly effective instruction and leadership.

What is Giftedness?

The concept of giftedness has varied over the course of educational, philosophical, and psychological history. Researchers such as Terman, Bloom, Renzulli, Feldman, Gardner, and Gagne have all contributed to our understanding and to the ensuing debate about the notion of gifts and talents. Historically, giftedness has been considered to be performance which is two standard deviations above the norm on a standardized test. This approach resulted in labeling individuals as "gifted" in intellectual and academic areas. Views, however, have changed over time so that we now have a much different conception of gifts and talents that includes multiple components of intelligence. Gardner¹ notes that intelligence is multifaceted, not a single entity. He posits that we think, learn, and create in many different ways. In Wisconsin, we translate this idea into five areas of identification: general intellectual, specific academic, creativity, leadership, and artistic.

Bright Child Versus Gifted Child




Some of the research by Janice Szabos helps distinguish between children who are bright versus children who are gifted. Bright children have educational strengths to be admired. Their strengths can be supported, and educational opportunities can be enhanced within the classroom. It is important for teachers to be able to differentiate instruction. Gifted students' needs can often be met within the regular classroom as well. Janice Szabos shared the following information in the *Gifted Child Quarterly*, as well as *Gifted Magazine*. It is important to note not all descriptors must be present to determine brightness or giftedness.

These distinctions can be used as a teacher checklist to identify gifted and talented students.

A Bright Child...	A Gifted Child...
Knows the answers.	Asks the questions.
Is interested.	Is highly curious.
Is attentive.	Is mentally and physically involved.
Has good ideas.	Has wild, silly ideas.
Works hard.	Plays around, yet tests well.
Answers the questions.	Discusses in detail and elaborates.
Is in the top group.	Is beyond the group.
Listens with interest.	Shows strong feelings and opinions.
Learns with ease.	Already knows.
Needs 6-8 repetitions for mastery.	Needs 1-2 repetitions for mastery.
Understands ideas.	Constructs abstractions.
Enjoys peers.	Prefers adults.
Grasps the meaning.	Draws inferences.
Completes assignments.	Initiates projects.
Is receptive.	Is intense.
Copies accurately. Enjoys school. Is a technician. Absorbs information. Good memorizer. Prefers straightforward tasks.	Creates new designs. Enjoys learning. Is an inventor. Manipulates information. Good guesser. Thrives on complexity.
Is alert.	Is keenly observant.
Is pleased with own learning.	Is highly self-critical.

Descriptions of Gifted & Talented Identification Areas

Giftedness is multidimensional. Students may be capable of superior performance or potential in one or more of the following areas.

	<p>General Intellectual Ability (GIA) Demonstrated excellence in most academic areas. Intellectually gifted children exhibit early and rapid development of language ability, strong powers of reasoning and advanced ability in critical thinking and problem solving in multiple areas. They may manipulate information in divergent ways when challenged by complex issues. Typically, these children are noted for being several years beyond their peers in their cognitive ability.</p> <hr/> <p>Specific Academic Area (SAA) Exceptional ability and performance in a single academic area. Academically able students have unusual/advanced ability or capability in reading or math. These students often make connections within a discipline that transcends the obvious. They quickly grasp relationships among facts and see facts as parts of a more complex whole.</p>
	<p>Creativity Exceptional ability to use divergent and unconventional thinking in arriving at creative and unusual ideas or solutions to problems. Creativity may cross all areas (academic, arts, leadership) or may manifest itself in one specific area such as writing or math. Highly creative students tend to develop original ideas and products. They may express their creativity in oral, written, or nonverbal expression. They are flexible and original in their thinking, tending to reject one-answer solutions. These children tend to possess strong visualization. Frequently these individuals are strongly independent and often resist conformity. Creativity is characterized by originality of thought, human behavior, and product.</p>
	<p>Artistic (Visual/Music) Ability to create or perform in music in a way that suggests exceptional talent or an ability to paint, sculpt, photograph or arrange media in a way that suggests exceptional talent. Students can demonstrate unusual adeptness or skill in the fields of music or visual arts. Since this is a performance-based talent, identification centers around nominations, portfolios and expert assessment.</p>



Leadership

Exceptional ability to relate to and motivate others.

Leadership comes in many forms and may be positive or negative.

Individuals gifted in leadership usually have the ability to convince people to act or not act in specific ways. Leaders are often self-confident and comfortable with their peers. They express themselves well and frequently are charming and charismatic. It is important to recognize that leadership traits may manifest into different leadership styles, depending upon the environment and personality of the individual. Observable characteristics may include influencing peers, being sought out by others to accomplish a task, addressing a need, holding high expectations for self and others, demonstrating or delegating responsibility, and internalizing concepts of right and wrong.

Identification of Students

Grades K-2—Students in kindergarten, first, and second grades who display gifts/talents will generally not be formally identified but placed on a watch list. These students will work with the classroom teacher in their area of academic talent and their work will be used as additional evidence for formal identification when entering third grade. Exceptions may be made for young students requiring Tier 3 G/T intervention.

Grades 3-12—Students who are formally identified will have a G/T Intervention Plan and will be flagged in the student information system. This plan will identify the student’s strengths and weaknesses, provide for the type and level of opportunity to be provided, and be updated, at a minimum, annually. Formal identification can occur at any grade level above second, and at any time of the school year.

Twice Exceptional Children

These students are gifted children of above average abilities who also have special educational needs—ADHD, learning disabilities, autism spectrum disorders, etc. Because their giftedness can mask their special needs and their special needs can hide their giftedness, SDM recognizes the importance of identifying and servicing this often under-represented group.

The following list should be viewed as characteristics which are *typical* of many children who are gifted and who also have a disability, rather than characteristics which *all* such children possess. These twice exceptional children do not form a simple, homogeneous group; they are a highly diverse group of learners.

STRENGTHS	CHALLENGES
Superior vocabulary	Easily frustrated
Highly creative	Stubborn
Resourceful	Manipulative
Curious	Opinionated
Imaginative	Argumentative
Questioning	Lack of interest in or quality of written work
Problem-solving ability	Highly sensitive to criticism
Sophisticated sense of humor	Inconsistent academic performance
Wide range of interests	Lack of organization and study skills
Advanced ideas and opinions	Difficulty with social interactions
Special talent or consuming interest	

Identification of minority students (including students who are economically disadvantaged as determined by free/reduced lunch eligibility)—It is widely recognized that minority students continue to be underrepresented in gifted programs (from Sousa, D., *How the Gifted Brain Learns*, 2009). In order to close this gap, achievement scores will be used to compare students with similar backgrounds. Students who rank high on achievement relative to their ethnic or socioeconomic peers, will be considered for G/T services.

Service Delivery Model

Students may receive services in a variety of different ways in order to best address student learning needs. Services may include compacting, differentiation, acceleration, mentoring, shadowing and enrichment seminars. The district Response to Intervention (RtI) model is used as the foundation on which service delivery plans are based. These service delivery options will vary in duration, frequency, and intensity based on the student(s) for whom the service is being designed.

What is differentiation? (generally considered RtI Tier I)

Differentiation means providing students with different learning options, generally in the classroom, that best meet their learning needs. There are five elements of differentiation (Winebrenner, 2001) to include:

- Content—providing more advanced, complex instructional resources
- Process—defining higher order thinking methods for students to make sense of concepts or generalizations often in a more complex and abstract manner
- Product—offering choices in the ways in which a student demonstrates learning
- Environment—providing the setting that best suits the learning style and needs of the student
- Assessment—providing alternative means of documenting mastery of the curriculum

What is enrichment?

Enrichment refers to learning experiences either in the classroom or out of the classroom where the curriculum content is extended. One way in which enrichment is provided at the elementary level is the “seminar.” Students with a common interest or talent are placed together in a cluster group to participate in an extension of the curriculum that may include one or more of the types of differentiation noted above. The classroom teacher facilitates many of the seminars at the elementary and junior high levels. Many departments offer independent study courses at the high school level which serve as seminars. Seminars cover the array of curricular areas and include the talent areas of leadership and fine arts as well. Flexible grouping structures are used so that enrichment opportunities may be provided to many learners over the course of the school year based on the students’ interests and areas of talent.

What is compacting?

Compacting begins with a student being pretested either for the unit of study or the course. The pretest identifies the specific knowledge or skills that need to be developed with the learner and those that have already been mastered. In this way, the unit of study or course is completed in a shorter period of time with a focus on the knowledge or skills needed for further development. Compacting can also be used in situations where the student is able to learn the material more quickly than peers as the student needs less repetition or practice to accomplish mastery. Compacting can be done with individuals or with flexible groupings of students.

What is mentoring?

Mentors are individuals who have expertise with a certain skill set or knowledge base and are willing to share this expertise with students who have interests in that area. G/T personnel may seek mentors for individuals or small groups of students to extend the school experience beyond the grade-level curriculum and expectations. Adults, college students, and high school students may serve as mentors following completion of the district’s police background check process. “Mentor relationships with dedicated scholars, artists, scientists, or businesspeople are highly suitable for gifted adolescents” and provide an opportunity to network with individuals who share a common set of interests.

What is shadowing?

School personnel may arrange for students to shadow a person on the job site or in post-secondary institution to gain experience in an area of high interest for the able learner as another means of extending the school

experience beyond the grade-level curriculum and expectations. Generally, an area business or educational institution provides this type of service.

What is acceleration?

Acceleration generally refers to students attending a class with older students. This option is used more frequently with students in grades 6-12 but includes full grade acceleration which may be used at any grade level. For example, a student may complete first grade in the spring of one school year and be enrolled in third grade for the following school year. A student might also be placed in an advanced grade-level for a single course. The more common application of acceleration is to have a middle school or high school student attend an upper level course. In this way, acceleration is course or subject specific and offers students the opportunity for learning options that provide acceleration in the needed areas while also enabling the student to participate in other courses and activities with age mates. Students may travel between the middle school and high school to access such course opportunities.

Seminar examples may include (but are not limited to):

- Everyday
- Leadership Junior
- Great Books
- Caesar's English
- Math Investigations
- Writer's Workshop
- Visiting Artist
- Physics Phun
- Inquiry Projects

Co-curricular opportunities may include (but are not limited to):

- Noetic Math Competitions – Grade 2 and up.
- Fox Valley Junior Math League—Grades 5-8
- Scripps National Spelling Bee—Grades 3-8
- National Geographic Geography Bee—Grades 4-8
- Destination Imagination—K-12+
- Student Council—Grades 3-12

Record of Services:

Currently, information about student participation in G/T services is documented in the student's cumulative file. All faculty that work with a student will have ready access to information about the learner in one location. Documents such as students' intervention plans, and seminar participation records are included in the cumulative file. All students identified as G/T will be flagged in the SDM student information system software.

Gifted & Talented Identification and Options

Gifted and Talented National Standards:

Area	Identification Options
<p>General Intellectual Ability</p>	<p>Recommendation based on the following observables:</p> <ul style="list-style-type: none"> ● iReady scores of >90 percentile rank in both reading and math ● F&P running records; 2 grade levels ahead ● Statewide assessment scores at advanced/exceeding/>26 (ACT) in all areas ● SBG scoring at a 4 early in the year in all subjects ● IQ >115 <ul style="list-style-type: none"> ● Quiz Bowl ● Battle of the Books ● Debate Team ● Advance a grade level ● Enrichment projects ● Forensics
<p>Specific Academic Area</p>	<p>Recommendation based on the following observables:</p> <ul style="list-style-type: none"> ● iReady scores of >90 percentile rank in either math or reading ● Oral Reading Fluency ● Statewide assessment scores at advanced/exceeding/>26 (ACT) in one area ● SBG scoring at a 4 early in the year in one subject ● Classroom data/grades ● Book bins filled with books with various topics ● Partner conversations with different grade level peers ● Enrichment projects ● Attend other grade's Interactive Read Aloud ● Accelerated reading class ● Battle of the Books <p style="text-align: center;">Math</p> <ul style="list-style-type: none"> ● Prodigy, Khan Academy, Accelerated Math, Moby Max ● Enrichment Projects ● Project Boxes ● Math Olympics or other competitions ● AP classes

	<p>Writing</p> <ul style="list-style-type: none"> ● Accelerated writing class ● Enrichment projects ● Forensics
<p>Creativity</p>	<p>Teacher recommendation based on the following observations:</p> <ul style="list-style-type: none"> ● Divergent and unconventional thinking ● Unusual ideas or solutions to problems ● Original ideas and products ● Flexible and original thinking ● Tend to reject one-answer solutions ● Strongly independent ● Resist conformity ● The originality of thought, human behavior, and product <ul style="list-style-type: none"> ● Enrichment Projects ● Student Council ● Drama/One-Act Play ● Forensics ● UWSP STEAM Day

<p>Artistic Visual/Music</p>	<p>Teacher recommendation based on the following observations:</p> <ul style="list-style-type: none"> ● Enrichment Activities ● Choir/Band/Art Club ● Ability to create or perform in music in a way that suggests exceptional talent ● Drama/One-Act Play ● Forensics ● Unusual adeptness or skill in the fields of music or visual arts ● Advanced Classes <ul style="list-style-type: none"> ● Independent Study ● Solo and Ensemble ● Pep Band/Jazz Band
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Leadership

Teacher recommendation based on:

- Student Council
- Influences peers
- Is sought out by others to accomplish a task
- Addresses the needs of others
- Holds high expectations for self and others
- Demonstrates or delegates responsibility
- Internalizes concepts of right and wrong
- FOR Club
- FFA
- FBLA
- Peer Mentor/Tutor

Decision Process

Identification can occur at any time during the school year. Servicing decisions are made based on the learning needs of the individual through the Building Consultation Team (BCT) process using the following data:

- Standardized test scores
- Interest inventories
- Performance data (classroom-based evidence like discussion, projects, written work, etc.)
- Subject or course specific assessments
- Teacher observation

Students may be referred for services by teachers or parents. At the secondary level, students may also refer themselves by contacting either their school counselor or principal.

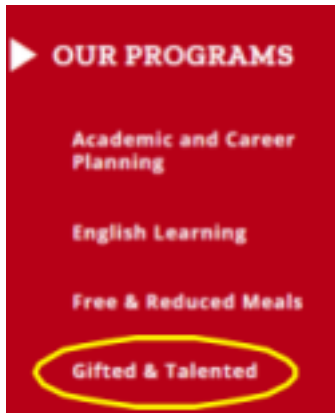
1. Upon receiving a referral form, the principal or designee will notify the student's parent/guardian and request any information for inclusion on the form. If the referral is initiated by the parent, the counselor will request that the student's classroom teacher (and other teachers if applicable) add school-related information to the referral form.
2. Counselors will collect other evidence of high-performance capability. This evidence may include but is not limited to: district or statewide test scores, (**local norm referenced test scores will be used for inclusionary purposes only; student whose performance in class work exceeds their standardized test scores will not be excluded from opportunities) classroom observation, classwork and portfolios, and audio or video evidence of performance in the arts. Multiple measures will be used to identify students and no single measure will be used to exclude students from G/T opportunities.
3. After evidence is collected, counselors may interview prospective student. This interview will be used to further understand the student's interests, learning style, and willingness to be challenged.
4. The BCT will meet using the BCT meeting format to determine the Intervention Plan. Principals will designate a person to contact parents to inform them that their child will be receiving G/T services. All records related to the intervention plan will be maintained by the principal or designee. The principal or designee will add a note in the student information system to indicate the student is identified as a G/T student. Since giftedness is a fluid and dynamic trait, students may at times be best served within their regular classroom and at times via pullout or accelerated opportunities.
5. Based on the intervention plan, the team will evaluate the effectiveness of current interventions through progress monitoring at regular intervals. Follow-up with parents will be communicated as necessary.
6. Steps four and five of this decision process are repeated until the student is at a level that precipitates a change in intervention.

Referral for Gifted & Talented Services

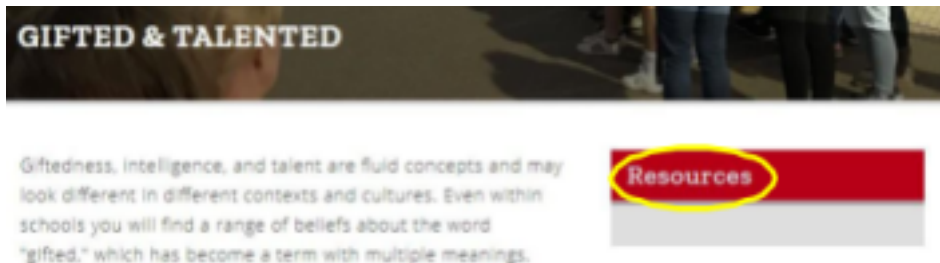
1. Complete the Gifted and Talented Referral form found on the school district website under District Programs.



2. Click on the Gifted and Talented link on the left-hand side.



3. Choose the Gifted & Talented Handbook under Resources on the right-hand side of the page, and print out the form found within. Please, return to Manawa Elementary or Little Wolf High/Middle main office where the student attends.





Parent/Guardian/Student Gifted & Talented Referral Form

Parents/guardians/student should complete this form if they believe the nominee is performing well above grade level or demonstrating exceptional strengths or talents and would like the nominee's performance and achievement to be reviewed to determine eligibility for gifted education services. Please review the Bright child vs. Gifted Child chart in the SDM Gifted & Talented Handbook.

Student Name: D.O.B.: Grade: Nominated by: School:

AREAS OF GIFTEDNESS	SPECIFIC EXAMPLES
<input type="checkbox"/> General Intellectual Ability Processes new information quickly, uses advanced vocabulary, sees connections in concepts, focuses for long periods of time on special interests, or enjoys solving puzzles and problems.	
<input type="checkbox"/> Specific Academic Ability Shows unusual/advanced ability in: <input type="checkbox"/> Reading <input type="checkbox"/> Math <input type="checkbox"/> Science <input type="checkbox"/> Social Studies <input type="checkbox"/> Language Arts	
<input type="checkbox"/> Creativity Has a vivid imagination, a keen aesthetic sense, unique ideas in problem-solving situations, may be a risk-taker, adventurous, non-conforming, often asks "why" or sees the unusual.	
<input type="checkbox"/> Artistic Selects art media for free time, shows originality and creativity in the use of art media, keenly observes his/her environment, sees the unusual, easily remembers melodies and can produce them accurately, enjoys performing for others. Shows a heightened interest in: <input type="checkbox"/> music <input type="checkbox"/> art	
<input type="checkbox"/> Leadership Organizes and leads groups, carries responsibility well, tolerant and flexible with peers, possesses good self confidence, or may be overbearing at times.	

Briefly describe the nominee's major interests, hobbies, and other creative endeavors.

Please add or attach any other information which you believe is relevant and would assist us in getting to know the nominee's interests and abilities.

Parent/Guardian Signature: Date:

Student Signature: (if self-nominating) Date:

Please submit the completed form to the MES, MMS, or LWHS office.

<input type="checkbox"/> Identified as G/T	<input type="checkbox"/> Placed on Watch list	<input type="checkbox"/> Not recommended for G/T at this time
--	---	---

G/T Signature	Date
---------------	------

Principal Signature Date

If applicable:

Meeting to write G/T plan will take place on:

School Year:



Teacher Gifted & Talented Referral Form

Teachers should complete this form if they believe the student is performing well above grade level or demonstrating exceptional strengths or talents and would like the student's performance and achievement to be reviewed to determine eligibility for gifted education services. Please review the Bright child vs. Gifted Child chart in the SDM Gifted & Talented Handbook.

Student Name:

D.O.B.:

Grade:

Referred by: School:

School Year:

AREAS OF GIFTEDNESS	CHARACTERISTICS
<p><u>General Intellectual Ability</u></p> <p>Comments:</p>	<ul style="list-style-type: none"> <input type="checkbox"/> understands complex concepts <input type="checkbox"/> draws inferences between content areas <input type="checkbox"/> sees beyond the obvious <input type="checkbox"/> thrives on new or complex ideas <input type="checkbox"/> enjoys hypothesizing <input type="checkbox"/> intuitively knows before taught <input type="checkbox"/> uses an extensive vocabulary <input type="checkbox"/> does in-depth investigations <input type="checkbox"/> learns rapidly in comparison to peers <input type="checkbox"/> 1-2 repetitions for mastery <input type="checkbox"/> manipulates information
<p><u>Specific Academic Ability</u></p> <p>Comments:</p>	<ul style="list-style-type: none"> <input type="checkbox"/> strong memorization ability <input type="checkbox"/> advanced comprehension <input type="checkbox"/> intense interest in a specific academic area <input type="checkbox"/> high academic capacity in special-interest area <ul style="list-style-type: none"> <input type="checkbox"/> pursues special interests with enthusiasm <input type="checkbox"/> operates at a higher level of abstraction than peers <ul style="list-style-type: none"> <input type="checkbox"/> asks poignant questions <input type="checkbox"/> discusses and elaborates in detail

<p><u>Creativity</u></p> <p>Comments:</p>	<ul style="list-style-type: none"> <input type="checkbox"/> independent and/or flexible thinker <input type="checkbox"/> exhibits original thinking in oral/written expression <ul style="list-style-type: none"> <input type="checkbox"/> generates many ideas to solve a given problem <input type="checkbox"/> possesses a keen sense of humor <input type="checkbox"/> creates and invents <input type="checkbox"/> intrigued by creative tasks <input type="checkbox"/> improvises and sees unique possibilities <input type="checkbox"/> risk taker <input type="checkbox"/> resists conformity
<p><u>Artistic: Visual Arts/Music</u></p> <p>Comments:</p>	<ul style="list-style-type: none"> <input type="checkbox"/> communicates his/her vision in visual/performing arts <input type="checkbox"/> unusual ability for aesthetic expression <input type="checkbox"/> compelled to perform/produce <input type="checkbox"/> exhibits creative expression <input type="checkbox"/> desire for creating original product <input type="checkbox"/> keenly observant <input type="checkbox"/> excels in demonstrating the visual/performing arts
<p><u>Leadership</u></p> <p>Comments:</p>	<ul style="list-style-type: none"> <input type="checkbox"/> takes an active role in decision making <input type="checkbox"/> high expectations for self and others <input type="checkbox"/> expresses self with confidence <input type="checkbox"/> foresees consequences & implications of decisions <input type="checkbox"/> follows through on a plan <input type="checkbox"/> appears to be well liked by peers <input type="checkbox"/> ideas expressed accepted by others <input type="checkbox"/> sought out by others to accomplish a task

--	--

Please include any other information you feel will help the team in making a decision about the needs of this student.

Please submit completed form to your building principal.

<input type="checkbox"/> Identified as G/T	<input type="checkbox"/> Placed on Watch list	<input type="checkbox"/> Not recommended for G/T at this time
--	---	---

G/T Signature	Date
Principal Signature	Date

If applicable:

Meeting to write G/T plan will take place on:



Date:

Student Name:

D.O.B.:

Grade:

Nominated by:

School:

There are four ways to provide an appropriate education for gifted students in a regular classroom: change what is taught; change how it is taught; change the setting; change the assignment (what you require the student to do)

Team Members:

Background Information-What We Know:

Summary of Results of Previous Plan(s):

Student Need(s):

Overall Goal for Student:

Differentiated Learning Plan:

Gift/Talent Identification Area:

- General Intellectual Ability
- Specific Academic Area
 - Reading
 - Writing
 - Math
 - Social Studies
 - Science
- Creativity
- Artistic
 - Visual
 - Musical
- Leadership

Begin Date:

End Date:

Provider:

Differentiation Strategies:

**BCT Check-In Meeting Frequency:
Options:**

Area	Options
General Intellectual Ability	<input type="checkbox"/> Quiz Bowl <input type="checkbox"/> Battle of the Books <input type="checkbox"/> Debate Team <input type="checkbox"/> Advance a grade level <input type="checkbox"/> Enrichment projects <input type="checkbox"/> Forensics <input type="checkbox"/> Other
Specific Academic Area	Math <input type="checkbox"/> Prodigy, Khan Academy, Accelerated Math, Moby Max <input type="checkbox"/> Enrichment Projects <input type="checkbox"/> Project Boxes <input type="checkbox"/> Math Olympics or other competitions <input type="checkbox"/> AP classes <input type="checkbox"/> Accelerated reading class

	<ul style="list-style-type: none"> <input type="checkbox"/> Other Reading <ul style="list-style-type: none"> <input type="checkbox"/> Book bins filled with books at reading level <input type="checkbox"/> Partner conversations with different grade level peers <input type="checkbox"/> Enrichment projects <input type="checkbox"/> Attend other grade's IR time <input type="checkbox"/> Accelerated reading class <input type="checkbox"/> Moby Max <input type="checkbox"/> Battle of the Books <input type="checkbox"/> Other Writing <ul style="list-style-type: none"> <input type="checkbox"/> Accelerated writing class <input type="checkbox"/> Enrichment projects <input type="checkbox"/> Forensics <input type="checkbox"/> Other Science <ul style="list-style-type: none"> <input type="checkbox"/> Crystal Growing Competition <input type="checkbox"/> UWSP STEAM Days <input type="checkbox"/> AP Classes <input type="checkbox"/> Other Social Studies <ul style="list-style-type: none"> <input type="checkbox"/> AP Classes <input type="checkbox"/> Other
Creativity	<ul style="list-style-type: none"> <input type="checkbox"/> UWSP STEAM Days <input type="checkbox"/> Enrichment Projects <input type="checkbox"/> Student Council <input type="checkbox"/> Drama/One-Act Play, Musical <input type="checkbox"/> Band, choir <input type="checkbox"/> Art Club/ Art Team <input type="checkbox"/> Forensics <input type="checkbox"/> Other

<p>Leadership</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Student Council <input type="checkbox"/> FOR Club <input type="checkbox"/> FFA <input type="checkbox"/> Sources Strength <input type="checkbox"/> Leadership Class <input type="checkbox"/> Peer Mentor/Tutor <input type="checkbox"/> Other
<p>Artistic Visual/Music</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Enrichment Activities <input type="checkbox"/> Choir/Band/Art Club <input type="checkbox"/> Drama/One-Act Play <input type="checkbox"/> Forensics <input type="checkbox"/> Advanced Classes/Independent Study <input type="checkbox"/> Solo and Ensemble <input type="checkbox"/> Pep Band/Jazz Band <input type="checkbox"/> Other

Responsibilities:

Student:

Classroom Teacher:

Parents:

School Administration:

Review Date:

Additional meetings may be held if the need arises.

In Attendance	Signature
Administration	
G/T Representative	
Teacher	
Teacher	
Counselor	
Student	
Parent/Guardian	
Parent/Guardian	
Other	



School District of Manawa

English Learner (EL) Plan

Approved by the Manawa Board of Education on
TENTAIVE - June 2024

Table of Contents

Procedure for Identifying Incoming EL Students	1
EL Screening Process	2
EL Placement	3-4
Assessment	5-8
Modifications and Accommodations for ELL Students	9-10
Transition from EL Services & Monitoring Performance	11
Appendices: Forms <ul style="list-style-type: none">• Appendix A: Home Language Survey• Appendix B: Parent Permission Letter• Appendix C: Language Development Plan• Appendix D: Exit Letter• Appendix E: Monitor Report	12-23

Procedure for Identifying Incoming EL Students

- Families complete the Enrollment Form, including the Home Language Survey (HLS).
- All Home Language Surveys are sent to the EL Coordinator.
- When a language other than English is indicated, the EL Coordinator sends the Home Language Survey to the building principal. Hard copy will be filed in the cumulative folder when the identification process is complete. All other Home Language Surveys are sent to building secretaries to be filed in students' cumulative folders.
- EL Coordinator researches student's cumulative folder for EL information. (i.e. previous Home Language Surveys, previous placements or servicing, previous assessments, forms written in another language, the student's previous school is not in the USA)
- EL Coordinator consults previous assessments when questionable information is found.

If a Language Proficiency Level is found:	If a Language Proficiency Level is NOT found:
<ul style="list-style-type: none"> • If a current ACCESS score of 1.0-5.9 does exist, the EL Coordinator will designate the student as requiring appropriate EL services (<i>if a student in grades 4-12 has a current ACCESS score of 5.0-5.9 and there are school records to support academic success, the EL coordinator will proceed with the manual reclassification process</i>). • EL Coordinator will contact parent/guardian to review language results and EL services. • EL Coordinator places the original copy of Parent Approval Form or Refusal of Services Form in the student's cumulative folder in the main office. • EL Coordinator will update Skyward. • EL Coordinator uses results from current ACCESS scores to write Language Development Plan (LDP) for appropriate services. • The EL Coordinator will update the building principal regularly of students identified for EL services and for those students not qualifying for services. 	<ul style="list-style-type: none"> • EL Coordinator contacts parents/guardians to discuss student's educational and language background either before or after screener as appropriate. • If there is not a current ACCESS score, the EL Coordinator will conduct a WIDA MODEL (Kindergarten) or W-APT screener to determine the student's present English language proficiency level. • Parent or guardian will meet with the EL Coordinator to review language results and EL services. • EL Coordinator will place the original copy of Parent Approval Form or Refusal of Services Form and screener in the student's cumulative folder in the main office. • EL Coordinator will update Skyward. • EL Coordinator uses results from screeners or current ACCESS scores to write a Language Development Plan (LDP) for appropriate services. • The EL coordinator will update the building principal regularly of students identified for EL services and for those students not qualifying for services.

EL Screening Process

All new registrants who are potentially Limited English Proficient (LEP) and have no previous Language Proficiency identification will be screened. The School District of Manawa utilizes the WIDA MODEL or W-APT. The WIDA MODEL is used for Pre-K, Kindergarten and first semester 1st grade students. The W-APT assesses students in second semester 1st grade -12th grade. This screening is to be completed within 30 days if at the beginning of school in September, or 14 days after September 30. (DPI—ESEA bulletin number 07.01)

- Based on information gathered during the identification process, the EL Coordinator will screen potentially LEP students.
- The EL Coordinator will ensure the district has the necessary screening materials available.
- The EL Coordinator will be trained to administer screeners.
- Upon completion of the screener, the EL Coordinator fills out the composite score calculation.
- EL Coordinator will reference WIDA.us score calculator.
 - If the student scores below a 5.1, the student is most likely eligible for services. In some cases, more information is needed before eligibility can be determined.
 - If the student scores a 5.1 or above on the screener, it should be noted that the student is not Limited English Proficient and does not qualify for services.
- The principal is informed of the screening results.
- EL Coordinator will file all results in Skyward.

EL Placement

Age-Appropriate Placement

EL students will be placed in an age-appropriate setting. There is a normal age range when placing students at grade level. The following table shows that range.

Grade	Normal Age Range	Maximum Age Range
K	5-6	7
1	6-7	8
2	7-8	9
3	8-9	10
4	9-10	11
5	10-11	12
6	11-12	13
7	12-13	14
8	13-14	15
9	14-15	16
10	15-16	17
11	16-17	18
12	17-18	19-21

A student should not be retained if such retention will result in the student attaining an age **above** the stated maximum. Retention of students within normal age ranges should be based on developmental progress rather than language or academic achievement

“Retention of students in grade “solely based on language” is considered a civil rights violation by OCR (Office for Civil Rights, US ED) and runs counter to research on best practices for these students.”

Tim Boals, WI DPI

Referrals of EL Students to Other Programs School-based Programs and Extracurricular Activities

In the School District of Manawa, students identified as English Learners (ELs) are full-fledged members of their respective school communities. ELs are provided equal access to the full range of district programs, including, but not limited to, special education, gifted and talented, Title 1, and all non-academic and extracurricular activities. The district encourages all students, including those identified as English Learners, to become involved in extracurricular and non-

academic activities, such as sports, clubs, and organizations. None of these may discriminate based on language.

Application Process for School-Based and Extra-Curricular Activities

At times, the district will offer special opportunity programs or activities to its students. The district assures that the application process and selection for these programs will not be dependent on a student's proficiency in English.

Special Education

The School District of Manawa does not place any student in a special education program based on his/ her English proficiency. The guidelines for special education are the same for both EL and non-EL students in accordance with the Individuals with Disabilities Act. When necessary, arrangements may be made for translators to assist with testing when it is determined that a special education evaluation is appropriate and the student's level of English proficiency would not yield reliable test results. English Learners identified as special education students may continue to receive EL services as determined by the student's IEP. EL modifications and accommodations would be made in the regular classroom by the regular classroom teacher. Special education services will be provided by appropriately qualified special education teachers.

Special Programs and Related Services

EL students will receive equal access to all district special opportunity programs. These programs include, but are not limited to Title I and at-risk programming, gifted and talented, literacy coaches, speech and other forms of special education, vocational and technical courses, and all extracurricular and nonacademic activities available to other students. The district assures that the selection or application process for special opportunity programs will not rely solely on measures of English language proficiency. The School District of Manawa will seek to provide assistance necessary for effective participation by EL students in these programs.

Assessment

Screeners

W-A APT and WIDA Model (Kindergarten) are the screener tests used to determine the student’s English language proficiency level.

ACCESS for ELLs 2.0

ACCESS for ELLs 2.0 is aligned with the WIDA English Language Development Standards and assesses each of the four language domains of Listening, Speaking, Reading, and Writing. It is given annually to monitor students’ progress in acquiring academic English.

The ACCESS test is administered during strict time parameters determined by the Wisconsin department of Public Instruction. Students’ in grades 1-12 complete the test in the online format, while the kindergarten and Alternate ACCESS for ELLs are completed in paper format.

ACCESS for ELLs 2.0 Online administration allows for students in multiple grade-level clusters and tiers to be within the same group for ease of administration. See below for exceptions to this.

Can administer together:	Exceptions (Must Administer Separately):
Same domain, different grade-level clusters and tiers <ul style="list-style-type: none"> Ex: During the Writing test session, students taking either Tier A and Tier B/C and/or students from Grade-level clusters 4-5 and 6-8 can be together. 	Speaking Pre Tier A <ul style="list-style-type: none"> Administer separately from students taking the Tier A and Tier B/C Speaking tests.
Writing domain, students who keyboard and handwrite in booklets	Writing 1 and 2-3 <ul style="list-style-type: none"> Cannot be combined with Writing test sessions for Grades 4-5, 6-8, and 9-12. Must be separated into test sessions by both grade-level cluster and tier (e.g. Grade 1 Tier A, Grade 1 Tier B/C, Grades 2-3 Tier A, and Grades 2-3 Tier B/C).
	Kindergarten <ul style="list-style-type: none"> All individually administered.
<p>Test domains should not be combined into one test session. For example, the Listening test should be administered in a different test sessions than the Reading, Writing, or Speaking test.</p>	

The image below outlines the Tier Placement Protocol educators use in assigning tiers with ACCESS for ELLs 2.0. It is important to note that while the Tier Placement Protocol is defined by three tiers, within the Speaking domain you will only see two potential tiers: A and B/C. The criteria below still encompass all relevant information regarding tier placement for the Speaking domain as well as the Listening, Reading, and Writing domains.

Level 1 Entering	Level 2 Emerging	Level 3 Developing	Level 4 Expanding	Level 5 Bridging	Level 6 - Reaching
<p>TIER A is most appropriate for English language learners who:</p> <ul style="list-style-type: none"> • have arrived in the U.S. or entered school in the U.S. within this academic school year without previous instruction in English, OR • currently receive literacy instruction ONLY in their native language, OR • have recently tested at the lowest level of English language proficiency 					
<p>TIER B is most appropriate for English language learners who:</p> <ul style="list-style-type: none"> • have social language proficiency and some, but not extensive, academic language proficiency in English, OR • have acquired some literacy in English though have not yet reached grade level literacy 					
<p>TIER C is most appropriate for English language learners who:</p> <ul style="list-style-type: none"> • are approaching grade level in literacy and academic language proficiency in the core content areas, OR • will likely meet the state's exit criteria for support services by the end of the academic year 					

EL Expectations and Teaching Suggestions by English Proficiency Level

Level One Students (ENTERING):

- Have a few isolated English words and expressions
- Produce words, phrases, or chunks of language when presented with one-step commands, directions, wh- questions, or statements with visual graphic support
- Are in a silent period of infrequent verbal communication, during which they are working to make sense of a new language, culture, and educational setting
- Benefit from an accepting and encouraging environment
- Benefit from one or two same-sex buddies who can show them how to adjust to the new school environment
- Benefit from the use of visuals, pantomime, and hands-on activities, which will provide them ways to be active participants in class activities

Level Two Students (BEGINNING):

- Function in conversational and academic English with hesitancy and difficulty
- Understand only parts of lessons and simple directions
- Produce phrases or short sentences
- Have pre-emergent or emergent skills in reading and writing English
- Are significantly below grade level in ability to function in English
- Understand only some spoken English that deals with subjects they are already familiar with
- May become frustrated with their own rate of English language acquisition and may appear to be uncooperative
- Benefit from an accepting and encouraging environment
- Benefit from much visual support in instruction (think stick figures)
- Benefit from teachers who model and encourage correct usage in a positive way
- Benefit from teachers who avoid the use of idiomatic language

Level Three Students (DEVELOPING):

- Speak and understand “hallway” and academic English with decreasing hesitancy and difficulty
- Produce expanded sentences in oral interaction or written paragraphs
- Are developing reading and writing skills (which probably lag behind listening and speaking skills)
- Are often thought to have better comprehension than is the case
- May be reluctant to ask the questions they need to ask from a desire to fit in and not appear needy
- Still face a significant challenge when learning academic vocabulary
- Benefit from assistance when demonstrating academic knowledge in content areas
- Benefit from significant support to acquire knowledge in the content areas

Level Four Students (EXPANDING):

- Speak and understand conversational English without apparent difficulty
- Continue to acquire reading and writing skills in content areas
- Still need assistance to achieve grade level expectations in the reading and writing skills in many content areas
- Still have difficulty reading between the lines
- Are challenged by complex sentence structure and specialized vocabulary
- Will often have difficulty with usage variations and idiomatic language
- Benefit from continued support in acquiring the language skills and specialized vocabulary needed to succeed in the content areas
- Benefit from teachers who are sensitive to their desire to avoid the appearance of needing help

Level Five Students (BRIDGING):

- Understand and speak conversational English well

- Are nearly proficient in reading, writing, speaking, and content area skills needed to achieve grade-level expectations
- Are still refining writing skills and expanding vocabulary
- Still benefit from occasional support

Level Six Students (Formally EL):

Formerly LEP (Limited English Proficient)/ Now Fully English Proficient

A note about new arrivals: Students who are newly arrived from their home country are not only dealing with a new language and school environment, but they are also coming to terms with the loss of friends, familiar surroundings, and food (think school cafeteria). Often, they have left an extended family support network behind. Our climate may be shocking and unbearable. They may be chronically unprepared for the weather and school activities. They can exhibit an initial enthusiasm toward learning English, which might be followed by a period of moodiness, withdrawal, and lack of cooperation. They have realized how difficult it will be to learn English. They may be reluctant to ask questions because it is inappropriate in their home culture. Communication patterns in the home culture between children and adults may lead to behavior considered rude or inappropriate in mainstream US culture. Teachers can focus on modeling the behavior they would like to elicit.

Modifications & Accommodations for EL Students

The School District of Manawa will provide modifications and accommodations to identified English Learners in grades PreK-12 to assist them in achieving the overall goals of the district. The WIDA Standards, in conjunction with the Common Core State Standards, will provide the foundation for English language acquisition and the academic development of identified ELs in the district. The school district is aware that English academic language proficiency may take between five and ten years. It is understood that this time frame can be impacted by the student's previous educational and social experiences.

A number of different modifications and accommodations will combine to provide a support that meets the needs of all identified English Learners in the district. The design of each Language Development Plan (LDP) will be flexible each year according to each student's proficiency levels and needs. These modifications and accommodations include, but are not limited to:

- Use graphic organizers
 - Pre-teach vocabulary
 - Provide background knowledge for cultural-related topics
 - Prepare note pages
 - Provide study guides to organize material
 - Emphasize important information after lesson
 - Give directions in writing
 - Use cooperative learning groups
 - Provide peer tutoring
 - Provide mentor tutoring
 - Teach study skills
 - Teach basic note taking skills
 - Allow access to computerized programs
 - Allow bilingual/electronic translator dictionaries
 - Provide bilingual picture dictionaries at appropriate grade level
 - Highlight key concepts in textbooks and/or provide modified versions of text
 - Provide digital copies of books
 - Use adapted or modified textbooks
 - Allow and use of computer/word processing for papers
 - Allow copying from book
 - Adapt class worksheets – modify or shorten assignments based on ELP level
 - Provide extended time for assignments
 - Do not deduct for spelling and grammar errors in writing assignments
 - Allow assignments to be done in a different manner (ex. Speak rather than writing or write rather than speak)
- Allow students to answer test questions orally

- Provide word banks for fill-in-the-blank tests
- Provide matching activities
- Shorten test length
- Create an alternative assignment
- Extend time for tests
- Require only selected test items
- Read test to student
- Use portfolios (body of work) to assess
- Allow test corrections
- Other modifications/accommodations based on specific student need

Transition from EL Services & Monitoring Performance

Through a reclassification process, students are exited (from the EL program) and monitored when they meet state and federal criteria as delineated in DPI English Learner Policy Handbook.

The requirements for reclassification are the following: (quoted from the DPI English Learner Policy Handbook)

- Students reaching an Overall Composite of 5.0 or greater must be reclassified.
- Students reaching an Overall Composite of 4.5-4.9 may be reclassified, should the district find additional evidence of proficiency using a MIP (Multiple Indicator Protocol)

In the following link, DPI provides a complete, updated Wisconsin English Learner Policy Handbook derived from multiple sources, including federal law and associated regulatory guidance, common law, and state law.

<https://dpi.wi.gov/english-learners/el-identification-and-placement>

In order to ensure success for all exited EL program students and meet legal requirements, the EL Coordinator will monitor a student's progress in the academic areas each semester for two years after being exited from the program. On a semester basis, the monitor form will be sent to classroom and content area teachers.

If a student is experiencing academic difficulties, the EL coordinator and general education teacher(s) will provide appropriate intervention(s). If the student is continuing to demonstrate academic difficulty based on language proficiency, then a reentry meeting will be set up with the student's parents. The parents will have to sign for permission in order to receive EL services.

Appendices



School District of Manawa

“Students Choosing to Excel, Realizing Their Strengths”

800 Beech Street | Manawa, WI 54949 | (920) 596-2525

Dear Parent/Guardian:

Welcome to the school year! We are confident that your child will have a productive and enjoyable year.

Your child has been recommended to receive English Learner (EL) services. The goals of the English Learner services are to help students learn English more quickly by providing accommodations and modifications for students in core academic subject areas. The services your child will receive will help him/her be more successful in school. We encourage you to take advantage of these valuable services.

Your cooperation and participation will be sought throughout the school year. With a school/home partnership we should be able to make significant progress. As the first step, we need your approval for your child to be enrolled in the program. You have the right to remove your child from the program by contacting the EL Coordinator.

Please sign below and indicate if you would like your child to participate in the English Learner Program. If you have any questions or concerns, please feel free to contact us at the numbers provided below. Thank you.

Michelle Johnson
EL Coordinator
mjohnson@@manawaschools.org
920-596-5738

RETURN TO YOUR CHILD’S SCHOOL OFFICE

Student’s Name _____ LEP Level _____ Literacy Subscore _____

YES, I would like my child to participate in the English Learner Program.

NO, I do not want my child to participate in the English Learner Program.

Parent/Guardian Signature

Date

____/____/____



School District of Manawa

“Students Choosing to Excel, Realizing Their Strengths”

800 Beech Street | Manawa, WI 54949 | (920) 596-2525

www.manawaschools.org

Estimados Padres/Guardianos,

¡Bienvenidos al año escolar! Estamos seguros que su hijo tendrá un año agradable y productivo.

Su hijo ha sido recomendado para recibir servicios para aprendices de inglés. Las metas de los servicios para aprendices de inglés son para apoyar a los estudiantes aprender inglés más rápido por proveer alojamiento y modificaciones para los estudiantes en las clases académicos y los sujetos básicos. Los servicios que recibe su hijo lo ayudarán tener más éxito en las clases. Les recomendamos que que aproveche estos valiosos servicios.

Te pedimos su cooperación y participación durante todo el año escolar. Con una asociación entre los maestros y los padres podemos hacer mucho progreso significativo. Por el primer paso, necesitamos su aprobación para registrar a su hijo en el programa. Tiene el derecho de sacarlo del programa cuando quiera por contactar al coordinadora del programa de EL.

Por favor firme abajo e indique si quisiera que su hijo/hija participe en el Programa de Aprendizaje de Inglés. Si tiene preguntas, puede llamar los números. Gracias.

Michelle Johnson
EL Coordinator
mjohnson@manawaschools.org
920-596-5738

DEVOLVER ESTA PARTE A LA OFICINA DE LA ESCUELA

Nombre de Estudiante _____

Nivel LEP N/A Literacy Subscore N/A

SI, Quisiera que mi hijo/hija participe en el programa de Aprendizaje de Inglés.

NO, NO quiero que mi hijo/hija participe en el programa de Aprendizaje de Inglés.

Firma de Padre/Guardiano

____/____/____
Fecha

Original to Cumulative Folder
Copy to Student Services ONLY IF NO

5/29/202



Students choosing to excel; realizing their strengths.

English Language Learner Language Development Plan

ELL LDP

Student's Name		Grade Level		School Year		
Date of Entry in the School District of Manawa		Native Language		Native Country		
School <input type="checkbox"/> Manawa Elementary School <input type="checkbox"/> Little Wolf Jr./Sr. High School		Primary Teacher(s)				
Previous Academic Background Information						
Preferred Method of Communication with Parents						
Assessments						
Most current <input type="checkbox"/> W-APT <input type="checkbox"/> ACCESS				Date Administered		
Scores						
Speaking	Listening	Reading	Writing	Oral Lang.	Comprehension	Overall
iReady Reading	Fall previous year	Winter previous year	Spring previous year	Fall current year	Winter current year	Spring Current year
iReady Math	Fall previous year	Winter previous year	Spring previous year	Fall current year	Winter current year	Spring Current year

Other Testing and Scores:

Classroom teachers and/or EL Coordinator will create, monitor, and evaluate two individual English language goals. Goals are created, monitored, and evaluated, so that the individual student will make necessary yearly progress of at least .4 growth on the ACCESS until the student meets the requirements for exiting the EL program.

Listening Goal

Students apply oral information and follow directions.

The student will:

- follow single step directions. (L1-L2)
- identify information from visual and auditory descriptions (match, sort, point). (L1-L2)
- follow multi-step directions. (L3-L5)
- categorize and sequence information. (L3-L5)
- other:

_____ Evidence:

Speaking Goal

Students will orally express and discuss information in various formats.

The student will:

- ask and answer wh- or choice questions. (L1-L2)
- use descriptive language. (L1-L2)
- restate facts or statements. (L1-L2)
- make predictions. (L3-L5)
- retell stories. (L3-L5)
- other:

_____ Evidence:

Reading Goal

Students explain, interpret, and analyze text.

The student will:

- identify facts and explicit messages. (L1-L2)
- identify main ideas and central themes. (L1-L2)
- draw conclusions and infer. (L3-L5)
- interpret information or data. (L3-L5)
- other:

Evidence:

Writing Goal

Students write in a variety of forms for different audiences and purposes.

The students will:

- give information in writing. (L1-L2)

- request information in writing. (L1-L2)
- create original compositions. (L3-L5)
- produce clear and coherent expository and narrative texts. (L3-L5)
- other:

Evidence:

Vocabulary Goal

Students use specific vocabulary in social and academic contexts.

The student will:

- acquire social and instructional vocabulary sufficient for listening and speaking. (L1-L2)
- acquire academic and domain specific vocabulary sufficient for reading and writing. (L3-L5)
- other:

Evidence:

Cultural Competency

Students comprehend and appreciate texts/media containing various ethnic backgrounds and heritages.

The student will:

- identify cultural similarities and differences. (L1-L2)
- express ideas about culture through classroom interactions using spoken and written language. (L3-L5)
- other:

Evidence:

Program Plan:

- Structured English Immersion
- Other:

**Universal Instructional/Classroom
Accommodations**

- ✓ Use simplified language
- ✓ Avoid idiomatic expressions (ex. talk a mile a minute)
- ✓ Use slower, but not louder, rate of speech
- ✓ Provide many examples
- ✓ Use pairs and small group instruction
- ✓ Repeat directions and paraphrase if necessary
- ✓ Give oral directions in clear step-by-step manner
- ✓ Use gestures along with words to convey meaning
- ✓ Link content to students' previous knowledge
- ✓ Use oral, auditory, visual, and kinesthetic learning modalities
- ✓ Demonstrate concepts
- ✓ Frequently check for understanding

√ Use supplementary materials

Suggested Instructional/Classroom Accommodations

- Use graphic organizers
- Pre-teach vocabulary
- Provide background knowledge for cultural- related topics
- Prepare typed note pages
- Provide study guides to organize material
- Emphasize critical information after lesson
- Give directions in writing
- Use cooperative learning groups
- Provide peer tutoring
- Provide mentor tutoring
- Teach study skills
- Teach basic note taking skills
- Allow access to computerized programs such as *Rosetta Stone*

- Allow bilingual/electronic translator dictionaries
- Provide bilingual picture dictionaries at the appropriate grade level
- Highlight key concepts in textbooks and/or provide modified versions of text
- Provide CD copies of books
- Use adapted or modified textbooks
- Allow the use of computer/word processing for papers
- Allow copying from book
- Adapt class worksheets – modify or shorten assignments based on ELP level
- Provide extended time for assignments
- Do not deduct for spelling and grammar errors in writing assignments
- Allow assignments to be done in a different manner (ex. speak rather than write or write rather than speak)

General Classroom Assessment Accommodations

- Allow students to answer orally
- Provide word banks on fill-in-the-blank tests
- Provide matching activities
- Shorten test length
- Create an alternative assignment
- Extend time for tests

- Require only selected test items
- Read test to student
- Use portfolios (body of work) to assess
- Allow test corrections
- Other (add comment below):

State Assessment Accommodations

- Per state statute, any students who have arrived within the last 12 calendar months may be permitted to abstain one time from the English/Language Arts portions of the Forward Exam or the reading portion only of the ACT suites including the ACT plus writing and Aspire.

Forward Exam (Grades 3-8)

Universal tools are access features of the assessment that are either provided as digitally delivered components of the test administration system or separate from it. Universal tools are available to all students based on student preference and selection.

Embedded:

Breaks, Calculator, Digital Notepad, English Dictionary, English Glossary, Expandable Passages, Global Notes, Highlighter, Keyboard Navigation, Mark for Review, Math Tools, Spell Check, Strikethrough, Writing Tools, Zoom

Non-embedded:

Breaks, English Dictionary, Scratch Paper, Thesaurus

Designated Supports are features that are available for use by any student for whom the need has been indicated by an educator or team.

Embedded:

Color Contrast, Masking, Text-to-speech, Translated Test Directions, Translations (Glossary), Translations (Stacked), Turn off Any Universal Tools

Non-embedded:

Bilingual Dictionary, Color Contrast, Color Overlay, Magnification, Noise Buffers, Read Aloud, Scribe, Separate Setting, Translated Test Directions, Translation (Glossary)

Accommodations are for students with disabilities and English Language Learners; they do not change the content being assessed or the skill level. Examples of accommodations include a large- print test or using a scribe to record student answers.

Embedded:

American Sign Language, Braille, Closed Captioning, Streamline, Text-to-Speech

Non-embedded:

Abacus, Alternate Response Options, Calculator, Multiplication Table, Print on Demand, Read Aloud, Scribe, Speech-to-Text

Modifications do change what is being assessed and are **not** allowed for any student during Wisconsin Student Assessment System (WSAS) testing. Examples of modifications include reducing the number of answer choices or shortening the length of the test.

PreACT/ACT Suites (Grades 9-11)

Default Embedded System Tools:

Embedded System Tools are those common supports that are made available to ALL users upon launch/start of test by default. No advance request is needed. These tools are either embedded in the basic computer test delivery platform, or may be automatically provided as needed at the local level.

Examples of default embedded system tools may include, but are not limited to:

a computer QWERTY keyboard, a mouse, electronic cut, copy and paste functions in a text entry box, as well as low tech items used with paper format tests, like 'Number 2' pencils, erasers, and similar basic tools such as non-specialized personal calculators for some tests.

Open Access Tools:

Open Access Tools may be used by anyone. To be activated they must be identified in advance and selected from the pull-down menu inside the test (CBT version), or must be planned in advance and provided locally. Thoughtful decision-making, informed by multiple observations and prior successful user experience, is strongly recommended. Users should be practiced, familiar and comfortable with using these types of tools, and comfortable using them in combination with any other tools they will also be using. Decisions to use these tools must be made well before the test is taken.

Accommodations:

Accommodation-level supports are available to "qualified users"—as determined by the responsible educational authority. These supports (used in content areas where permitted) allow the user to independently demonstrate the measured construct. ACT Aspire recommends that students who use accommodation-level supports have a formally documented need as well as relevant knowledge and familiarity with these tools to qualify. Accommodations must be requested through the online ACT

Aspire Personal Needs Profile (PNP) process. Any other formal qualifying procedure that is required by the responsible educational authority must be completed prior to completing the ACT Aspire PNP request process.

Examples include:

Needs for braille or tactile graphics, English text audio, Sign language interpretation, or other language translation

Modifications:

Modifications are not permitted in ACT Aspire tests for any user. Such extreme levels of support actually prevent meaningful access to the construct being tested by doing too much for the student, thus removing any ability for the user to demonstrate actual skill levels that might be present. Modifications, if used during the early instructional period may help some students to successively approximate and to eventually learn a new and difficult skill. However, even then, the intent is always to fade this extreme level of support away so that the student can increasingly demonstrate independent competence. In summative assessment, we are trying to observe what the student independently knows and can do. Therefore, if used during the assessment process, Modifications create a barrier to independent performance of competence.

Other

Disability status:

- Student does not have an identified disability at this time.
- Student has an identified disability and these ELL accommodations meet the objectives of the student's Individual Education Plan (IEP) or 504 Plan?

Gifted and Talented status:

- Student has been identified as a Gifted and Talented learner.
- Student has not been identified as a Gifted and Talented learner.

Adequate Yearly Progress:

- Student has met adequate yearly progress
- Student has not met adequate yearly progress
- Not applicable

Plan Summary

Team Members

Parent	Building Administrator
Teacher	Teacher
Guidance	ELL Coordinator



School District of Manawa

"Students Choosing to Excel, Realizing Their Strengths"

800 Beech Street | Manawa, WI 54949 | (920) 596-2525

Date

Student Name

Parent/Guardian Name

English Learner (EL) services provide assistance to students in developing English language skills. When students are proficient in English and able to succeed in school without EL assistance, they exit from the program.

Based on ACCESS testing, your student is now ready to exit from the EL program and will no longer receive EL services. We are confident that your student will continue to be successful without EL assistance. Please call the school if you have any questions.

Sincerely,

Michelle Johnson
mjohnson@manawaschools.org
920-596-5738

Distribution:
Original to parent or guardian
Copy to Cum Folder



School District of Manawa

“Students Choosing to Excel, Realizing Their Strengths”

800 Beech Street | Manawa, WI 54949 | (920) 596-2525

Fecha

Nombre de estudiante _____

Los Padres o Guardianes _____

Los servicios para los estudiantes de inglés (EL) proveen apoyo a los estudiantes en desarrollar habilidades en el lenguaje de inglés. Cuando los estudiantes tienen proficiencia en inglés y tienen éxito en las clases sin el apoyo de los servicios de EL, salen del programa. Según las evaluaciones de ACCESS, su estudiante ya está listo para salir del programa y no recibirá los servicios de EL. Tenemos confianza en su estudiante que seguirá tener éxitos aun sin los apoyos de EL. Por favor llame a la escuela si tiene cualquiera pregunta.

Sinceramente,

Michelle Johnson
mjohnson@manawaschools.org
920-596-5738



School District of Manawa

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800 Beech Street | Manawa, WI 54949 | (920) 596-2525

EL Monitor Report

Student: _____

Teacher: _____

Please check the following information where appropriate.

1. Classroom Participation

- Participates in class
- Asks questions
- Is prepared for class
- Asks for help
- Works independently

2. Classroom Comprehension

- Understands/follows verbal directions
- Understands written directions
- Understands reading assignments

3. Class Work Performance

- Completes assignments
- Missing work
- Late work
- Incomplete work

Based on what you know about the student, do you feel s/he is successful without EL services?

- Yes
- No

Comments:

Please return by: _____



School District of Manawa
Response to Intervention (RtI) Plan

Approved by the Manawa Board of Education

TENTATIVE: June 2024

Table of Contents

Mission and Vision

What is RtI?

Decision Process

RtI Decision Flowcharts

BCT Meeting Format

Glossary of Terms

Mission and Vision

Mission Statement:

The School District of Manawa is the place where students choose to excel academically and realize their strengths.

Vision Statement:

The School District of Manawa engages students to reach their full potential in a changing global society through highly effective instruction and leadership.

What is RtI?

Response to Intervention (RtI) is based on the premise that all students can learn and achieve academic success when provided high-quality, differentiated instruction built around a standards-based curriculum. A comprehensive system of tiered research/evidence-based interventions is critical for reaching all students' academic and behavioral needs. It is imperative that collaboration among administrators, educators and families be the foundation of responsive education. Thus, RtI is a process for achieving greater levels of academic and behavioral success for all students through high-quality instruction, balanced assessment, and collaboration.

The School District of Manawa's RtI process is based on the Wisconsin RtI Model. This process includes universal screening, building consultation team (BCT) meetings, three tiers of instruction, and progress monitoring.

Decision Process

Referrals:

Universal academic screeners will be administered in English and Math classes in 4-year-old kindergarten through tenth grade. For academic purposes, the classroom/course teacher identifies students who score below benchmarks on those screeners after each screening assessment window. Teachers gather additional historical and classroom data (ex. grades, work samples, formative and summative test scores) for identified students. Academic data will be analyzed following the administration of universal screeners.

Behavioral data will be analyzed monthly by the BCT to identify students needing additional behavioral support based on identified criteria. Classroom teachers can refer students to BCT for behavior concerns at any time.

BCT structure:

Building Principal
School Counselor - facilitator and note-taker
Classroom/Course Teacher(s) - bring classroom and testing data
Content Expert
Parent - as appropriate, invited by the classroom/course teacher(s)

The BCT will meet using the BCT meeting format to determine the Intervention Plan. Principals will designate a person to contact parents to inform them their child will be receiving an intervention. All records related to the intervention plan will be maintained in the student's intervention file.

Based on the intervention plan, the team will evaluate the effectiveness of current interventions through progress monitoring at regular intervals. Follow-up with parents will be communicated as necessary. This decision process is repeated until the student no longer needs additional support.

School District of Manawa Rtl Decision Flowchart



BCT Meeting Format

1. Summary of Concern

- Problem identification - State concern in observable, measurable terms (progress monitor chart as available)
- Determine what data is needed and assign data collecting/recording responsibilities
- When appropriate data exists, calculate the discrepancy between the student's current performance and the desired outcome
- Problem analysis; data-based hypothesis

2. Create Goal

- State in observable, measurable terms
- Identify the replacement behavior/performance for the identified discrepancy

3. Determine Intervention/Instructional Strategy

- What skill(s) will be taught based on the hypothesis?
- If it is a performance concern, what strategies will be used?
- How will the skill be taught or the strategies be implemented?
- Who will teach the skill and/or implement the strategies?
- When will the skill be taught and the strategies be implemented?
- How long will instruction occur (20 min. per day/3 times per week)?
- Where will instruction occur (whole group, small group, 1:1)?

4. Set Progress Monitoring System

- What progress monitoring tool will be used?
- Can it be graphed? If not, try something that can be graphed.
- Who will monitor progress?
- How often will progress monitoring be done?

5. Assign Responsibilities

- Who will support the intervention or instructional strategy? How?
- Fidelity check and treatment integrity - Who will observe the intervention or strategy in action to ensure fidelity and integrity?

6. Determine Follow-up BCT Meeting Date

- Is follow-up in one week, 2 weeks, 4 weeks, etc. needed? (Do Not exceed six weeks if follow-up is needed.)
- Schedule data review in 4-6 weeks

Glossary of Terms

Building Consultation Team (BCT) - Multi-disciplinary team meetings where student issues are addressed through a defined process in four stages: 1.) identify concern, 2.) concern analysis, 3.) plan implementation, and 4.) plan evaluation.

Differentiated Instruction - Process of designing lesson plans that meet the needs of the range of learners; such planning includes learning objectives, grouping practices, teaching methods, varied assignments, and varied materials chosen based on student skill levels, interest levels, and learning preferences.

Evidence-based Practice - Educational practices whose effectiveness has been demonstrated through rigorous research methods that use objective and systematic procedures, such as experimental or quasi-experimental research.

Fidelity of Implementation - Implementation of an intervention, strategy, program, or curriculum according to research findings and/or developer's specifications.

Formative Assessment/Evaluation - Assessment for learning; classroom/curriculum measures of student progress; monitors the progress made towards achieving learning outcomes; informs instructional decision-making.

Functional Assessment - *Behaviors*: Process to identify the problem; determine the function or purpose of the behavior, and to develop interventions to teach acceptable alternatives to the behavior.
Academics: Process to identify the skill gap, strategies that have and have not been effective, and to develop interventions to teach the necessary skill(s).

Positive Behavior Supports - Evidence-based practices embedded in the school curriculum, culture, expectations, etc. that have a prevention focus; teaching, practicing, and demonstrating prosocial behaviors.

Progress Monitoring - Scientifically-based practice used to assess students' academic performance and evaluate the effectiveness of instruction. Progress monitoring can be implemented with individual students or an entire class. Also, the process is used to monitor the implementation of specific interventions.

Scientific, Research-based Instruction - Curriculum and educational interventions that have been proven to be effective for most students based on scientific study.

Summative Assessment - Assessment of learning; comprehensive in nature and provides accountability; is used to check the level of learning at the end of a unit of study.

Universal Screening - Administration of a common assessment to all students in the classroom or grade level.



School District of Manawa

*Section 504/ADA Prohibition against
Discrimination Based on Disability Plan*

Approved by the Manawa Board of Education

TENTATIVE: June 2024

School District of Manawa

Section 504/ADA Prohibition against Discrimination Based on Disability

INDEX

Policies & Procedures

Nondiscrimination on the Basis of Handicap/Disability
Procedures Applicable to Section 504
Section 504 Process

Forms

Notice of Section 504/ADA Procedural Information and Rights
Suspected Disability Referral Form
Letter/Notice of Section 504 Initial Evaluation
Section 504 Release of Information and Records
Section 504 Physician Questionnaire
Notice of Section 504 Meeting
Section 504 Summary Evaluation Report
Section 504 Plan

Complaint Procedure

Parents Procedural Rights and Safeguards, Including Due Process
Section 504/ADA – Complaint Procedures
Section 504/ADA Internal Complaint – Student
Record of Conference with 504 School District of Manawa Coordinator

Discipline/Causal Relationship Determination

Manifestation determination Review 504 Plan

Nondiscrimination on the Basis of Handicap/Disability

The District will not discriminate against otherwise qualified students with disabilities (i.e., students who otherwise meet eligibility criteria – e.g., age – for participation in the educational program and/or activities) in the provision of its educational programs and activities. The District will provide free, appropriate public education to qualified students with disabilities. Said education shall entail the provision of regular or special education and related aids and services designed to meet the individual educational needs of students with disabilities as adequately as the needs of non-disabled students are met. This includes providing academic and non-academic services to students with disabilities in the same setting as their non-disabled peers to the maximum extent appropriate. In addition to its provision of educational services, the Board will not discriminate against otherwise qualified students with disabilities in its provision of non-educational academic and extra-curricular services and activities such as counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students, and will provide students with disabilities with equal opportunity to participate in such services and activities. Qualified students with disabilities will be afforded accommodations/modifications/interventions to the District's non-academic and extracurricular services and activities, unless such accommodations/modifications/interventions, service, or activity would impose an undue financial burden. A determination that a particular accommodation/modification/ intervention would constitute an undue burden must be made by the District Administrator or his/her designee after considering all resources available for use in the funding and operation of the service or activity and must be accompanied by a written statement of the reasons for reaching that conclusion. In the event the District Administrator or his/her designee determines that an undue burden would result, the District will take any other action that would not result in such burden that would still allow, to the maximum extent possible, individuals with disabilities to receive the benefits of the District's non-academic and extra-curricular services and activities on an equal basis as individuals without disabilities.

Procedures Applicable to Section 504

Annually the District will undertake to identify and locate every qualified person with a disability residing in the District who is not receiving a public education and notify the person and their parents or guardians of the District's duties and responsibilities under Section 504.

Referral

Any student who needs to is believed to need special accommodations, related services, or programs under Section 504 of the Rehabilitation Act of 1973, may be referred to the building Consultation Team for evaluation. Referrals may be made by anyone (e.g., parents, teachers, or other knowledgeable professionals). Referrals shall be made on the Suspected Disability Referral Form and submitted to the building principal. Referrals may be made at any time. Parents may request a referral form by contacting the building principal, guidance counselor, or District 504 Coordinator (Secondary School Counselor).

Evaluations

Upon receipt of a Suspected Disability Referral Form, the building principal will notify the appropriate 504 Case Manager who will collect all relevant information on the student to assist in documenting whether the student has a physical and/or mental impairment that substantially limits one or more major life activities.

The 504 Case Manager should contact school staff who perform assessments and have them review existing pertinent information and determine whether additional assessments are needed. If an evaluation is needed, parent/guardian written consent will be obtained and a copy of the Notice of Section 504/ADA Procedural Information and Rights will be sent to the parents.

The Building Consultation Team (BCT) will consider all relevant information on the student to determine whether he/she is disabled under Section 504. The assessment information may include, but will not be limited to, medical reports that document a physical and/or mental impairment, aptitude and achievement test scores, teacher observations, recommendations, and other data, including information on social or cultural background and adaptive behavior. Parents will be afforded the opportunity to meaningfully participate and provide input in the evaluation process. The student's parents will be sent a letter inviting them to attend and participate in the BCT conference at least seven calendar days prior to the conference.

Plan

If the student is identified as disabled pursuant to Section 504, and the BCT determines the student requires specialized services and/or accommodations/modifications/interventions in order to receive FAPE (Free and Appropriate Public Education) and to access the District's programs and activities on an equal basis to students without disabilities, the BCT will develop and complete the Section 504 Plan. The Plan will specify the accommodations/modifications/interventions necessary so that the student's needs are met as adequately as the needs of nondisabled students. The purpose of the Section 504 Plan is to provide the student with equal access to school activities, remove barriers to educational opportunity, and provide, to the

5

degree possible, a level playing field. The building principal will request written permission from parents to implement the Section 504 Plan.

Review of the Student's Evaluation

Re-evaluations are not required at specific intervals; however, assessments will be updated so that eligibility and accommodation planning are based on information that accurately defines the student's disability and reflects the student's current strengths and needs. At least every three years, appropriate school staff should determine whether updated evaluations are needed. A re-evaluation will be completed prior to a significant change in placement. When a re-evaluation is needed, parents will be sent prior notice. Consistent with the initial evaluation, parents will be afforded the opportunity to meaningfully participate and provide input in the re-evaluation process.

Procedural Safeguards: Due Process

The parents may challenge the actions of the BCT regarding the identification, evaluation, or placement of their child by filing a request for an impartial due process hearing. Alternatively, the parents may file an internal complaint. If the parents elect the former, the Board must provide a due process hearing before an impartial hearing officer ("IHO") who is not employed by the District. A parent does not need to exhaust the internal complaint process to file a request for a due process hearing. In fact, a due process hearing may be requested at any time and parents do not waive that right if they first opt to try to resolve their dispute through the internal complaint process. If a parent is not satisfied with the IHO's decision, he or she may appeal it to a Federal Court of competent jurisdiction.

The parents may also file a complaint with the Office for Civil Rights. The Office for Civil Rights, however, is not part of the District's internal complaint process or the system of procedural safeguards, and, absent extraordinary circumstances, will not review the results of individual placement and other education decisions so long as the District complies with the "process" requirements of Section 504 (concerning identification and locations, evaluation, and due process procedures).

504 Process
School District of Manawa

1. A concern is raised about a student by a parent or school staff member.
2. The student is referred to the Building Consultation Team (BCT).
3. The BCT reviews all documentation and decides if there is enough information to make a Section 504 Referral. The 504 Referral Form is given to the referring staff member or parent.
4. Upon receipt of the completed referral form, the Principal will notify the 504 Case Manager who will collect all relevant information.
5. A copy of the completed Referral Form, Procedural Information and Rights, and Letter/Notice Section 504 Initial Evaluation is sent to the parent. Consent is to be obtained within 30 days of receipt of referral.
6. Following the receipt of consent from parents, the Release of Information form is filled out and sent to parents if the District doesn't already have permission to talk to the student's physician. The Physician Questionnaire is then sent after the Release of Information form is returned.
7. Within 60 days, the Principal will convene the BCT to determine eligibility under 504. Meeting Notice is sent to parents at least 7 days prior to the conference. 8. A summary of the Evaluation Report is filled out at the meeting.

If found ineligible:

9. Summary of Evaluation Report and Procedural Information and Rights are sent to parents.
10. BCT decides if the student needs a Response to Intervention (RtI) Plan, if the student can be served appropriately without written interventions, or if more information is needed, before making a determination

If found eligible:

9. BCT develops 504 Plan. Parents are given Procedural Information and Rights and Section 9 of the 504 Plan is filled out by parents giving consent to implement the plan if parents attended the meeting.
10. If parents didn't attend the meeting, the 504 Plan along with Procedural Information and Rights are sent to parents, and consent to implement the plan is obtained prior to finalizing the plan.
11. A copy of the finalized plan is sent to the District 504 Coordinator (Secondary School Counselor) and filed in the student's cumulative file.

12. Copies of the plan are distributed to the student's parents.
13. Before school starts each year, the student's teachers receive a copy of the 504 Plan.
14. Within the first two months of a new school year, BCT will meet to review the 504 Plan, and decide whether to continue the existing plan, discontinue the current plan, or develop a new plan.
15. A copy of the active 504 Plan is forwarded to the District 504 Coordinator (Secondary School Counselor), put in a cumulative file, and distributed to teachers by October 15.
16. A copy of the active 504 Plan is sent to parents and Procedural Information and Rights is offered.
17. At least every three years, appropriate school staff should determine whether an updated evaluation is needed.
18. When re-evaluation is needed parents will be sent prior notice and a copy of Procedural Information and Rights.

NOTICE OF SECTION 504/ADA PROCEDURAL INFORMATION AND RIGHTS

WHAT IS SECTION 504?

Section 504 of the Rehabilitation Act of 1973, as amended by the ADA Amendments Act of 2008 (hereinafter "Section 504"), is Congress' directive to schools receiving any Federal funding to eliminate discrimination based on disability from all aspects of their school operations. It states: "No otherwise qualified individual with a disability shall solely by reason of his/her disability, be excluded from the participate in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Since the School District is a recipient of Federal dollars, its administrators and staff are required to provide eligible disabled students with equal access (both physical and academic) to services, programs, and activities offered by its schools. Section 504 is a civil rights statute and not a special education statute.

HOW CAN I REFER MY CHILD TO DETERMINE 504 ELIGIBILITY?

If you suspect that your child is "disabled" under Section 504/ADA, contact your child's teacher, school counselor, or building principal. You will be asked to complete a referral form and grant consent for a 504 evaluation. After the evaluation is complete, a meeting will be scheduled to determine if your child has a "disability." You have the right to the opportunity to meaningful participation in the process and provide input, even if you cannot attend the meeting in person.

WHAT CRITERIA ARE USED TO DETERMINE 504 ELIGIBILITY?

A student qualifies for Section 504 protection if he or she is determined to be an individual with a disability as defined by the statute. Specifically, the student must have a physical or mental impairment that substantially limits one or more major life activities, or have a record of such an impairment, or be regarded as having such an impairment. Only those students with an actual impairment, however, are entitled to accommodations/modifications/ interventions pursuant to Section 504. Those students with a record of an impairment or who are regarded as having an impairment are entitled to protection from discrimination based on disability.

Major life activities include but are not limited to, (a) functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating, learning, and (b) the operation of major bodily functions including the functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

WHAT IS THE DIFFERENCE BETWEEN SECTION 504 AND IDEIA?

Section 504 prohibits discrimination against students with disabilities and requires the school district to provide students with disabilities regular or special education and related aids and services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of nondisabled students are met. Any necessary accommodations/modifications/interventions must be delineated in the Section 504 Plan.

IDEIA requires the district to provide disabled students (ages 3-21) with special education and related services and supplementary aids and services designed to meet their unique needs and prepare them for further education, employment, and independent living. The special education and related services must be delineated in an Individualized Education Program (IEP).

PROCEDURAL INFORMATION AND RIGHTS

Below is a description of the rights granted by Federal law to individuals with disabilities, It is the intent of the District, pursuant to Section 504, to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

- A. have your child take part in, and receive benefits from public education programs without discrimination because of his/her disability;
- B. have the School District advise you of your rights under Federal law;
- C. receive written notice of any decision regarding the identification, evaluation, or educational placement of your child;
- D. have your child receive a free appropriate public education (FAPE); This includes the right to be educated with students who are not disabled to the maximum extent appropriate (i.e., the student's education will be provided in the regular education classroom unless it is demonstrated that education in the regular environment with the use of supplemental aids and services cannot be achieved satisfactorily) and to receive regular or special education and related aids and services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of nondisabled students are met.
- E. have your child educated in facilities and receive services comparable to those provided to students without disabilities;
- F. have evaluation and educational placement decisions made based upon a variety of information sources, and by persons who know your child and are knowledgeable about the evaluation data and placement options;
- G. have your child transported in a non-discriminatory manner; If the District refers a student for services outside the District, adequate transportation will be provided at no greater cost to you than if the services were provided within the District.
- H. place your child in a private school or alternative educational program; However, if the District makes FAPE available to your child and nevertheless you choose to place your child elsewhere, the District is not required to pay for your child's education at the private school or alternative educational program, including any costs associated with related transportation.

- I. have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the District;
- J. examine all relevant educational records, including, but not limited to, those documents related to decisions regarding your child's identification, evaluation, educational program, and placement;
- K. obtain, at your own expense, an independent educational evaluation of your child;
- L. obtain copies of education records at a reasonable cost unless the fee would effectively deny you access to the records;
- M. a response from the School District to reasonable requests for explanations and interpretations of your child's education records;
- N. periodic re-evaluations and an evaluation before any significant change in program/service modifications;
- O. request amendment for your child's education records if there is reasonable cause to believe that information contained in the record(s) is inaccurate, misleading, or otherwise in violation of the privacy rights of your child; If the School District refuses to amend the record(s), you have the right to request a hearing and/or to attach to the record(s) a statement of why to disagree with the information it contains.
- P. request mediation or an impartial due process hearing related to decisions or actions concerning your child's identification, evaluation, and/or educational program or placement, and obtain any relief that is authorized by law; You and your child may take part in the hearing and have an attorney represent you. Hearing requests must be made to the District Compliance Officer (Business Manager).
- Q. receive all information in your native language and mode of communication;
- R. file an internal complaint;
- S. file a complaint with the U.S. Department of Education's Office for Civil Rights;
- T. be represented at any point in the process by an attorney;
- U. be notified of your Section 504 rights (1) when evaluations are conducted, (2) when consent for an evaluation is withheld, (3) when eligibility is determined, (4) when a Section 504 Plan is developed, and (5) before there is significant change in the Plan.

Complaints, including complaints of disability-based harassment and requests for due process hearings, must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint or requests for a hearing, and offer possible solutions to the dispute. Complaints must be filed with the District Section 504/ADA Compliance Officer. The Board of Education has designated the District Administrator as the District Section 504/ADA Compliance Officer. The District Compliance Officer can be reached at the following address/phone number:

800 Beech St.
Manawa, WI 54949
Phone: (920) 596-2525
Fax: (920) 596-5308

The Office for Civil Rights of the United States Department of Education enforces the requirements of Section 504 of the Rehabilitation Act of 1973. The address of the Midwest Regional offices:

Office for Civil Rights
U.S. Department of Health and Human Services
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818

TDD: (800) 537-7697
Email:
ocrmail@hhs.gov

SUSPECTED DISABILITY REFERRAL FORM

Student Name _____ DOB _____ School _____

Grade _____ Parent _____
Name(s) _____ Phone _____ Address _____

Please complete this form if you suspect that this student may have a physical or mental impairment that substantially limits one or more major life activities. (See below)

A. Statement of Suspected Section 504 Disability.

B. Nature of the Concern (attach additional sheets, if necessary).

1. Check the suspected physical or mental impairment.

- Asthma Dyslexia Multiple Sclerosis Attention Deficit Disorder Emergent Allergy Muscular Dystrophy Brain Injury Emotional Illness Orthopedic Impairment Cancer Epilepsy Recovering Chemical Dependent Cerebral palsy Hearing Impairment Seizures Developmental Aphasia Heart Disease Speech Impairment Diabetes Minimal Brain Dysfunction Visual Impairment
- Other _____

2. Describe (and attach) any evaluative/data source supporting the diagnosis.

3. Check any function that is/are limited.

- Bending Hearing Speaking
 Breathing Learning Standing
 Caring for one's self Lifting Thinking
 Communicating Performing manual tasks Walking
 Concentrating Seeing Working
 Eating Sleeping Other: _____

4. Describe (attach relevant data) how the indicated function is/are substantially limited.

5. Check any major bodily function that is/are limited.

- Bladder Immune System
- Bowel Neurological System
- Brain Normal Cell Growth
- Circulatory/Cardiovascular System Reproduction
- Digestive System Respiratory System
- Endocrine System Other: _____

6. Describe (and attach relevant data) how any major bodily function(s) is/are substantially limited.

C. To date, what accommodations/modifications/interventions or special provisions have been made to assist the student?

Signature of
Person Making Referral Relationship to Student Date

The signature of the principal receiving this Referral, documents that a copy of this form and the Notice of Sectional 504/ADA Procedural Information and Rights have been given or sent to the parent or guardian.

Principal's
Signature Date Received

For Office Use Only

Copies to: ___ District 504 Coordinator ___ Building Principal ___ Teacher(s) ___ Parent(s) ___ Student
File ___ District Health Coordinator ___ School Counselor

Letter/Notice: Section 504 Parental Notice for Initial Evaluation (504 C)

Date: _____

To the Parent/Guardian of: _____

As part of our efforts to help improve your child's classroom performance, I have asked members of our Building Consultation Team to collect and review information on your child's learning and behavior. The teacher(s), school counselor, principal, and other staff members may be involved in observation, interviews, administration of behavior checklists, and other data collection activities. (Your child is not suspected of being an exceptional student at this time.)

Once the information has been reviewed, we will meet with you to discuss plans to meet your child's needs. If you have any questions, please contact _____ (Section 504 Coordinator) at the School District of Manawa.

You are provided specific rights concerning this request, which are designed to keep you fully informed concerning decisions about your child. These Section 504 rights are attached.

Please provide your consent for us to accomplish this screening/evaluation by indicating your decision, signing (below), and returning the bottom half of this form to:

_____.

Parent Consent

Student's Name

_____ Yes, I consent to the proposed screening/evaluation, if deemed necessary.

_____ No, I do not consent to the proposed screening/evaluation.

Comments: _____

Parent Signature

Date

Copies to : [] Student File [] 504 Case Manager

SECTION 504 EXCHANGE/RELEASE OF INFORMATION AND RECORDS

In order to ensure your child is provided with equal access (both physical and academic) to services, programs, and activities offered by our school, a mutual exchange of information and records is required for your child.

Name of Student: _____ DOB: _____

School: _____ Grade: _____

The request to exchange is between the School District of Manawa and the following:

(hospital, clinic, physician, institution, association, or school)

Address: _____

Name of Contact Person: _____

Records that may be exchanged include the following (check all that apply):

- Exchange/Release all information
- Exchange/Release the checked information:
 - General identifying data (name, address, birth date, grade level completed, grades, class standing, attendance record)
 - Standardized achievement and aptitude test scores
 - Personality and interest scores
 - Teacher ratings
 - Record of extra-curricular activities
 - Individualized Education Programs
 - Psychological reports
 - Medical records
 - Psychiatric reports
 - Other: _____

Consent of Parent/Guardian for Exchange/Release of Information

I authorize the School District of Manawa and the above-named individual/organization/agency to exchange information and records as indicated. Except as limited above, this authorization encompasses all information pertaining to the minor, including protected health information (PHI) as defined in the Health Insurance Portability and Accountability Act (HIPAA) and its implementing regulations, and education records as defined in the Family Educational Rights and Privacy Act (FERPA).

We expressly waive all provisions of law (including, but not limited to, the privacy provisions of HIPAA, FERPA, and R.C. 3319.321), forbidding any physician or other person who has or may hereafter treat, attend, or examine the minor, or any educational agency, from disclosing any knowledge or information, including PHI, which they may have thereby acquired.

Pursuant to HIPAA, the following are specified as part of this authorization:

- A. The purpose of disclosure is to assist the School District in offering the student a free appropriate public education pursuant to Section 504 of the Rehabilitation Act of 1973. B. This authorization expires one (1) year after the date it is signed.
- C. The parents signing this permission form understand that they may revoke this authorization at any time by providing written notification to the District Compliance Officer, the building principal/Building Compliance Officer, or the individual/agency/organization listed above, except to the extent that this authorization has already been relied upon.
- D. The parents signing this form have been informed that the individual/agency/organization listed above may not condition treatment, payment, enrollment, or eligibility for benefits on whether the parents sign this authorization.
- E. The parents signing this form have been informed of the potential for information disclosed pursuant to this authorization to be subject to re-disclosure by the recipient and to be no longer protected by HIPAA. The parents signing this form are also aware that any information disclosed to the School District is subject to other state and Federal privacy laws.

Parent's Signature Relationship to Student Date Signed

Please send released information/records to: _____

Copies to: Parent/Guardian Student File Physician

SECTION 504 PHYSICIAN QUESTIONNAIRE

Name of Student: _____ DOB: _____

Address: _____

School: _____ Grade: _____ Phone: _____

A referral has been initiated for the above-named student under Section 504 of the Rehabilitation Act of 1973, as amended. In order for a student to qualify for protection under Section 504, s/he must have a physical or mental impairment that substantially limits one or more major life activities (e.g., caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, thinking, concentrating, communicating, working, and the operation of major bodily functions such as the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions, etc.). Because the referral is related to medical concerns, we are requesting information from you. The parent/guardian assigned the attached Section 504 Exchange/Release of Information and Records.

Please complete this form and attach any reports pertinent to the medical and/or educational needs of this child. We are NOT requesting evaluation, testing, or services be performed, but reports of diagnostic work performed in the past.

1. What physical and/or mental impairments have been identified that may qualify this student under Section 504?

2. What major life activity(ies) may be substantially limited as a result of the impairment?

3. Detail available medical background, including a written diagnostic statement and copies of any/all reports.

4. What treatments or medications are recommended for this impairment?

5. What precautions or accommodations are recommended for consideration by the school?

Physician's Signature

Date

Please return this questionnaire to:

Copies to: Parent/Guardian Student File

NOTICE OF SECTION 504 MEETING

Date: _____

To: _____

From: _____

Student: _____

Initial Conference Review Conference Causal Relationship Conference

We are planning a Section 504 Meeting. The meeting will include a discussion of your child’s evaluation results, classroom performance, and eligibility for protection under Section 504. If your child is identified as disabled pursuant to Section 504, the 504 Team will determine whether s/he requires regular or special education and related aids and services in order to receive a free appropriate public education. If services, including but not limited to, accommodations/modifications/interventions, are needed, a Section 504 Plan will be prepared. We request that you attend this meeting to assist us with the discussion and program recommendations. Enclosed is a copy of the Parent Rights under Section 504. The meeting is scheduled as follows:

Date: _____ Time: _____ Location: _____

We expect the following personnel to attend the meeting. You have the right to bring others to the meeting. If there are other school personnel you wish to have present, please let us know so arrangements can be made.

Participants

_____ (Building
Compliance Officer/Principal/Designee) (General Education Teacher)

_____ (Parent/Guardian) (Parent/Guardian)

_____ (School
Counselor) (School Psychologist)

_____ (Student)
(Other)

The evaluation data and other information to be discussed are available for your review prior to this conference. **Please keep one copy of this notice and return the other so we will know your intent.**

Enclosed is a copy of the Notice of Section 504/ADA Procedural Information and Rights

PARENT REPLY TO REQUEST TO ATTEND 504 CONFERENCE

I received the Notice of Section 504 Conference and Notice of Section 504/ADA Procedural Information and Rights sent to me by school personnel.

I will attend the meeting at the time stated.

I would prefer to participate by telephone call. At the time of the conference, I can be reached at the following number: _____

I request that the meeting be held without my being present.

I would like the meeting to be held at the following time and location: _____

Signature of Parent/Guardian

Date

Copies to: 504 Case Manager Student File

SECTION 504 SUMMARY EVALUATION REPORT

Personal Information

Student Name: _____ DOB: _____ Sex: []

M [] F Grade: _____ School: _____ Student Address:

_____ City: _____ Zip Code: _____

Parent Name(s): _____ Phone:(home) _____ (work)

_____ (cell) _____

The Building Consultation Team met on _____ (date).

Conference Type: [] Initial [] Case Review [] Re-evaluation **Conference**

Date: _____

Sources of Information Considered in Determining Eligibility:

- Parent Recommendation [] Physician Diagnosis
- Educational Evaluation/Performance [] Major Health Problem
- Teacher Observation/Recommendation [] Behavioral Evaluation/Performance []
- Ineligibility for Services under IDEA [] Other _____

Summary of data and evaluation information that was presented:

Committee Determinations

1. The student has a physical or mental impairment.

[] Yes [] No *See attached documentation of medical condition.

- Asthma Dyslexia Multiple Sclerosis Attention Deficit Disorder Emergent Allergy Muscular Dystrophy Brain Injury Emotional Illness Orthopedic Impairment Cancer Epilepsy Recovering Chemical Dependent Cerebral palsy Hearing Impairment Seizures
- Developmental Aphasia Heart Disease Speech Impairment Diabetes Minimal Brain Dysfunction Visual Impairment Other _____

List the attached sources of documentation.

2. If the student has a physical or mental impairment in #1 above, does the impairment result in a substantial limitation of one or more major life activity(ies)?

Yes No

List attached sources of documentation related to the extent of limitation or lack of limitation for each condition identified in #1:

Summarize the impairment for each condition identified in #1 in relation to the average student:

3. Identify any major life activities to major bodily functions that are substantially limited.

a. Check any major life activities that are substantially limited:

- Bending Hearing Speaking
- Breathing Learning Standing
- Caring for one's self Lifting Thinking
- Communicating Performing manual tasks Walking
- Concentrating Seeing Working
- Eating Sleeping Other: _____

b. Check any major bodily functions that

are substantially limited:

- Bladder Immune System
- Bowel Neurological System
- Brain Normal Cell Growth
- Circulatory/Cardiovascular System Reproduction
- Digestive System Respiratory System
- Endocrine System Other: _____

Determination

The student is eligible under Section 504/ADA as a person with a disability for the following conditions.

Does this student need regular or special education and related aids and series, including but not limited to, accommodations/modifications/interventions?

No Explain:

Yes Indicate the type of plan to be written: _____ Note: if specially designed/special education is required, follow IDEA procedures.

The student is not eligible under Section 504/ADA as a person with a disability.

Does the student nevertheless need accommodations?

No Explain:

Yes Indicate the type of plan to be written: _____

Recommendations

A Section 504 Plan is recommended and attached.

The student does not have a physical or mental impairment that substantially limits a major life activity and is not eligible for a Section 504 plan.

The student has an impairment that substantially limits a major life activity but does not require a Section 504 Plan.

Other _____

Review Date: _____

504 Team

Principal _____ Parent(s)/Guardian(s) _____

Teacher _____ Nurse _____

Teacher _____ Counselor _____

Other _____ Other _____

Acknowledgment

I receive a copy of the Notice of Section 504/ADA Procedural Information and Rights for the current year.

I agree with the Team's recommendations as stated above.

I disagree with the Team's recommendations as stated above. (Please attach a sheet outlining those areas of the recommendations with which you disagree.)

Parent/Guardian Signature _____ **Date** _____

For Office Use Only

Copies to: District 504 Coordinator Parent(s) Student File 504 Case Manager

Building Administrator

SECTION 504 PLAN

Confidential

Case Manager: [] School Counselor [] District Health Coordinator Plan Type: []

Initial 504 Plan [] Continuing 504 Plan

The student covered under this Plan is a student with a disability. The accommodations/modifications/interventions listed in this Plan comply with the ADA Amendments Act of 2008 and the Rehabilitation Act of 1973 (Section 504).

Date _____

Section 1

Student Name _____ DOB _____

Address _____

City _____ State _____ Zip _____ Phone _____

Parent(s)/Guardian(s) _____

School _____ Grade _____

Section 2

What physical or mental impairment has the team identified?

- Asthma Dyslexia Multiple Sclerosis Attention Deficit Disorder Emergent Allergy Muscular Dystrophy Brain Injury Emotional Illness Orthopedic Impairment Cancer Epilepsy Recovering Chemical Dependent Cerebral palsy Hearing Impairment Seizures Developmental Aphasia Heart Disease Speech Impairment Diabetes Minimal Brain Dysfunction Visual Impairment Other _____

Diagnosis _____

Date of Diagnosis _____ Physician _____ Medication _____

Section 3

Background Information (Pertinent educational and additional medical information)

Section 4

Eligible Disability

Check major life activities and/or bodily functions that are substantial or extremely limited as a result of the physical or mental impairment.

- Bending Performing manual tasks
- Breathing Seeing
- Caring for one's self Sleeping
- Communicating Speaking
- Concentrating Standing
- Eating Thinking
- Hearing Walking
- Learning Working
- Lifting Other _____
- Bladder Immune System
- Bowel Neurological System
- Brain Normal Cell Growth
- Circulatory/Cardiovascular System Reproduction
- Digestive System Respiratory System
- Endocrine System Other: _____

Section 5

Substantial Limitation (i.e., concern or problem to be addressed)	Intervention/Strategy (i.e., accommodation, modification, or intervention)	Person(s) Responsible	Date to Begin	Evaluation Procedure

Testing Accommodations (if needed)

Comments

Location of the Implementation of this Plan _____

How will teachers and staff be made aware of this Plan _____

How will this Plan be monitored _____

Person responsible for monitoring Plan _____ Anticipated Review Date _____

Section 6

Invitation Date _____ Duration of Plan _____ Review Date _____

Section 7

Attachments Yes No

If yes, list documents attached _____

Section 8

Participants (Name, Title, Date)

Case Manager _____

**Plans that require the expenditure of funds beyond the school's budget must be approved in advance by the District Administrator of the Central Office designee.

District Administrator or Designee Date

Section 9

I received a copy of the Notice of Section 504/ADA Procedural Information and Rights for the current year.

Parent Signature Date

I give permission for this Section 504 Plan to be implemented for my child. The information contained in this plan will be distributed to the appropriate individuals in the building. Your signature indicates consent to share this plan with the necessary staff.

I do not give permission for this Section 504 Plan to be implemented for my child.

Parent Signature

Date

For Office Use Only

Copies to: District 504 Coordinator Building Administrator Parent(s) Student File
 Teacher(s) 504 Case Manager

PARENTS' PROCEDURAL RIGHTS AND SAFEGUARDS, INCLUDING DUE PROCESS

Below is a description of the rights granted by Federal law to individuals with disabilities. It is the intent of the District, pursuant to Section 504, to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of those decisions.

- A. Students with disabilities have the right to take part in, and receive the benefits from, public education programs without discrimination because of their disabilities;
- B. Parents have the right to be advised of their rights under Section 504;
- C. Parents have the right to receive written notice of any decision regarding the identification, evaluation, or educational placement of their child;
- D. Parents have the right to have their child receive a free appropriate public education ("FAPE") if the child has a physical or mental impairment that substantially limits one or more major life activities; This includes the right to be educated with students who are not disabled to the maximum extent appropriate (i.e., the student's education will be provided in the regular education classroom unless it is demonstrated that education in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily) and to receive regular or special education and related aids/services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of nondisabled students are met.
- E. Parents have the right to have their child educated in facilities and receive services comparable to those provided to students without disabilities;
- F. Parents have a right to have evaluation and educational placement decisions made based upon a variety of informational sources, and by persons who know the student, and are knowledgeable about the evaluation data and placement options;
- G. Parents have the right to have their child transported in a non-discriminatory manner; If the District refers a student for aids, benefits, or services outside the District, the District will ensure that adequate transportation is provided at no greater cost to the parents than if the aids, benefits, or services were provided within the District.
- H. Parents have the right to place their child in a private school or alternative educational program; However, if the District makes a FAPE available to the student that conforms to the requirements of Section 504 and nevertheless the parents choose to place the student elsewhere, the District is not required to pay for the student's education at the private school or alternative program, including costs associated with transportation.
- I. Parents have the right to have their child given an equal opportunity to participate in nonacademic and extracurricular activities offered by the District;
- J. Parents have the right to examine all relevant education records, including, but not

limited to, those documents related to decisions regarding their child's identification, evaluation, educational program, and placement;

K. Parents have the right to obtain, at their own expense, an independent educational evaluation of their child;

L. Parents have the right to obtain copies of education records at a reasonable cost unless the fee would effectively deny the parents access to records;

M. Parents have the right to a response from the District to reasonable requests for explanations and interpretations of their child's education records;

N. Parents have the right to receive all information in the parent's native language and mode of communication;

O. Parents have the right to periodic re-evaluations and an evaluation before any significant change in program/service modifications;

P. Parents have the right to request amendments to their child's education record(s) if there is reasonable cause to believe that information contained in the record(s) is inaccurate, misleading, or otherwise in violation of the privacy rights of their child; If the District refuses to amend the record(s), the parents have the right to request a hearing and/or attach to the record(s) a statement of why they disagree with the information it contains.

Q. Parents have the right to request mediation or an impartial due process hearing related to decisions or actions concerning their child's identification, evaluation, educational program, or placement;

R. Parents have the right to file an internal complaint;

S. Parents have the right to be represented at any time in the process by an attorney;

T. Parents have the right to recover reasonable attorney fees as authorized by law (i.e. if the parents are successful in their due process claim);

U. Parents have the right to be notified of their Section 504 rights:

1. when evaluations are conducted;
2. when consent for an evaluation is withheld;
3. when eligibility is determined;
4. when a Section 504 Plan is developed; and
5. before there is a significant change in the Section 504 Plan.

Procedural Rights Pertaining to Section 504 Due Process Hearings

When a request for a due process hearing is received, the aggrieved party will have the opportunity to receive a hearing conducted by an impartial hearing officer (“IHO”) (i.e., by a person not employed by the Board of Education, not involved in the education or care of the child, and not having a personal professional interest that would conflict with his/her objectivity in the hearing).

The District will maintain a list of trained IHOs that may include IDEIA hearing officers, attorneys, and Directors of Special Education outside the District. The District Compliance Officer will appoint an IHO from the list, and the costs of the hearing shall be borne by the District. The appointment of an IHO will be made within fifteen (15) days after the request for a due process hearing is received.

A party to such a due process hearing shall have:

- A. the right, at his/her/their own cost, to be accompanied and advised by legal counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;
- B. the right to present evidence, and confront, cross-examine, and compel the attendance of witnesses;
- C. the right to a written or electronic verbatim record of such hearing; and
- D. the right to written findings of fact and the reasons for the decision.

The IHO shall conduct the due process hearing within a reasonable period of time (i.e., not to exceed ninety (90) calendar days from the request for such a hearing, unless this time frame is mutually waived by the parties or is determined by the IHO to be impossible to comply with due to extenuating circumstances).

The IHO will give the parent and/or student written notice of the date, time, and place of the hearing. Notice will be given no less than twenty-one (21) calendar days prior to the date of the hearing unless otherwise agreed to by the parent and/or student. The notice will include:

- A. a statement of time, place, and nature of the hearing;
- B. a statement of the legal authority and jurisdiction under which the hearing is being held;
- C. a reference to the particular section of the statutes and rules involved; D. a statement of the availability of relevant records for examination;
- E. a short and plain statement of matters asserted; and
- F. a statement of the right to be represented by counsel.

The IHO shall conduct the hearing in a manner that will afford all parties a full and fair opportunity to present evidence and to otherwise be heard. The parent and/or student may be represented by another person of his/her choice, including an attorney.

The IHO shall make a full and complete record of the proceedings.

The IHO shall render a decision in writing to the parties within thirty (30) days following the conclusion of the hearing. The decision will be based solely on the testimony and

demonstrative evidence presented at the hearing and include a summary of the evidence (i.e., findings of fact) and the reason for the decision.

The notification shall include a statement that either party may appeal the decision.

Appeal of the IHO's decision may be made to a Federal court of competent jurisdiction.

SECTION 504/ADA – COMPLAINT PROCEDURES RELATED TO ACCESSIBILITY OF DISTRICT FACILITIES

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

The following person is/are designated as the District's Section 504/ADA Compliance Officer ("District's Compliance Officer"):

District Compliance Officer

800 Beech St.
Manawa, WI 54949
Phone: (920) 596-5332
Fax: (920) 596-5308

Building principals shall serve as Building Section 504/ADA Compliance Officer(s) ("Building Compliance Officer").

Internal complaints must be submitted in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed in a timely manner with either the District Compliance Officer or the Building Compliance Officer. The District's Compliance Officer is available to assist individuals in filing a complaint.

Internal Complaint Procedure

A person who has a complaint about District facilities or services may register such a complaint with the Building Compliance Officer and/or District Compliance Officer. Such complaints should be filed in writing within thirty (30) calendar days of the circumstances or event giving rise to the complaint. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

- A. The written complaint must contain the following information:
 1. Name(s) of person(s) filing the complaint.
 2. Whether the person(s) represents an individual or group.
 3. Whether the person(s) making the complaint has discussed the problem with the Building Compliance Officer and/or District Compliance Officer.
 4. A written summary of the complaint and a proposed solution.
- B. The Building Compliance Officer or District Compliance Officer will conduct an impartial investigation and will respond to the complaint within five (5) business days. This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any an opportunity to present witnesses and other evidence relevant to the complaint.

- C. If a satisfactory response is not received within five (5) business days, the person should forward a copy of the complaint to the District Administrator, who will respond within ten (10) business days.
- D. If a satisfactory response is not received within ten (10) business days, the person may forward a copy of the complaint to the Board of Education. The Board will consider the complaint and respond within forty (40) calendar days.

OCR Complaint

At any time, if a member of the public believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the Americans with Disabilities Act, as amended ("ADA"), the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

Office for Civil Rights
U.S. Department of Education

John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604

Telephone: 312-730-1560
Fax: 312-730-1576; TDD: 800-877-8339
Email: OCR.Chicago@ed.gov
Web: www.ed.gov/ocr

Prohibition Against Retaliation

The Board will not discriminate against, coerce, intimidate, threaten, or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under section 504 or the ADA, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by Section 504 or the ADA.

SECTION 504/ADA INTERNAL COMPLAINT – STUDENT/PARENT

Name of Complainant _____ Phone Number _____

Address _____

Relationship to the School District

Student _____ (School of Attendance)

Receiving Special Education

Receiving Regular Education

Parent _____ (Child's Name)

Description of Disability

Statement/Nature of Complaint (including date of alleged discrimination, if applicable)

What Action Are You Requesting? (i.e., relief statement)

Student/Parent Signature Date

For Office Use Only:

_____ Date Received by Building Principal/Building Compliance Officer

RECORD OF CONFERENCE WITH SCHOOL DISTRICT OF MANAWA 504 COORDINATOR

A conference was held on _____ at _____ and matters pertaining to the following alleged complaint were discussed.

Brief Description of Alleged Complaint:

Disposition of Alleged Complaint:

Coordinator Signature Date _____ 504

If you wish to appeal this decision, enclosed is the complaint procedure and appeal timeline.

Student/Parent Signature Date _____

For Office Use Only:

_____ Date Received by Building Principal/Building Compliance Officer

MANIFESTATION DETERMINATION REVIEW 504 PLANS

In carrying out a manifestation determination review, the local educational agency, the parent, and relevant members of the Building Consultation Team (BCT) (as determined by the parent and the local educational agency) shall review all relevant information in the student's file, including the student's 504 Plan, any teacher observations, and any relevant information provided by the parents of the student.

Student's Full Name _____ DOB _____

Nature of the student's disability

Nature of the behavior subject to disciplinary action:

The Notice of Section 504/ADA Procedural Information and Rights as presented with an explanation by _____ (Name and Title)

1. Is new or additional evaluation/data needed? Yes No If yes, refer the student for evaluation.

2. Does the student have or require a Section 504 Plan? Yes No If yes, is the Section 504 Plan appropriate?

If no, revise the Plan and attach a copy of the modified plan.

3. Was the student capable of understanding that the behaviors exhibited were in violation of school rules and/or were unacceptable? Yes No 4. Did the student have previous suspensions/expulsions? Yes No If yes, attach the record.

Aggregate number of suspension days _____

5. In relationship to the behavior subject to disciplinary action:

a. Did the BCT review relevant information in the student's file and the student's 504 Plan? Yes No

b. Did the BCT review relevant information presented by the parents and teacher

observations? Yes No

c. Did the BCT determine that the conduct in question was caused by or had a direct and substantial relationship to the child's disability?

Yes No

Explain:

d. Was the child's conduct a direct result of the District's failure to implement the 504 Plan? Yes No



School District of Manawa

Students Choosing to Excel, Realizing Their Strengths

Board Meeting Date: June 24, 2024

Subject: Summer School Enrollment & Staffing #'s

Presenter(s): Christy Hintz

I. Overall Content/Purpose:

The purpose of this memo is to provide information to the B.O.E. regarding student enrollment #'s and staffing needs for summer school 2024.

II. Board Motion Needed:

TBD - Discussion with P&HR Committee regarding process

III. Point of Emphasis / Key Communication(s):

- A. 31 contracts
- B. 37 courses offered
- C. 142 students enrolled
 - 1. This number does not include enrollments in skills camps:: volleyball, girls basketball, football, wrestling, and cheer
- D. June 10 - June 28, 2024
- E. The summer school course catalog was approved during the March BOE meeting.
- F. Summer School Instructor Pay Rate: \$30/hour (including prep)

IV. Contact for More Information:

Name: Christy Hintz & Ryan Peterson



School District of Manawa

Students Choosing to Excel, Realizing Their Strengths

Board Meeting Date: 6/24/24

Subject: Field Trip Approval - Water Related/Overnight Trips

Presenter(s): Michelle Johnson

I. Overall Content/Purpose:

The purpose of this memo is to provide information to the Board of Education regarding upcoming field trips involving water for the 2024-2025 school year.

II. Board Motion Needed:

Administration recommends the Board of Education approve the following water related trips for the 2024-25 school year.

III. Point of Emphasis / Key Communication(s):

1. 2024-2025 Academic School Year: 1 day per week
2. Mrs. Trice thorough our special education department at LWHS/Manawa Middle School
3. Community Swim at Iola Community Pool for our students through the Special Education Department.

IV. Contact for More Information:

Name: Michelle Johnson

School District of Manawa Field Trip/Transportation Permit Form

Field Trip Permit Forms must be submitted at least two weeks in advance. School day trips must return to school no later than 2:45 p.m. to coordinate with dismissal and bussing schedules.

Reminder – Overnight and Water Related trips require BOE approval. Plan approval at least two months in advance.

Trip Name Community Swim Grade/Class 6-12 Speed (Trice)
 Teacher/Coach (responsible for trip) Beth Trice Cell # 920.750.3247
 Date(s) of trip _____ to _____
 ↳ 2024-2025 academic year; one day per week
 Destination and Address: Fola Community Pool
 Itinerary of trip (attach sheets as necessary): **Is this an overnight or water related trip?** yes no

Purpose of trip (include curriculum guide learner outcome or competency references):

Building Independence, Community Involvement, Social Skills, and Financial Literacy.

No. of Students 8 No. of Teachers 2 No. of Chaperones 0 GROUP TOTAL 10
 Departure time 8:45a Return time 11a Total hours 2.15 No. of Buses 0
 Start (pick up) point _____ Return (drop off) point _____
 Require wheel chair accessible bus _____

FIELD TRIP COSTS (NO student participation fee can be required without prior Board of Education approval.)

Non-transportation costs (Planner completes for all field trips)

A. Total school-paid miscellaneous costs (admission, tickets, supplies, etc.)

FD _____ LOC _____ OBJ _____ FUNCTION _____ PROJ _____

Cost paid for by class funds from student led sales and budget.
 A. \$ _____
 B. \$ _____

B. Per pupil student-paid miscellaneous costs

C. Lunch plans (check all that apply)

- Students will bring a sack lunch from home _____
- Food service staff will prepare box lunches _____
- Lunch will be purchased at site of field trip _____
- Not applicable _____

NOTE: ALL PARTICIPANT FIELD TRIP FEES ARE TO BE PAID TO THE SCHOOL/DISTRICT PRIOR TO THE TRIP.

Staff member(s) responsible for administering medication to students Beth Trice

APPROVED Michelle Johnson DATE 5/29/24
Principal

- Forms Distribution:
- Kobussen Buses LTD.
 - District Nurse
 - Business Manager
 - School Office
 - Activities Director (as applicable)

D. TRANSPORTATION: (Complete all that apply.)

School Van – Call LWHS/MMS to reserve van. **Reservation completed by:** Beth Trice

Private Vehicles – Provide the information for each driver as noted in the table below.

Private vehicle data submitted by: _____

Principal confirms submission of required documents to District Office: _____

Bussing costs (To be completed by Kobussen)

Total transportation charge: \$ _____

Transportation paid by SDM account: (To be completed by Principal)

FD _____ LOC _____ OBJ _____ FUNCTION _____ PROJ _____

Transportation paid by other organization name and address:

Transportation Request Directions

The following information is provided to ensure a consistent and clear process when transportation services are needed for a school trip.

1. Staff member completes the Field Trip / Transportation Permit Form and submits it to the building principal. Be sure that all applicable sections of the form are filled out in detail.
2. The building principal will review and approve/deny the trip and proceed as follows:

Bussing – Kobussen	School Van	Personal Vehicles
A copy of the form will be forwarded to Mrs. Thompson @ MES and Mrs. Koehn @ LWHS/MMS for all trips requiring bussing services. Mrs. Thompson and Mrs. Koehn will be the point of contact with Kobussen for all trip arrangements. Please contact Mrs. Tohm for all athletic trips/bussing inquiries.	A copy of the form will be forwarded to Mrs. Koehn, when the district van is being reserved.	Submit a copy of the following to District Office: <ul style="list-style-type: none"> • Valid Wisconsin driver's license. Driver must be at least 21 yrs. old. • Certification of insurance for at least the minimum required by Wisconsin law. • Vehicle inspection report from a certified auto dealership or service center.
Kobussen will build the trip and provide the quote for transportation.	Mrs. Koehn will enter the reservation on the District Vehicle shared Google calendar.	Verify vehicle has the proper number of safety belts for the number of passengers per state law.
Both the principal and staff trip organizer must approve the transportation quote.	On the day before or day of the trip, vehicle keys can be checked out of the high school office.	Verify that the vehicle has a first aid kit.
Kobussen will receive confirmation of an accepted quote from Mrs. Thompson, Mrs. Koehn, and Mrs. Tohm and will book the trip	Complete the Vehicle Usage Form. Return the completed report, gas credit card, and vehicle key to Carrie Koehn. Send the completed form with any receipts to the Business Manager following each trip.	

School District of Manawa - Child Care Survey

Welcome to the School District of Manawa, dedicated to serving our vibrant community's children and families! As an integral part of our community, we recognize the importance of supporting all members, and especially our children, in their educational journey.

We believe that quality child care is fundamental to the well-being and success of every child's education. To ensure we meet the diverse needs of our families, we invite you to participate in this survey. Your input will provide valuable insights into the child care landscape in Manawa. Your feedback will help us better understand the community's needs and tailor our supportive efforts accordingly.

Please take a few moments to complete the survey. Your participation is invaluable in shaping the future of our community services. Thank you for your time and commitment to building a stronger, more supportive environment for our children and families!

* Indicates required question

1. Do you believe there are adequate Child Care options to serve the children and families within our community?

Mark only one oval.

Yes

No

2. Please mark the type of Child Care services you believe would benefit our community:

Check all that apply.

Full Time

Half Days (5 days a week)

Partial Week (2 or 3 times a week)

Half Days - Partial Week (2 or 3 times a week)

Before / After School Care

We do not need additional options for Child Care

3. What factors are most likely to influence decision making around Child Care providers in our Community?

Check all that apply.

- Availability
- Cost
- Hours of Operation
- Location
- Transportation
- Other: _____

4. What are the main challenges our community faces in accessing affordable, high-quality child care?

5. What specific features or services would you like to see offered in a Child Care program, within our community?

6. Are you currently using Child Care services?

Mark only one oval.

Yes

No

7. If Yes, how many children do you have enrolled in Child Care?

8. If Yes, please mark the type of services used by your family:

Check all that apply.

Infant (Birth to 11 months)

Toddler (12 to 36 months)

Preschool (3 to 5 years)

Before/After School Care (K-5th grade)

9. If Yes, please mark the type of Child Care Provider you are currently utilizing:

Mark only one oval.

Child Care Center

In Home Provider (not my home)

In Home Provider (in my own home)

Care by a family member

Other: _____

10. Where is the Child Care Provider you are utilizing located? (city or municipality)

Mark only one oval.

- Within the School District of Manawa boundaries
- Other: _____

11. Where does your family maintain its full-time residency? (city or municipality) *

Mark only one oval.

- Within the School District of Manawa boundaries
- Other: _____

12. If available, would you consider use a School District of Manawa Sponsored Child * Care Program?

Mark only one oval.

- Yes
- No

13. Is there anything else you would like to share regarding your needs, preferences, or concerns related to child care in our community?

14. What is your age (range)?

Mark only one oval.

- 25 years of age or younger
- 26-30 years of age
- 31-35 years of age
- 36-40 years of age
- 41 year of age or older

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