

**SAYRE AREA SCHOOL DISTRICT
ANNUAL NOTICE OF SPECIAL EDUCATION SERVICES**

Local school districts and the BLaST Intermediate Unit #17 have developed policies in accord with federal and state regulations and guidelines to insure the provision of a free appropriate public education to all school-aged children, including those with disabilities.

DESCRIPTION OF SPECIAL EDUCATION PROGRAMS

Each school district provides appropriate special education programs and related services, and early intervention programs that are:

- Provided at no cost to parents
- Provided under the authority of a school entity, direct, by a referral or by contract
- Individualized to meet the educational or early intervention needs of the child
- Reasonably circulated to yield meaningful educational or early education benefits and progress
- Designed to conform to an Individualized Education Program (IEP)

Special education is designed to meet the needs of each exceptional student, including “specially designed instruction conducted in the classroom, home, community settings, hospitals, institutions, or other settings.” Instruction also is provided in skill areas such as physical education, speech, and vocational education.

Early Intervention programs are “appropriate programs of educational development, specially designed to meet the needs of eligible young children and address the strengths and needs of the family.” Programs are provided to children with needs in any of the following developmental areas: physical, sensory, cognitive, language and speech, social/emotional and self-help.

Related services available to students include transportation and developmental, corrective and other supportive services that help an exceptional student benefit from special education. Examples include: speech pathology and ideology, psychological services, physical and occupational therapy, social work services, school health services, early identification and assessment, medical services for diagnosis or evaluation, parent counseling and education, recreation, counseling services, rehabilitation counseling services and assistive technology services.

NAME, ADDRESSES AND TELEPHONE NUMBERS OF SAYRE AREA SCHOOLS

Sayre Area Junior-Senior High School
333 West Lockhart Street
Sayre, PA 18840
(570) 888-6622

H. Austin Snyder Elementary School
130 Warren Street
Sayre, PA 18840
(570) 888-7742

Litchfield Elementary School
RR 1 Box 106A
Sayre, PA 18840
(570) 888-7198

CHILDREN SERVED IN SPECIAL EDUCATION PROGRAMS

Special education services are available to children who have one or more of the following physical or mental disabilities:

- Autism/pervasive development disorder
- Emotional disturbance
- Neurological impairment
- Deafness/hearing impairment
- Specific learning disability
- Mental retardation
- Multiple disabilities
- Other health impairment (physical disability)
- Speech and language impairment
- Blindness/visual impairment
- Anyone determined by an IEP team, based upon recommendation in a multi-disciplinary evaluation, to need special education

Early Intervention services are available to children who are at least three years of age, but less than the age of beginning school, and who have one or more of the following physical or mental disabilities:

- Autism/pervasive developmental disorder
- Emotional disturbance
- Neurological impairment
- Deafness/hearing impairment
- Specific learning disability
- Mental retardation
- Multiple disabilities
- Other health impairment (physical disability)
- Speech and language impairment
- Blindness/visual impairment
- Developmental delay

Results of the evaluation are reviewed by the team to determine if special education services are needed. If special education placement is recommended, parents are part of the team that determines exceptionality and develops an Individual Education Program (IEP) for the child.

No evaluation may be conducted without written parental permission. Parents who do not consent to an evaluation may be asked to attend a conference with the teacher, principal, psychologist and possibly other special education staff.

REFERRAL OF CHILDREN FOR SCREENING AND EVALUATION

Local school districts and the BLaST Intermediate Unit #17 have procedures to identify children needing special education. These procedures are “screening” and “evaluation.” If a disability is suspected, teachers, other school personnel or parents may refer a child for screening or evaluation.

Parents suspecting that a child may have a disability and need special education or early intervention services can request a screening or an evaluation by contacting the Superintendent’s office in their local school district. Contact your local school district office, listed at the end of this notice, for times and locations of screenings in your area.

SCREENING OF CHILDREN

Screening of children, using immediately available data sources such as health records, cumulative records, enrollment records and report cards, is conducted for hearing, vision, motor skills, and speech and language. Screening may be conducted by the Student Support Team, made up of the building principal, regular classroom teacher, support teacher and others as appropriate. The Student Support Team will communicate with the parents about the child’s needs and instructional support services that will meet those needs.

EVALUATION OF CHILDREN

Before evaluation, parents are told the following information:

- Who referred the child for evaluation
- Why the child was referred
- How to review the child’s school records
- What procedures and types of evaluation will be used
- That parent involvement in any testing procedure is encouraged
- The schedule for the evaluation process
- The rights of the parents regarding consent for evaluation

Evaluations are conducted by a Multi-Disciplinary Team (MDT) to determine such things as the child’s learning ability, behavior patterns, physical abilities, communication skills, and achievement levels. The team is made up of the parents, a teacher, school principal and school psychologist. The team may include a special education teacher, supervisor, speech therapist, counselor and other staff as necessary. Methods used in the evaluation include observation, review of records, and group and individual testing. Information is gathered from school personnel, medical personnel and parents.

Results of the evaluation are reviewed by the team to determine if special education services are needed. If special education placement is recommended, parents are part of the team that determines exceptionality and develops an Individual Education Program (IEP) for the child.

No Independent Educational Evaluation may be conducted without written parental permission. Parents who do not consent to an Independent Educational Evaluation may be asked to attend a conference with the teacher, principal, psychologist, and possibly other special education staff.

INDEPENDENT EDUCATION EVALUATION (IEE)

As a parent, you have the right to obtain an independent educational evaluation for your child at public expense if you disagree with an evaluation conducted by Sayre Area School District. An independent evaluation is an evaluation by a qualified professional who is not an employee of Sayre Area School District.

Within ten (10) days of receipt of a written request for an independent educational evaluation from you, the parent, the Special Education Coordinator shall either:

1. Initiate a due process hearing and notify you in writing that the district has done so.
2. Issue you correspondence containing:
 - a. An assurance that the school district will pay for an independent education evaluation as long as the evaluation consists of the administration of all testing and use of all assessment procedures required to rule in or rule out the existence of all legally defined disabilities that school staff, parents, or the evaluator reasonably suspect the child might have.
 - b. A directive that the school district shall not pay for the evaluation until it receives a complete copy of a report of that evaluation directly from the evaluator.
 - c. Directions that you, as the parent, are responsible for arranging for the evaluation, and for ensuring the evaluator contacts the Special Education Coordinator (570) 888-4892 to arrange for payment of the evaluation.

The Special Education Coordinator maintains a list of qualified independent evaluators and shall make that list available to you upon request.

STUDENT RECORDS AND CONFIDENTIALITY

The BlaST Intermediate Unit #17 and school districts are required by law to keep records of all students receiving special education and early intervention services. Included in these records are:

- Birth date, address, telephone number and other general information
- Achievement test results
- Psychological test results
- Teacher progress reports
- Comprehensive evaluation reports
- Routine medical records
- IEP's

As a child is re-evaluated every three years, (two years for students who are mentally retarded), information is added to his or her file. The BLAST Intermediate Unit #17 and school districts have developed policies to ensure that all records are confidential. Only school personnel are permitted to see the child's file. Anyone else must have written approval of the parent to see the file or to receive copies of the information in this file.

Parents can review the child's file and challenge the validity of any records or report, or challenge the maintenance of information on file. All records are reviewed every summer by school personnel, and any records that are no longer needed to plan the child's education program are destroyed.

However, parents are notified first and permitted to review or copy this information. Federal regulations give both natural parents access to their child's education records unless there is a court order, state statute or legally binding document prohibiting access.

MORE INFORMATION ABOUT SPECIAL EDUCATION PROGRAMS

Detailed printed information about available special education services and programs and school district policies is available from all school districts upon request. Anyone interested should contact the principal of the child's school or the school district Superintendent's office.

Information and communications are in English, but will be provided in the native language or other mode of communication used by the parents, if appropriate.

SURROGATE PARENTS

Federal legislation (PL 93-380 and PL 94-142) has established a number of measures to ensure the rights of handicapped children. Central among these safeguards is the right to free appropriate public education for all handicapped children. To ensure that this right is realized for all handicapped children, certain procedures were written into the laws and accompany the guarantee for free appropriate education at public expense. Among the procedures, is one designed to ensure that the rights of handicapped children who are wards of the state, or whose parent or guardian is unknown or unavailable are represented. This is provided through the recruitment, selection and assignment of volunteer surrogate parents who represent the child in educational matters such as identification and developing individualized programs.

If you are interested in more information on training to become a surrogate parent, please call the Special Education Office at (570) 888-4892.

SPECIAL EDUCATION PROGRAMS

The following is a comprehensive list of services available to all eligible District residents at the following locations:

Within the District:

Gifted Support

All Buildings

Claire Pratt

Learning Support

H.A. Snyder Elementary School

Bonnie Maio

Paul Stropko

Linda Campbell

Sue Weber Craig Sheeley

Litchfield Elementary School

Linda Campbell

Vision Support

All Buildings

Tracy Whitehead

Sayre Area High School

Shirley Allis

David Kinsley

Heather Leonard

Cinda Nudge

Dustin Jackson

Cheryl Wilbur

Hearing Impaired Support

All Buildings

Carla Fry

Speech and Language Support

All Buildings

Michelle Paris

Outside the District:

Life Skills Support

Athens Area School District
(Lynch Bustin Elementary School)
(SRU Middle School)
(Athens High School)

Emotional Support

Athens Area School District
(Lynch Bustin Elementary School)
(SRU Middle School)
(Athens High School)

Autism Support

Athens Area School District
(Lynch Bustin Elementary School)

Binghamton University
(Institute for Child Development)

Towanda Area School District
(Wysox Elementary)
(Towanda Middle School)
(Towanda High School)

Towanda Area School District
(Wysox Elementary)

Towanda Area School District
(J. Andrew Morrow)

BLaST IU 17

Adolescent Partial Hospitalization
Child Partial Hospitalization

Approved Private Schools

Scranton State School for the Deaf
Overbrook School for the Blind

Multiple Disabilities Support

Athens Area School District
(Lynch Bustin Elementary)

NOTICE

The Sayre Area School District is an equal opportunity educational institution and does not discriminate in its educational programs, activities, or employment practices on the basis of race, color, origin, sex, sexual orientation, disability, age, religion, ancestry, union membership, and/or any other legally protected category as required by state law including the Pennsylvania Human Relations Act and with federal law including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1976, and the Americans with Disabilities Act of 1990. For information regarding civil rights, grievance procedures, and/or facilities that are both accessible to and usable by disabled persons, contact the Superintendent's office, Sayre Area School District, 333 West Lockhart Street, Sayre, PA 18840, (570) 888-7615.

SCREENING AND EVALUATION IS AVAILABLE

The Sayre Area School District is committed to provide every student with the opportunity to work toward achieving individual learning potential. The District, as prescribed by Section 1402 of the School Code, routinely conducts the following screenings.

Speech and Language Skills

Preschool & Kindergarten Registration
All students on a Referral Basis

Complete Physical Examinations

School Entry
Grades 6 & 11

Scoliosis

Grades 6 & 7

Dental Screening

Grades 1, 3 & 7

Vision

All grades – Annually

Hearing

School Entry
Grades 1, 2, 3, 7 & 11

A parent may request that the District initiates a screening of their child's specified needs at any time by contacting the building principal.

Information about Early Intervention, parental rights, mediation or due process procedures, specific special education services and programs offered by the District, and the District's educational record policy are available upon request from the building principal in a child's school.

For further information, contact Debra R. Moore, Ed.D., School Psychologist/Special Education Coordinator at the Administrative Office, 333 West Lockhart Street, Sayre, PA 18840, (570) 888-4892.

<u>Name</u>	<u>Title</u>	<u>Building</u>	<u>Phone</u>
Michelle Murrelle	Principal	Snyder/Litchfield	(570) 888-7742
Dayton Handrick	Principal	Sayre High School	(570) 888-6622
Daniel Polinski	Asst. Principal	Sayre High School	(570) 888-6622

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION LAWSUIT

TO: The parents of all students who are eligible for special education and who have been denied the opportunity to receive a free appropriate education in regular classrooms with individualized supportive services OR have been placed in regular education classrooms without the supportive services, individualized instruction, and accommodations they need to succeed in the regular classroom.

This notice describes a proposed Settlement Agreement between students with disabilities and the Pennsylvania Department of Education and all other defendants. This Notice tells you what the parties have agreed to do, how to get more information, and how to object to the proposed Settlement Agreement if you think it is not fair.

PROPOSED SETTLEMENT

This case was filed on June 30, 1994 by twelve students with disabilities and eleven disability organizations, collectively known as the plaintiffs, against officials of the Pennsylvania Department of Education (PDE) and the State Board of Education. The plaintiffs' claims arose under the Individuals with Disabilities Act (IDEA) and related federal statutes. The plaintiffs alleged that PDE had failed to assure that students with disabilities are included in regular education classroom to the maximum extent appropriate and that students receive appropriate supplementary aids and services in regular classrooms. The settlement obligates PDE to undertake a series of reforms of its systems for exercising general supervision over special education throughout Pennsylvania. The goal of those reforms is that local school districts increase their capacity to provide the supplementary aids and services in regular classrooms that students with disabilities need to receive a meaningful benefit from education. The parties have agreed to the following undertakings:

1. PDE policies will require Individual Education Programs (IEP) teams to consider, and school districts to provide, the full range of supplementary aids and services in regular classrooms to all students with disabilities, including those with significant disabilities, who can benefit from education in regular education classes with such services.
2. PDE will establish the Special Education Bureau Director's Advisory Panel on Least Restrictive Environment (the "Panel") to review system-wide progress in the delivery of individualized specially designed instruction in regular education classrooms, to report on the status of implementation of this agreement, and advise PDE on implementation. Nine of the Panel's fifteen members will be parents of children with disabilities; twelve will be selected by the organizational plaintiffs in this case.
3. PDE will modify its IEP format to assure that IEP teams consider the provision of supplementary aids and services in regular education classes before removing students from the regular education environment.
4. PDE will conduct a new form of compliance monitoring called Least Restrictive Environment (LRE) monitoring, in which PDE will identify the school districts most in need of systemic LRE-related changes, provide appropriate intervention to bring about those changes, and exercise continued oversight, including sanctions if needed, to determine whether intervention is effective. Each year, school districts will be assigned a data-based LRE Index Score according to which the districts will be identified for intervention. These scores will be included in publicly available school district report cards. In the districts most in need of intervention, PDE will examine a representative sample of Individualized Education Programs to determine whether the district is satisfying its obligation to provide a free, appropriate public education in the least restrictive environment. PDE will require specific staff training for district personnel to target the particular violations found.
5. PDE will investigate all complaints submitted by a parent or student, without exception, and each time a violation of a student's right to receive supplementary aids and services in a regular education classroom is identified in a complaint resolution or due process hearing, will monitor whether the school district has corrected the violation for all similarly situated students.
6. PDE will synchronize the special education planning cycle with its compliance monitoring cycle and will require school districts' special education plans to include appropriate corrective action when monitoring

finds a failure to provide meaningful education benefit to students with disabilities in regular education classes and neighborhood schools.

7. PDE will provide on-site training and technical assistance to school districts to build capacity in the provision of supplementary aids and services in regular education classrooms. Training and technical assistance will be based on a needs assessment to identify the assistance needed to implement research-based practices.
8. PDE will support a grant proposal submitted by the plaintiffs to external funding source to support advocacy and advocacy training on issues relating to the provision of supplementary aids and services in regular education classrooms.
9. PDE will provide of total of \$350,000 to the individual plaintiffs to resolve their claims for compensatory education and other relief. PDE will pay the plaintiffs' counsel the sum of \$1,825,000 for attorney fees and costs.
10. The Settlement Agreement will be enforceable for five years from the date of its approval by the Court. Throughout the life of the agreement, PDE will send regular written certifications concerning its compliance with the agreement. The parties will seek to resolve disputes by informal means and medication before petitioning the Court for enforcement.

**HOW TO OBJECT TO THIS SETTLEMENT
AGREEMENT IF YOU THINK IT IS UNFAIR**

If you do not want to object to this proposed Settlement Agreement, it is not necessary for you to take any action. If however, you want to comment on the proposed Settlement Agreement or object to it as not being fair, you or your attorney on your behalf may file written comments or objections on or before June 10, 2005. Written comments and objections should be submitted to the Court at this address: Office of the Clerk, United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, PA 19106. You should send a copy of your comments to one of the attorneys for each party at the addresses contained below.

HOW TO OBTAIN MORE INFORMATION

You can get a complete copy of the proposed Settlement Agreement by writing to plaintiffs' attorneys. You may also examine the court papers filed in this case, which can be viewed at the Office of the Clerk for the United States District Court in Philadelphia. If you have any questions or would like more information about this Notice, you may contact your own lawyer or the lawyers for the class.

**FOR THE PENNSYLVANIA
DEPARTMENT OF EDUCATION:**

Lawrence White
Chief Counsel
333 Market Street, 9th Floor
Harrisburg, PA 17126-0333

FOR THE PLAINTIFF CLASS:

Judith A. Gran
Public Interest Law Center of Philadelphia.
125 S. 9th Street, Suite 700
Philadelphia, PA 19107