

## Midwestern Intermediate Unit IV



*Does Your Child Have Special Needs?*

### **IDEA 2004**

Individuals with Disabilities Education Act  
Entitlement Under Equitable Participation (EP)

Students voluntarily enrolled in licensed,  
accredited and/or registered private schools

October 2018



## **Is your child having difficulty in school? Has your child been identified as needing special education services?**

If you believe that your child may be in need of special education services, an evaluation process to assess your child's needs is available to you at no cost through the school district in which you live. Special education services often involve adapting materials and modifying instruction to better meet your child's specific learning/behavior needs.

If you request an evaluation, a team of experts trained in assessing children will determine if your child has a disability and, if so, is in need of special education and related services. You are an important member of your child's evaluation team.

Before the school district proceeds with an evaluation, it will notify you in writing (Permission to Evaluate) of the specific types of tests and procedures it plans to use, and of your rights throughout this process. The evaluation cannot be scheduled until you sign the written notice, indicating that you consent to the proposed testing and assessments, and return the notice to the school. Only a parent, guardian, or surrogate can grant permission to evaluate a student.

If, after the evaluation, your child is found to have a disability and to need special education and related services, the public school will offer to write an Individualized Education Program (IEP). An IEP is a written document that specifically describes the special education services your child needs. The services in the IEP will be offered to your child in a public school placement. This offer is referred to as Free Appropriate Public Education (FAPE). If you wish to accept this offer, you will have to enroll your child in the public school. In some cases it may also be possible to dual enroll your child so that your child attends the nonpublic school for part of the day and the public school for part of the day. If you choose to have your child remain in the nonpublic school, you have the right to decline the developed IEP and request consultation services through Equitable Participation (E.P.). Please see pages 8 and 9 for the currently available E.P. services for eligible Midwestern Intermediate Unit IV (MIU IV) nonpublic school students.

If your child has already been evaluated and offered services in an IEP, and you chose not to accept the services, communicate this to your child's principal. Again, your child may still be eligible for certain services.

If you are interested in finding out more about the special education process, please speak with your child's principal. For additional information, feel free to contact the school district in which you live, as listed on this brochure.

**Please Note:** Equitable Participation does not apply to gifted services.

# The Multidisciplinary Evaluation (MDE)

## The purpose of the MDE is to determine if the student is:

- Eligible for Special Education by meeting one of the thirteen disability categories and needing specially designed instruction; or
- Not eligible for special education.

## The 13 Special Education Categories

(see page 3-4 for expanded descriptions)

- Autism
- Deaf-Blindness
- Deafness
- Emotional disturbance
- Hearing impairment
- Intellectual disability
- Multiple disabilities
- Orthopedic impairment
- Other health impairment
- Specific learning disability
- Speech or language impairment
- Traumatic brain injury
- Visual impairment including blindness

## The Multidisciplinary Team

There is a thirty day timeline between the Multidisciplinary Team meeting and IEP meeting unless the parent waives this timeline in writing. The evaluation is completed by a Multidisciplinary Team (MDT) minimally consisting of:

- A certified school psychologist
- The parent(s)
- The child's regular teacher (at the nonpublic school)
- A representative of the public agency who:
  - a) is qualified to provide, or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities
  - b) is knowledgeable about the general curriculum
  - c) is knowledgeable about the availability of resources of the public agency
- An individual who can interpret the instructional implications of evaluation results
- Other qualified professionals, as appropriate

## The Individual Education Plan (IEP) Team

The required IEP team members are:

- The parent
- LEA
- Special education teacher
- Regular education teacher (required)
- School psychologist or related services (optional)
- Other qualified professionals as appropriate (speech/language therapist, occupational or physical therapist)

## Evaluation Timelines

The public agency has 60 calendar days to:

- complete the evaluation
- write the report
- provide the report to the parents
- occurs during the regular school year

## Private Schools Served

Any elementary or secondary private school student whose home (resident) school district is within Butler, Lawrence or Mercer Counties is eligible for an evaluation provided by the public school district of residence.

# Special Education Disabilities

## **Autism**

Means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3, that adversely affects a child's 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 disturbance as defined below. A child who manifests the characteristics of "autism" after age 3 could be diagnosed as having "autism" if the criteria mentioned above are satisfied.

## **Deaf-Blindness**

Means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they can not be accommodated in special education programs solely for children with deafness or children with blindness.

## **Deafness**

Means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a child's educational performance.

## **Emotional Disturbance**

The term means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance: an inability to learn which can not be explained by intellectual, sensory or health factors; an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; inappropriate types of behavior or feelings under normal circumstances; a general pervasive mood of unhappiness or depression; a tendency to develop physical symptoms or fears associated with personal or school problems. The term includes schizophrenia. The term does not apply to students who are socially maladjusted, unless it is determined that they have an emotional disturbance.

## **Hearing Impairment**

Means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance, but that is not included under deafness in this section.

## **Intellectual Disabilities**

Means significantly subaverage intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

## **Multiple Disabilities**

Means concomitant impairments, such as intellectual disabilities-blindness, intellectual disabilities-orthopedic impairment, etc., the combination of which causes such severe educational needs that they can not be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

### **Orthopedic Impairment**

Means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly (e.g., club foot, absence of some member, etc.) impairments caused by some disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

### **Other Health Impairment**

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

### **Specific Learning Disability**

The term 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, speak, think, read, write, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Disorders not included are learning problems that are primarily the result of visual, hearing, or motor disabilities, or intellectual disabilities or emotional disturbance, or of environmental, cultural, or economic disadvantage.

### **Speech and Language Impairment**

Means a communication disorder, such as stuttering, impaired articulation, a language impairment, or voice impairment, that adversely affects a child's educational performance.

### **Traumatic Brain Injury**

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

### **Visual Impairment Including Blindness**

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

**Sample Parent Letter Requesting an Evaluation  
For a Student Voluntarily Enrolled in a Private School**

Your Address  
Your Phone Number  
Date

Director of Special Education  
Your Child's Public School District of Residence  
Address

Dear \_\_\_\_\_:

I am the parent of \_\_\_\_\_, whose date of birth is \_\_\_\_\_.

My child currently attends \_\_\_\_\_ School in \_\_\_\_\_. My child is experiencing significant learning problems in school and I am, therefore, requesting that a complete Multidisciplinary Evaluation (MDE) be done to determine whether my child qualifies for special education according to Federal and State statutes (IDEA 2004 and Chapter 14). The specific concerns that my child has are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

My child, \_\_\_\_\_, has been provided the following supports and accommodations at \_\_\_\_\_ School:

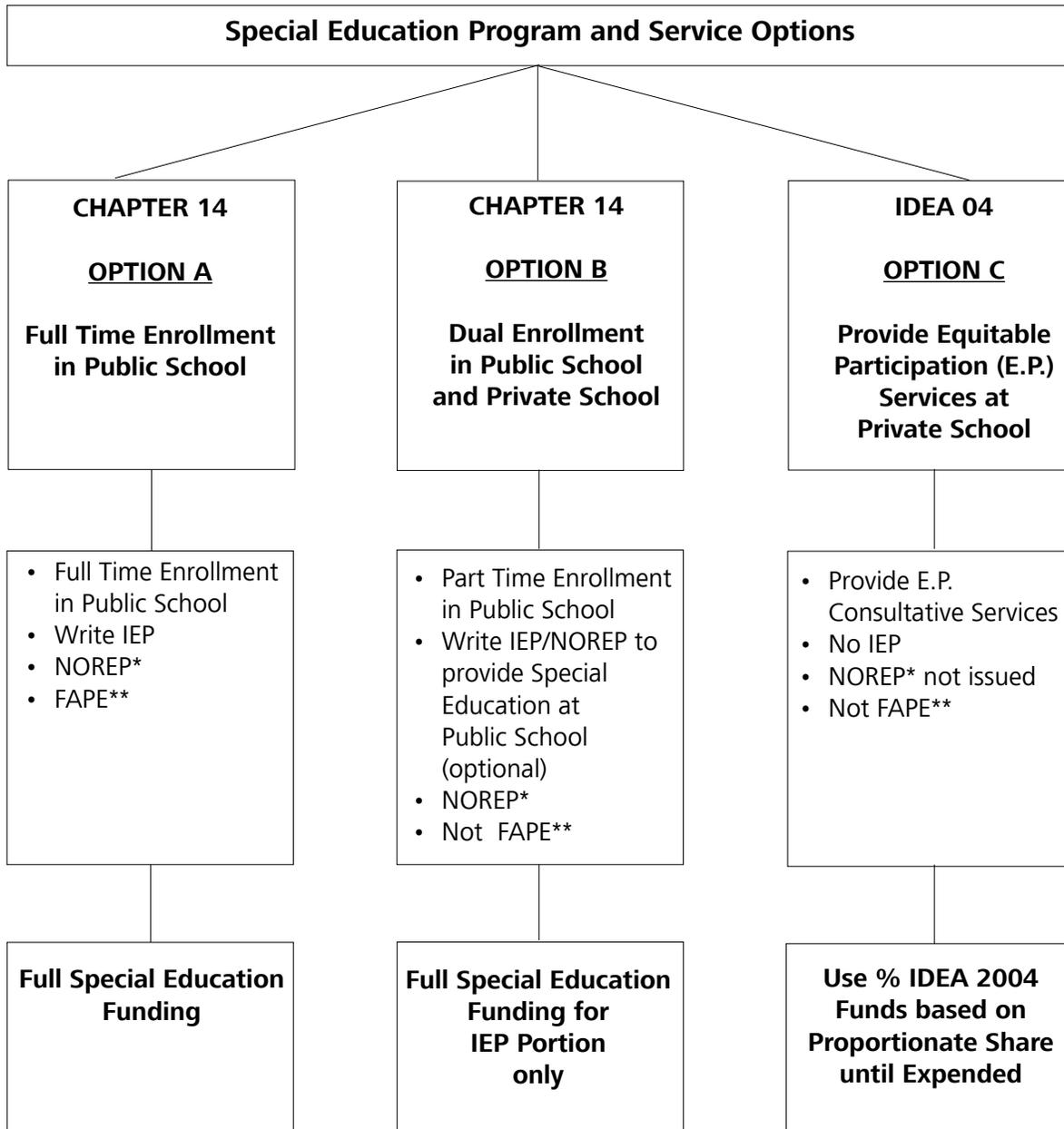
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Please send me the written notice of parental consent so that the evaluation may proceed. I understand that the MDE will be completed within 60 calendar days of your receipt of my signed consent.

Thank you.

Sincerely,

Your Name



\* NOREP - Notice of Recommended Educational Placement

\*\* FAPE - Free Appropriate Public Education

## Identification — Eligible for Special Education

Once the Multidisciplinary Team (MDT) determines the child to be eligible and in need of special education services, the public school district will offer to develop an Individual Educational Program (IEP). This IEP represents the school district's offer of FAPE. The parent then has three choices. The choices are:

### Option A. Public School

*Full time enrollment – Free Appropriate Public Education (FAPE)*

- School District writes an IEP
- School District provides parent(s) with Notice of Recommended Educational Placement (NOREP)
- Student is enrolled in the public school and receives all services there, **or**

### Option B. Dual Enrollment

*The student is enrolled at the public school part time to receive special education services as outlined in an IEP. The student is also enrolled at the private school part time to receive the remainder of his/her educational services.*

- Public School District provides special education services as outlined in a School District written IEP/NOREP (optional)
- Dual enrollment is not FAPE
- Dual enrollment does not have to provide transportation, **or**

### Option C. Nonpublic (private) School

*If the parent refuses Free Appropriate Public Education (FAPE) then the student remains in the Nonpublic School.*

- Equitable Participation (E.P.) services are offered at the nonpublic school
- An E.P. Services Plan is written by the Intermediate Unit in consultation with the nonpublic school and parents.
- A NOREP is not issued
- E.P. services are not FAPE
- E.P. services by the Intermediate Unit are limited (see pages 8 and 9)

### Purpose of Re-evaluation Process

Special education law requires that a reevaluation of every child with a disability be conducted at least once every three years unless the parent and Local Education Agency (LEA) agree that a reevaluation is unnecessary. If the child's progress monitoring on goals is appropriate, a reevaluation may not be necessary and could be waived. Parental agreement to waiving the reevaluation must be in writing. If you have any questions about waiving the reevaluation, or if you need the services of an interpreter, please contact Cheryl Pilch at 724-458-6700 ext 1224. Please note: A child with a diagnosis of Intellectual Disability must have a reevaluation conducted once every two years.

# Services Provided in the Nonpublic School

## IDEA 2004 Equitable Participation (E.P) Services

- IDEA requires timely and meaningful consultation between LEA representatives, private school representatives, and parents of parentally placed private school children with disabilities. The goal of this meeting is to review and agree upon the design of E.P. services for students attending private schools. Direct student services were not agreed upon but consultative services were. The following consultative services are available under IDEA:
  1. Technical assistance
  2. Training/staff development
  3. Curriculum adaptation and practices
  4. Differentiated instructional practices
  5. Transition
  6. Behavior support
  7. Parent engagement (Local Task Force Right to Education)
- The Local Task Force was formed over thirty years ago to represent the needs and interests of students with intellectual disabilities and their families. Presently, our local task force has expanded its efforts to include all students with disabilities. Any questions please call:

|                                |              |
|--------------------------------|--------------|
| Philip Rosenbauer, Chairperson | 724-679-1955 |
| Lee Myford, Vice Chairperson   | 724-766-9112 |
- E.P. is not an individual entitlement to Free and Appropriate Public Education (FAPE). Students with disabilities enrolled by their parents in nonpublic schools do not have an individual right to receive the services they would have received in public schools.
- If E.P. funds are exhausted before the end of the school year, no additional services are required to be provided. However, IDEA 2004 does not prohibit state or local districts from providing more services than required.
- Due Process Hearing procedures do not apply. Parents have the right to file a complaint with the State Bureau of Special Education consult line 1-800-879-2301 or file an appeal with the Federal Office of Special Education Programs.
- The Equitable Participation regulations for a student with a disability voluntarily enrolled by their parents in nonpublic schools can be found in 34 CFR§300.450–300.462 of IDEA 2004.

## **For a child who will be eligible for kindergarten by age for the upcoming school year and will be attending a non-public school**

It is highly recommended that parents be encouraged to attend a transition meeting even if their child will be enrolling in a non-public school. While non-public schools do not have Special Education or utilize IEPs, students who have been found eligible and in need of Special Education can receive relevant and available services at a non-public school through Equitable Participation (EP). For additional information, please contact Cheryl Pilch, Principal of Educational Services, MIU IV at 724-458-6700 x1224 or [cheryl.pilch@miu4.org](mailto:cheryl.pilch@miu4.org)

**Even if your child does not qualify for services, the following may be available to your child through Regular Education Supportive Services in the nonpublic school:**

- Act 89 (State Guidelines)
  - Remedial Reading/Writing/Math
  - Speech/Language
  - Elementary & Secondary Counseling
  - Standardized Testing
  - Psychological Services (this is for the purpose of identifying a student's strengths and weaknesses, not for identification of a disability for eligibility for special education)
  - Multi-Tiered System of Support (MTSS)
  
- Title I (Federal Guidelines)
  - Language Arts
  - Math
  - Written Expression

## Districts and Contacts

### **Butler Area School District**

Aaron Royhab, LEA  
Harriger Educational Center  
110 Campus Lane  
Butler, PA 16001  
724/214-3121  
aaron\_royhab@butler.k12.pa.us

### **Commodore Perry School District**

Stacy Payne, LEA  
3002 Perry Highway  
Hadley, PA 16130  
724/253-3255 ext. 249  
spayne@cpanthers.org

### **Ellwood City Area School District**

Leslie Gleghorn, LEA  
501 Crescent Ave  
Ellwood City, PA 16117  
724/752-1591 ext. 3603  
lgleghorn@ellwood.k12.pa.us

### **Farrell Area School District**

John Seybert, LEA  
1600 Roemer Blvd.  
Farrell, PA 16121  
724/509-1216  
jseybert@farrellareaschools.com

### **Greenville Area School District**

Connie Timashenka, LEA  
71 Columbia Avenue  
Greenville, PA 16125  
724/588-2500 ext. 2431  
ctimashenka@greenville.k12.pa.us

### **Grove City Area School District**

Jennifer Connelly, LEA  
511 Highland Avenue  
Grove City, PA 16127  
724/458-6733 ext. 2140  
jennifer.connely@gcasdk12.org

### **Hermitage School District**

Nanci Hosick, LEA  
411 N. Hermitage Road  
Hermitage, PA 16148-3316  
724/981-8750 ext. 6015  
nanci\_hosick@hermitage.k12.pa.us

### **Jamestown Area School District**

Gary Kinnear, LEA  
204 Shenango St., PO Box 217  
Jamestown, PA 16134  
724/932-5557 ext. 1110  
gary\_kinnear@jamestown.k12.pa.us

### **Karns City Area School District**

Jennifer Jamison, LEA  
1446 Kittanning Pike  
Karns City, PA 16041  
724/756-0521 ext. 1022  
jjamison@kcasdk12.org

### **Lakeview School District**

Jen Johnston, LEA  
2482 Mercer Street  
Stoneboro, PA 16153  
724/376-7911 ext. 6025  
jen\_johnston@lakeview.k12.pa.us

### **Laurel School District**

Nichole Bell, LEA  
2497 Harlansburg Road  
New Castle, PA 16101  
724/658-8940 ext. 2940  
nbell@laurel.k12.pa.us

### **Mars Area School District**

Travis Mineard, LEA  
545 Rt. 228  
Mars, PA 16046  
724/625-1518 ext. 1526  
tmineard@marsk12.org

### **Mercer Area School District**

Ronald Rowe, LEA  
Shirley Spiegel, LEA  
545 W. Butler Street  
Mercer, PA 16137  
724/662-5100 ext. 10  
724/662-5102 ext. 5  
rrowe@mercerc.k12.pa.us  
sspiegel@mercerc.k12.pa.us

### **Mohawk Area School District**

Emily Billing, LEA  
Mohawk School Road  
P.O. Box 25  
Bessemer, PA 16112  
724/667-7782 ext. 1306  
ebilling@mohawk.k12.pa.us

## Districts and Contacts

### Moniteau School District

Dean Hoffman, LEA  
1810 West Sunbury Road  
West Sunbury, PA 16061  
724/637-2117 ext. 1720  
dhoffman@moniteau.k12.pa.us

### Neshannock Twp School District

Karen Ionta, LEA  
3834 Mitchell Road  
New Castle, PA 16105  
724/658-4793 ext. 5106  
kionta@ntsh.org

### New Castle Area School District

John Mozzocio, LEA  
420 Fern Avenue  
New Castle, PA 16101  
724/656-4763  
jmozzocio@ncasd.com

### Reynolds School District

Paula Bredl, LEA  
531 Reynolds Road  
Greenville, PA 16125  
724/646-5532  
pbredl@reynolds.k12.pa.us

### Seneca Valley School District

Gerald Miller, LEA  
Cecil Crouch, LEA  
124 Seneca School Road  
Seneca Valley, PA 16037  
724/452-6040 ext. 1633 & 1631  
millergf@svsd.net  
crouchcr@svsd.net

### Sharon City School District

LaReina George, LEA  
215 Forker Blvd.  
Sharon, PA 16146  
724/983-4052  
lareina\_george@sharon.k12.pa.us

### Sharpsville Area School District

Tim Dadich, LEA  
301 Blue Devil Way  
Sharpsville, PA 16150  
724/962-8300 ext. 4110  
tdadich@sasdpdridge.org

### Shenango Area School District

Jim Janacone, LEA  
2501 Old Pittsburgh Road  
New Castle, PA 16101  
724/658-5566  
jjanacone@shenango.k12.pa.us

### Slippery Rock Area School District

Dr. Laura Green, LEA  
201 Kiester Road  
Slippery Rock, PA 16057  
724/794-2960 ext. 1013  
laura\_green@slipperyrock.k12.pa.us

### South Butler County School District

Greg Hajek, LEA  
328 Knoch Road  
Saxonburg, PA 16056  
724/352-1700 ext. 5640  
hajekg@southbutler.net

### Union Area School District

Marilee Sauers, LEA  
2106 Camden Avenue  
New Castle, PA 16101  
724/658-4775 ext. 1107  
m\_sauers@union.k12.pa.us

### West Middlesex Area School District

Scott McCaskey, LEA  
3591 Sharon Road  
West Middlesex, PA 16159  
724/634-3030 ext. 1127  
smccaskey@wmasd.k12.pa.us

### Wilmington Area School District

Mary Anne Grubic, LEA  
450 Wood Street  
New Wilmington, PA 16142  
724/656-8866, ext. 6502  
grubic@wasd.school

### Midwestern Intermediate Unit IV

Melissa M. Wyllie  
Director, Special Education  
724/458-6700, ext. 1206  
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Principal of Educational Services  
453 Maple Street  
Grove City, PA 16127  
724/458-6700, ext. 1224  
cheryl.pilch@miu4.org

## Glossary of Special Education Terms

**CHAPTER 14:** The state law pertaining to the delivery of special education services and programs. It is called a regulation or sometimes called a rule.

**CHAPTER 15 Section 504 Plan:** A plan developed in a public school to ensure that a child who has a physical, mental or health diagnosed impairment is protected from discrimination because of those impairments. The law and its regulations require public school districts to ensure that these students have equal opportunity through accommodations to participate in the school program and extracurricular activities to the maximum extent appropriate for the protected student in question.

**CHILD WITH A DISABILITY:** A child evaluated as having intellectual disability, a hearing impairment including deafness, a speech or language impairment, a visual impairment including blindness, emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, another health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, as a result of the disability, needs special education and related services.

**DUE PROCESS:** The procedure used to settle disagreements between parents and school district officials concerning special education. The parents are informed of their right to due process by written notice, which describes the options of a pre-hearing conference, a formal hearing, and appeals.

**EVALUATION:** The process used to determine if a child has a disability and if special education is needed. The evaluation looks at how the child learns, the kinds of instruction that would be successful and the kinds of instruction that have been tried and have not resulted in success.

**EVALUATION REPORT (ER):** The report that is compiled and written by the evaluation team (which includes parents) following an evaluation. It contains all of the information gathered from the team members, including the results of assessment. From the report, the evaluation team determines that student's eligibility and need for special education programs.

**EVALUATION TEAM:** A team of educators, other professional individuals, and the child's parents who review all formal testing of a child and all other evaluation materials. The evaluation team must issue a written report stating if the child is a child with a disability who needs special education and making suggestions about the programs and services needed.

**FREE APPROPRIATE PUBLIC EDUCATION (FAPE):** A program of education and related services for a child with a disability that is designed to meet the child's special education needs and which allows the child to make meaningful progress in the educational setting. It is provided without charge to parents.

**INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA 2004):** The federal law which governs the provision of special education services and the rights of parents of a child with a disability.

**INDIVIDUAL EDUCATION PROGRAM (IEP):** The plan written by the IEP team (including parents) that specifically describes the programs and services necessary for a free appropriate public education for the child with a disability.

**MULTIDISCIPLINARY TEAM (MDT):** A group of professionals and parents who come together to provide assessment and consultation to determine whether a child is eligible for special education by meeting one of the thirteen disability categories and needs specially designed instruction.

**NOTICE OF RECOMMENDED EDUCATIONAL PLACEMENT (NOREP):** The form issued to parents to inform them of the placement recommended by the IEP team.

**RE-EVALUATION WAIVER:** This is a document that parents sign that states that there is no additional testing or data needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs.

**RELATED SERVICES:** Services necessary to provide specially designed instruction to ensure the child benefits from the special education programs. Examples are special transportation, counseling, school health services and physical therapy.

**SPECIAL EDUCATION:** An educational program individually designed to meet the unique education needs for a child with a disability. A special education professional is directly involved as either a consultant or a provider of services.

**SPECIALLY DESIGNED INSTRUCTION:** Adapting the content, methods or delivery of the instruction as is appropriate based on the unique needs of the child with a disability.

**TRANSITION SERVICES:** Specific planning in school that helps to prepare students with disabilities to participate more effectively in higher education or job training, community participation, independent living, continuing and adult education, and employment when they leave school.



**Midwestern Intermediate Unit IV**

453 Maple Street  
Grove City, PA 16127  
724-458-6700

**[www.miu4.org](http://www.miu4.org)**

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