

PRE-REFERRAL REQUIREMENTS

Only individuals whose needs cannot be met in the general education program with accommodations and/or modifications are eligible for special education services.

A student shall be referred for assessment(s) only after the resources of the general education program have been considered, documented and where appropriate, utilized. Prior to a referral for special education by a staff member and/or parent, the site principal, counselor, or designee should utilize a Student Study Team (SST) or other collaborative process to document attempts of general education program accommodations and/or modifications and assure that the individual's needs cannot be met in the general education program.

Resource Links

<http://www.allkindsofminds.org>

<http://www.parentcenterhub.org/>



Adapting the General Education School Program

It is important to remember that program accommodations and adaptations should precede special education referral. Although it is important to find and service individuals with exceptional needs, it is also important to be sure that special education referral is necessary. A student shall be referred for assessment(s) only after the resources of the general education program have been considered, and where appropriate, utilized. Each school site shall be encouraged to organize a study, (i.e. Student Study Team/SST) program composed of both general education staff and specialists for the following purposes:

- Discussing student needs
- Developing a set of program accommodation alternatives
- Selecting from alternative accommodations and adaptations those appropriate to the individual student

Examples are:

- Alternative instructional methods or materials (such as: shorter assignments, easier materials, classroom contracts, peer/cross-age tutoring, special equipment, supplemental instructional programs, instructional aide assistance, etc.)
- Closer home and school cooperation/agreements: Parent facilitator, parent education, home visits, and home contacts
- Review available/applicable community agencies and services, and use as appropriate
- School based general education intervention programs
- Tutorial programs
- Adjustment of school day, such as rearranging class schedule or placing into another class for partial or whole day
- Parent volunteer programs
- English as a second language program, bilingual programs
- Early Childhood/School Improvement Program resources

- Title I program resources
- General education alternative programs, such as opportunity classes or after school support programs
- Consultation with on-site staff
- Consultation with district support staff
- Any other local school/district option that is available and appropriate to student needs, such as No Child Left Behind (NCLB) supplemental educational services

Because each student is guaranteed the right of an education in the least restrictive environment, evidence shall be presented which shows that attempts have been made to continue the student in a general education classroom. (Section 56303, Education Code)

Student Study Team (SST) Process

The general education Student Study Team (SST), which includes the parent and student when appropriate, is designed to systematically problem solve difficulties encountered by a variety of students. The SST is a school site team established through general education to serve as a review process for students who encounter problems in the general education program. The team uses a collaborative approach to assist students who are not demonstrating satisfactory progress. The team offers suggestions, organizes resources, develops remediation plans, clarifies issues and problems, establishes accountability, and/or makes direct referrals to other support services. Composition of the SST should include parents, teachers, site administration, support staff, and student when appropriate.

SST Meeting Steps

- SST Chair receives meeting request from teacher, counselor, parent, student, administrator
- SST Chair sets meeting date, facilitates data collection, observation, file review
- SST Chair notifies parents and appropriate participants
- The SST meets and:
 - Identifies student's strengths and challenges
 - Clarifies concerns and provides feedback
 - Suggests possible accommodations/modifications/adaptations
 - Develops action plan with team participant input and commitment
 - Sets follow-up date
- A follow-up meeting is held to:
 - Evaluate action plan results
 - Choose further options if needed



Referral for Section 504 of the Rehabilitation Act of 1973

In many cases, an individual may not require special education services as defined in IDEA but may be eligible for accommodations under Section 504 of the Rehabilitation Act of 1973, which requires school districts to address the needs of students who are considered “handicapped persons.” The definition of “handicapped person” in Section 504 is “any person who has a physical or mental impairment which substantially limits a major life activity (e.g., learning). Considerations of 504 eligibility should be made prior to a special education referral. (Please refer to Section 504 Procedures for Serving Students for further information)

NCLB: Single Site Plan and Local Educational Agency Plan (LEAP)

The No Child Left Behind Act (NCLB) mandates local educational agencies (LEAs) to develop a LEA Plan as a requirement for receiving federal funding for NCLB. The annually updated LEA Plan describes the actions LEAs will take to ensure and meet NCLB programmatic requirements. The LEA Plan has several purposes including a single, coordinated, and comprehensive plan describing educational services for all students, including students with disabilities that can be used to guide implementation of federal and state-funded programs, the allocation of resources, and reporting requirements. In the Plan an LEA must identify prevention and intervention assessments and supports done prior to the identification of students for special education. The district must also identify and utilize assessments for the at risk student. A school’s Single Site Plan specifically addresses how students who are not demonstrating adequate yearly progress will be supported in attaining the general education core curriculum.

REFERRAL PROCESS

Updated 8/12/15

A referral is a written request to identify an Individual with Exceptional Needs. A parent, teacher, other service provider or the student himself/herself may make such a referral.

A parent referral must be in writing and the district must respond within fifteen (15) days. Utilization of any district referral forms is not required for a parent request.

Typically a student shall be referred for assessment(s) only after the resources of the general education program have been considered, documented and where appropriate, utilized. Prior to a referral for special education by a staff member and/or parent, the site principal, counselor, or designee should utilize a Student Study Team (SST) or other collaborative process to document attempts of general education program accommodations and/or modifications and assure that the individual's needs cannot be met in the general education program. However, the school site Student Study Team (SST) process cannot be used to delay a referral made by a parent.

When the Local Education Agency's (LEA's) designee receives a referral for assessment, the LEA's designee or assigned staff member must document that program accommodations and/or modifications in the general education classroom have been made prior to the referral. The student's parents or guardians shall be notified of the referral in writing by the site team prior to assessing a student for special education eligibility. If it is determined by the school district that an assessment is not warranted, the district may refuse to assess. Staff must notify the special education administrator of this decision and document the reasons an assessment is not warranted in order for the parents to be notified in a Prior Written Notice. Parents' rights and appeal procedures must be given to the parents, as they have the right to appeal the decision. Such a written response declining the request for assessment must be provided to the parents within fifteen (15) days of receiving the referral.

If it is determined that an assessment is warranted, a proposed written assessment plan must be developed by the site team and given to the parent for approval within fifteen (15) days of receiving the referral. Parents' rights must be included with the assessment plan. If necessary, parent permission for release/exchange of information can be obtained at the same time.

Parents have fifteen (15) days to return the assessment plan to the school. Timelines for the assessment begin when the district receives the signed consent form. The assessment must be completed and an IEP team meeting convened to determine eligibility within sixty (60) calendar days.

Timeline to Develop IEP

