

**PENNSYLVANIA DISTANCE LEARNING CHARTER SCHOOL**

**Book:** Policy Manual

**Section:** Programs

**Title:** Child Find and Special Education Policy

**Reference:** State Board of Education Regulations 22 PA Code Sec 12.1, 12.4, 12.41, 14.101  
14.121, 14.122, 14.123, 14.125, 14.131, 14.125, 14.131, 14.132, 14.145, 711.41  
Individuals with Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.  
Rehabilitation Act of 1973, Sec. 504-29 U.S.C. 794  
Americans with Disabilities Act 42 U.S.C. Sec 794  
Individuals with Disabilities Education Act, Title 34, Code of Federal  
Regulations Part 300

**Adopted:** December 3, 2012

**Revised:** September, 2015, October, 23, 2017, October 17, 2023, December 4, 2023

**PURPOSE:** This policy is to ensure Pennsylvania Distance Learning Charter School (PDLCS) is communicating to current and prospective families the availability of special education for students.

**SCOPE:** This policy applies to all staff members, educators, and Administrators of PDLCS.

**POLICY AUTHORITY:** Policy draft is reviewed by the CEO and CCO of PDLCS; then (1) sent to the Board of Trustees, and (2) presented at the next formal, public Board Meeting for review, public comments and approval.

**DETAILED POLICY STATEMENT:**

**Child Find Notice**

The Child Find (Annual Notice) Policy and Procedures for Students with Disabilities at PA Distance Learning Charter School aims to ensure that all students with disabilities who are eligible to enroll in the school will have available to them a free and appropriate public education in the least restrictive environment.

All children with disabilities, including those attending private schools, who are in need of special education and related services are identified, located and evaluated (34 CFR 300.125). A practical method shall be developed and implemented to determine which children are currently receiving needed special education and related services. (34 CFR 300.125)

This policy applies to highly mobile children with disabilities and children that are suspected of being a child with a disability under 34 CFR 300.7 and in need of special education, even though they are advancing from grade to grade. (34 CFR 300.125)

The CEO, or designee, shall ensure that the Charter School annually conducts awareness and outreach programs and activities designed to reach district residents including parents/guardians of students with disabilities who are enrolled in the district, preschool-aged children, students who attend private school, homeless children, children who are wards of the state, and highly mobile children, including migrant children.

PDLCS's public awareness activities include: annual publication of a written notice on the main screen of the home webpage visible "above the crease"; monthly family network notification; and trifold publication outlining child identification activities available at all public outreach events as well as on the website.

PDLCS's public awareness activities shall include content addressing: available special education services and programs and how to request them; procedures used to ensure confidentiality of student information; potential signs of developmental delays and other risk factors that could indicate disabilities.

The Intermediate Units shall be responsible for conducting child find activities necessary to provide equitable participation services to students with disabilities who are enrolled by their parents/guardians in private schools.

It is the policy of PDLCS that all students with disabilities, regardless of the severity of their disability, who are in need of special education and related services, are identified, located and evaluated. This responsibility is required by a Federal law called the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA 2004). Chapter 711 of Title 22 of the Pennsylvania Code requires the publication of a notice to parents sufficient to inform parents of children applying to or already enrolled in the charter school of (1) available special education services and programs, (2) how to request those services and programs, and of (3) systematic screening activities that lead to the identification, location and evaluation of children with disabilities enrolled in the charter school. The purpose of this Annual Notice is to comply with the school's obligations under Chapter 711 of Title 22 of the Pennsylvania Code. This Annual Notice is made available both in the school's Parent-Student Handbook and on the school's website: [www.padistance.org](http://www.padistance.org).

Act 212, the Early Intervention Services System Act, entitles all preschool children with disabilities to appropriate early intervention services. Young children experiencing developmental delays or physical or mental disabilities and their families are eligible for early intervention services including screening, evaluation, individualized education program planning and provision of appropriate programs and

services. Potential signs of developmental delay and other risk factors that could indicate disabilities and the possibility that a child is an “eligible young child” could include:

By the age of 3: not saying many words; not using 2 or 3-word phrases and sentences; not walking; awkward gait (walking); drooling; not answering “show” or “what” questions; and/or not using utensils to feed self;

By age of 4 (all of the above included): not toilet trained; difficulty with directional words (in, on, under, out); not playing with other children, not able to draw a circle, cross or imitate a vertical line; not able to understand the child’s speech most of the time; difficulty following simple two-step directions (e.g., pick up the paper and put it in the garbage);

By the age of 5 (all of the above included): unable to answer “where” questions; unable to recall details from a story; not drawing a person with at least 6 parts; immature speech patterns (me instead of I), not able to hop forward with one foot without support;

Other warning signs at any age: little or no eye contact, over/under sensitivities to pain, light, noise; hand flapping; no awareness of space (always bumping into other people or things); awkward hand or foot positioning; won’t touch or eat certain textures; child no longer can do things he/she used to do; developed normally, then stopped; echoes what is said; plays with toys inappropriately (e.g., watches wheels spin on the car, but does not play with the car).

### **Qualifying for Special Education and Related Services**

PA Distance Learning Charter School (“Charter School”) uses identification procedures to determine eligibility of students and provide an appropriate educational program consisting of special education and related services, individualized to meet student needs at no cost to the parents. To identify students who may be eligible for special education, various screening activities are conducted on an on-going basis regarding potential signs of developmental delays and other risk factors that could indicate disabilities. These screening activities include: review of group-based data (cumulative records, enrollment records, health records, report cards, ability, and achievement test scores); hearing, vision, physical, and speech/language screening; and review of data by applicable Charter School Teams. When screening results suggest that the student may be eligible for special education services, the Charter School seeks written parental consent to conduct a multidisciplinary evaluation because the Charter School cannot conduct an evaluation or provide an initial provision of special education services without this written permission. For additional information related to consent, please refer to the Procedural Safeguards Notice which can be found at the PaTTAN website, [www.Pattan.net](http://www.Pattan.net) and the Charter School’s Special Education Policy.

However, Parents who suspect that their child is eligible for special education services may request a multidisciplinary evaluation at any time through a written request to the Principal or Special Education

Coordinator. If the parent disagrees with the Evaluation Report, the parent may request an independent education evaluation (“IEE”) at public expense. (See Special Education Policy).

Once the evaluation process determines eligibility, an Individualized Education Plan (“IEP”) Team of Charter School professionals and Parents meet to discuss and determine services to meet the needs of the student and include the annual development of an IEP, bi-annual or tri-annual multidisciplinary re-evaluation, and a full continuum of services, which include Itinerant, Supplemental, or Full-Time Levels of Intervention. The extent of special education services and the location for the delivery of such services are determined by the IEP team and are based on the student’s identified needs and abilities, chronological age, and the level of intensity of the specified intervention. The Charter School also provides related services, such as transportation, speech and language therapy, physical therapy, and occupational therapy, required for the student to benefit from the special education program.

### **Services for Protected Handicapped Students**

In compliance with the state and federal law, namely Section 504 of the Rehabilitation Act of 1973, the Charter School will provide a free appropriate public education to qualified students with disabilities. Section 504 is applicable to charter schools that receive Federal financial assistance from the U.S. Department of Education for programs and activities. The Charter School is under an affirmative duty to locate all students who are eligible for Section 504 accommodations pursuant to its Child Find duties. (34 C.F.R. §104.32(a)). The school program consists 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 students without disabilities are met. The school program also includes extra-curricular activities to the extent that same are offered by the Charter School to students without disabilities. These related services or accommodations are provided without discrimination or cost to the student or family. In order to qualify as a Section 504 protected student, the child must be of school age with a physical or mental disability, which substantially limits or prohibits participation in or access to an aspect of the school program. Services and safeguards for protected Section 504 students are distinct from those applicable to IDEA exceptional students enrolled or seeking enrollment in special education programs. Parents may request screening and evaluation for services under Section 504 by making such requests in writing to the Charter School to the attention of the CEO, or the CEO’s designee. The CEO shall appoint a Section 504 Coordinator (34 C.F.R. §300.104.7(a)), to establish standards and procedures for initial and continuing evaluations and placement decisions regarding persons who, because of a disability, need or are believed to need special education or related services.

See the School’s Child Find Policy, Special Education Policy, and Section 504 Plan Policy for more information regarding Child Find, and regulations, definitions, and education programs for students with disabilities.

### **Confidentiality of Student Records**

The Charter School protects the confidentiality of personally identifiable information for all students in

accordance with the Family Educational Rights and Privacy Act (“FERPA”), state law and the Charter School’s student records policy.

### **Contacts**

For additional information regarding any child find, special education or Section 504 issues, please contact the Charter School Director of Special Education or CEO.

### **Child Find Policy**

In accordance with the Individuals with Disabilities Education Act and Chapter 711 of the regulations of the Pennsylvania State Board of Education, (22 Pa Code, § 711.21, §711.23, and § 711.24), the Board of Trustees of the Charter School describe the child find activities of the Charter School for the purpose of locating, identifying, and evaluating children with disabilities

The CEO or CEO’s designee shall ensure that the following public awareness activities occur concerning programs and services for children with disabilities who attend the Charter School.

1. Publish once annually a written notice, in a newspaper or other media with circulation adequate to notify parents/guardians of child identification activities, of public special education services and programs, of the manner in which to request services and programs, and of the procedures followed to ensure confidentiality of student information pertaining to students with disabilities in accordance with state and federal law.
  
2. Post conspicuously on the Charter School website home page and in student handbooks or calendars the information described in this policy.
  
3. Display conspicuously in Charter School buildings, printed circulars or pamphlets containing the information described in this policy.
  
4. The CEO or CEO’s designee shall ensure that the following outreach activities occur concerning programs and services for children with disabilities who attend the Charter School.

- Offer parent and family training and information activities and publicize the availability of such activities to all parents/guardians.
- Directly provide to physicians, hospitals, mental health professionals, daycare providers, and county agency personnel training or other information concerning the types of special education programs and services available in and through the Charter School and the manner in which parents/guardians can access those services.
- Directly provide periodic training to regular education staff of the Charter School concerning the identification and evaluation of, and provision of special education programs and services to, students with disabilities.
- Directly provide periodic training to parents/guardians and staff of the Charter School concerning the awareness and identification of homeless children, children with disabilities attending private schools, and highly mobile children, including migrant children.

### **Screening**

The CEO or CEO's designee shall ensure that screening activities occur at regular intervals to locate and identify students regarding potential signs of developmental delays and other risk factors that could indicate disabilities and/or who are thought to be eligible for special education and related services and that information is published or announced in newspapers or other media, or both, with circulation adequate to notify parents/guardians throughout the area of child identification activities and of the procedures followed to ensure confidentiality of information pertaining to eligible students. Screening is in accordance with 22 Pa. Code §711.23(d).

### **Evaluation**

Screening or prereferral intervention activities may not serve as a bar to the right of a parent to request an evaluation, at any time, including prior to or during the conduct of screening or prereferral intervention activities. Evaluation processes are in accordance with 22 Pa. Code § 711.24(a) relating to determination of eligibility (34 CFR 300.306) and section (b) relating to initial evaluations (34 CFR 300.301).