

Child Find Policy

Discovery Charter School provides special education and related services to children with disabilities in grades K-8. The purpose of this notice is to describe (1) the types of disabilities that might qualify the child for such programs and services, (2) the special education program and related services that are available, (3) the process by which the public schools screen and evaluate such students to determine eligibility, and (4) the special rights that pertain to such children and their parents or legal guardians.

Public Awareness

Public awareness activities shall include annual written notice notifying residents about child identification activities; available special education services and programs and how to request them; and procedures used to ensure confidentiality of student information. The public notice also is intended for parents/guardians of homeless children, wards of the state, children with disabilities attending private schools, and highly mobile children, including migrant children. If questions arise whether these guardians or parents have received the information, these parents or community based officials will be contacted directly to provide them with the information and establish a method that is preferred by the recipient. Written information is published in the JYK Discovery Charter School handbook and on the school website. Public awareness activities include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities:

Developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, can occur in one or more of the following areas: Physical development, cognitive development, communication development, social or emotional development, or adaptive development.

Definitions of disability terms. The terms used in this definition of a child with a disability are defined as follows:

(1)

(i) Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, 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.

(ii) Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in paragraph (c)(4) of this section.

(iii) A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria in paragraph (c)(1)(i) of this section are satisfied.

(2) Deaf-blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

(3) 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.

(4)

(i) Emotional disturbance 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:

(A) An inability to learn that cannot be explained by intellectual, sensory, or health factors.

(B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.

(C) Inappropriate types of behavior or feelings under normal circumstances.

(D) A general pervasive mood of unhappiness or depression.

(E) A tendency to develop physical symptoms or fears associated with personal or school problems.

(ii) Emotional disturbance includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance under paragraph (c)(4)(i) of this section.

(5) 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 the definition of deafness in this section.

(6) Intellectual disability means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child's educational performance. The term "intellectual disability" was formerly termed "mental retardation."

(7) Multiple disabilities means concomitant impairments (such as intellectual disability-blindness or intellectual disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness.

(8) Orthopedic impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

(9) Other health impairment means having 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, sickle cell anemia, and Tourette syndrome; and

(ii) Adversely affects a child's educational performance.

(10) Specific learning disability—

(i) General. Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

(ii) Disorders not included. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

(11) Speech or language impairment means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.

(12) 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. Traumatic brain injury 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. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

(13) 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.

The JYK Discovery Charter School shall conduct professional development activities and ongoing training for staff, organizations, agencies and individuals to ensure that child find, screening activities and referrals for special education evaluations are carried out in a manner consistent with the timelines and requirements established in applicable state and federal laws and regulations. Through its communication links with agencies that provide services to children with disabilities within the community, the district shall disseminate child find materials to hospitals, clinics, pediatricians, pediatric nurses, and social service professionals involved in family or child services.

STUDENTS 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

- deaf/blindness
 - emotional disturbance
 - hearing impairment (including deafness)
 - intellectual disability
 - multiple disabilities
 - orthopedic impairment
 - other health impairment
 - specific learning disability
 - speech or language impairment
 - traumatic brain injury; and
 - visual impairment, including blindness
- giftedness

DESCRIPTION OF SPECIAL EDUCATION PROGRAMS

Special education programs and related services are:

- provided at no cost to parents;
- provided under the authority of the school entity, directly, by referral or by contract;
- individualized to meet the educational needs of the child;
- reasonably calculated to yield meaningful educational benefit and progress and designed to conform to an Individual Education Program. Special education is designed to meet the needs of each eligible student, including specially designed instruction conducted in the classroom, home, community settings, hospitals, institutions and other settings.

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

REFERRAL OF CHILDREN FOR SCREENING AND EVALUATION

Discovery Charter School has procedures to identify children needing special education. Those procedures are “screening” and “evaluation.” If a disability is suspected, teachers, other school personnel or parents may refer a child for screening and/or evaluation to the Student Assistance Program led by the school counselor. She may be contacted at 215-879-8182 x215. Parents

suspecting that a child may have a disability and need special education can request a screening or evaluation at any time by contacting the Special Education Director. Screening activities include: reviewing immediately available data sources such as health records, parent interview and history; benchmark results, academic records, functional vision and hearing evaluations; determining the student's response to attempted remediation; and speech and language, occupational, and physical therapy screenings are completed on request. If the screening leads to a recommendation for evaluation, the evaluation team will conduct the evaluations. No evaluations may be conducted without written parental permission. Consult the Special Education Director for further information.

State and federal law affords many rights and protections to children with disabilities and their parents. A summary of these rights and protections follows. Interested persons may obtain a complete written summary of the rights and protections afforded by the law, together with information about free or low cost legal services and advice, by contacting the special education coordinator or principal of the local public school.

RIGHTS AND PROTECTIONS

Prior Written Notice: The public school must notify you in writing whenever it proposes to initiate or to change the identification, evaluation, educational program or placement of a child or whenever it refuses to initiate or make a change in identification, evaluation, educational program, or placement requested by a parent. Such notice must be accompanied by a written description of the reasons for the proposal or refusal, the options considered, if any, and the reason why such options were rejected.

Consent: Discovery Charter School cannot proceed with an evaluation or with the initial provision of special education and related services without the written consent of the parent. Discovery may not seek a hearing to override the refusal of a parental consent to an initial placement in special education. Discovery may override the lack of consent for an initial evaluation by requesting the approval of an impartial hearing officer or judge following a hearing. If the parent fails to respond to a written request for permission to re-evaluate, however, the public school may proceed with the proposed re-evaluation without consent.

Protection in Evaluation Procedure: Evaluations to determine eligibility and current need for special education and related services must be administered in a manner that is free of racial, cultural, or linguistic bias. Evaluations cannot consist of a single test or assessment and testing must be a valid measure of the psychological, social, emotional or other learning characteristic or behavior that the school is using it to measure. Testing and assessment must be administered in

accordance with professional standards and the criteria established by the publisher. It must be administered in the native language of the child.

Confidentiality: The records and documents that are part of the evaluation and screening process are confidential and protected under the Family Educational Rights and Privacy Act (FERPA). School districts, intermediate units, and charter schools maintain records concerning all children enrolled in the school, including students with disabilities. All records are maintained in the strictest confidentiality. Your consent, or consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable information is released, except as permitted under FERPA. The age of majority in Pennsylvania is 21. Each participating agency must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at each participating agency must assume responsibility for ensuring the confidentiality of any personally identifiable information. Each participating agency must maintain, for public inspection, a current listing of the names and positions of those employees who have access to personally identifiable information. For additional information related to student records, the parent can refer to FERPA.