

**Ridgway Area School District**  
**ANNUAL PUBLIC NOTICE for 2023-2024 School Year:**

**Notice to Parents**

Under the Individuals with Disabilities Education Act (IDEA) the Pennsylvania Department of Education is responsible for ensuring that children with disabilities, residing within the Commonwealth, who are suspected to be in need of special education programming and related services, be located, evaluated, and identified. In accordance with state and federal regulations, the Ridgway Area School District (RASD) is required to provide parents of students who reside within the District, Annual Public Notice (APN) of child find responsibilities and activities, screening processes, and evaluation procedures for special education programs and related services. The purpose of this notice is:

- To inform parents of the screening practices utilized in the District's child find process.
- To inform parents of the evaluation practices used to determine if a child is eligible for and in need of special education programs and related services.
- To inform parents of the continuum of programs and services offered in the District to support students who are eligible for and in need of special education programs and related services.

Students who are eligible for, and in need of, special education programming, related services, and gifted education shall receive services under the IDEA/22 PA Code-Chapter-14; Section 504 of the Rehabilitation Act of 1973/22 PA Code Chapter-15, or 22 PA Code-Chapter 16 (Gifted Services). If a child is eligible for services for both Gifted (Chapter 16) and IDEA (Chapter 14) the procedures in Chapter 14 shall take precedent. Through the Child Find activities, if RASD identifies your child as possibly being in need of a formal evaluation, parent/guardians will be notified of the applicable procedures related to the process and the reason a recommendation for a formal evaluation is being made.

This notice also informs parents of the procedures followed by the District for ensuring the confidentiality of information pertaining to students with disabilities or eligible children.

Every existing student in the district is given a copy of this Notice and all newly enrolled students will be provided with a copy as part of the general enrollment packet. Furthermore, IDEA requires the District to provide notice to the community regarding the Annual Public Notice, including the District's identification, screening, and evaluation activities, by publishing such information in the newspaper or via other media sources. RASD's APN is posted for the community on its website and a copy is available in each office in the district.

Children ages 3 through 21 are eligible for special education programs and related services. If parents/guardians believe that their child may be eligible for special education programs and related services, please contact the Office of Student Services at 814-776-4255.

**Child Find**

RASD must establish and implement procedures to locate, identify, and evaluate students suspected of being a child with a disability and/or eligible for special education programming and related services. RASD utilizes various screening methods across grade spans to determine a student's needs and to identify instructional interventions, supports, and services that will enable students to make reasonable academic progress in the general education curriculum despite challenges.

In general, screening activities include but are not limited to: review of group-based data (cumulative records, enrollment records, health records and report cards), cognitive abilities screening, hearing screening, vision screening, motor screening, and speech and language screening. In the event that instructional interventions, supports, and services do not result in a student making reasonable academic progress in the general education curriculum, the data

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collected through the screening activities, in addition to evidence obtained through a formal educational evaluation, will be used to assist school staff and parents in determining if a student is possibly an exceptional school aged person eligible for, and in need of, special education programs and related services.

### **Screening**

#### **Early Intervention (Birth to School Aged)**

Evaluation processes are available at no cost to parents who believe that their infant, toddler, or young child (age three to school age) may have a developmental delay or be in need of early intervention services. Parents may request an evaluation at any time, whether or not their child is enrolled in the District's public school program. Developmental delays can occur in one or more area: physical, adaptive (self-help skills); communication (language and/or speech); cognitive (thinking, learning, reasoning, problem solving); or social and emotional development (relationships, interactions with others, responding to other's feelings). Other risk factors that could indicate possible disabilities include: brain injury; infection before, during, or after birth; growth or nutrition problems; abnormalities of chromosomes and genes; babies born prematurely; poor diet and health care; substance abuse during pregnancy; and child abuse can also have a negative effect on the development of a child.

Evaluation procedures for infants and toddlers (birth to age 3) are provided by the Cameron/Elk (CE) Early Intervention Services. CE Early Intervention services (814-772-8111) may be contacted for a schedule of screening dates and times as they occur throughout the year. The Seneca Highlands Intermediate Unit 9 handles screening and evaluation procedures for children age three to school aged. The Intermediate Unit's Early Intervention Office (814-887-5512) may be contacted for a schedule of screening dates, times and locations as they occur throughout the school year.

#### **Francis S. Grandinetti Elementary School (Kindergarten to Grade 5)**

Upon Kindergarten enrollment, Kindergarten screenings are conducted. The screening addresses Kindergarten readiness skills including literacy, numeracy, fine motor, gross motor, social/emotional and speech and language skills. Kindergarten screenings are conducted in the spring of the year prior to the school year in which the student will be enrolled. All screening data is reviewed and a summary is provided to the child's parents and appropriate staff. Screening dates and times are provided at Kindergarten registration. Kindergarten screenings are also offered to students who enroll after the spring screenings. An appointment can be scheduled by contacting the FSG office at 814-776-2176.

Kindergarten students whose speech and language screening at Kindergarten registration (spring prior to enrollment) indicates delays are screened again within the first two weeks of school. At that time, existing concerns are shared with parents and appropriate staff. The progress of students indicating concern is then monitored to determine if there is a need for a follow-up evaluation for speech and language services.

FSG Elementary School conducts local assessments at each grade level. These include STAR early literacy, STAR reading and STAR math. Student data from local assessments is analyzed and reviewed in the context of grade level data team meetings and tri-annual Kid Talk meetings. Through data analysis at data level team meetings and Kid Talk meetings, students in need of academic and/or behavioral supports/interventions are identified.

This is a three-tiered process of interventions and supports for students in the regular education environment. Parents are informed of their child's academic progress and response to interventions at each Tier level through parent teacher conferences, letters and participation in individual conferences with the elementary administration as warranted. All FSG

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students are on Tier 1 of the Model. Tier 1 includes standard supports provided within the regular education environment by the regular education teachers. Upon informing the parent, the elementary administration and Kid Talk team place students on Tier II and Tier III based upon data that demonstrates a consistent delay in performance across multiple data points. In addition to Tier I strategies, students participating at Tier II or Tier III receive increased amounts of individualized instructional support and intervention that focuses on child specific needs in academic skills and/or behavioral deficits indicated through the data; thereby creating a layering of supports for the student.

When a student is provided with interventions through the model, the student's progress and achievement continues to be monitored to determine whether the interventions are effective in meeting the student's needs and whether the student is showing academic progress within the general education curriculum. The student's response to the interventions will continue to be monitored to determine if reasonable progress is being made. If reasonable progress is not being made, parents will be notified via the Office of Student Services regarding a need for an evaluation (as described on page 4). An evaluation will assist school staff and parents in determining if the student is eligible for, and in need of, special education programming and related services. At any time, a parent may initiate a referral for an evaluation that will determine if their child is eligible for and in need of special education programming and specially designed instruction. Requests for an evaluation may be made in writing to the Office of Student Services.

Ridgway Middle School (RMS) and  
Ridgway High School (RHS)

At the Middle and High School, student progress, growth and achievement are monitored through curriculum-based assessment data analysis, progress toward goals within the curriculum, and

through local/standardized assessment data (Common Assessments, PSSAs, Study Island and Classroom Diagnostic Testing (CDT)) analysis. Student data is analyzed approximately every four weeks at grade level Kid Talk meetings. Following each grade level team meeting, parents are notified if their child is demonstrating academic and/or behavioral concerns that are interfering with the student's ability to make reasonable academic progress in the general education curriculum and interventions are discussed. Based on data analysis and parental discussions, interventions are recommended and implemented by grade level teams. The effectiveness of interventions is monitored via grade-level team meetings. Data continues to be collected and analyzed by the team to determine if the interventions are meeting the student's specific needs. In the event that the student is not making reasonable academic progress in the general education curriculum, the parents are contacted by school staff and the student is referred for further evaluation to determine if they are eligible for and in need of special education programming and related services. A parent may initiate a referral for an evaluation by contacting the Office of Student Services.

RASD Gifted Screenings

As part of the RASD Child Find Process, Gifted Screenings are conducted with all 3<sup>rd</sup> grade students attending Ridgway Public School, unless parents indicate that they do not want their child to undergo this screening. Additionally, a letter is given to the local non-public elementary school to be sent home to parents/caregivers; this letter informs parents of 3<sup>rd</sup> graders attending the non-public school that if they would like to have their child administered a Gifted Screening, they can contact the Office of Student Services at RASD. Students who meet or exceed a standard score of 120 on either scale or the composite of the Screening are recommended for a comprehensive Gifted Educational Evaluation.

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Students (K-12) who indicate the potential for being eligible for and in need of Gifted Education services through Chapter 16 are referred for a Gifted Evaluation.

In addition, students can be identified as potential candidates for a Gifted Individualized Education Plan (GIEP) by classroom teachers, parent/guardians, or other school personnel. Referrals are made by written request to the Office of Student Services. Upon receipt, the written request will be given to the school's psychologist. Within 10 calendar days of receipt of the written request, the school's psychologist will acknowledge the referral in writing by sending a letter to the parents/guardians explaining the gifted screening process, including Procedural Safeguards.

*Please Note: Screening activities do not serve as a bar to the right of a parent to request a formal evaluation, at any time, including prior to or while conducting screening activities. Informed parental/guardian consent is required prior to the initiation of a formal evaluation process.*

## **Evaluations**

### **Chapter 14 (Special Education)**

Evaluation is the procedure used to determine if a child has a disability and if the disability is of the nature and extent that a child would be eligible for special education programming and related services. Evaluation procedures used are determined on an individual basis by an evaluation team, which includes the parent/guardian. Parents are asked to provide permission to conduct the evaluation via a Permission to Evaluate (PTE). The evaluation team take into consideration cultural issues as they determine the assessment tools that will be administered for the student. A single test or procedure cannot be the sole factor in determining if the child is eligible for and in need of special education programming and related services. The initial evaluation shall be completed and a copy of the evaluation report shall be presented to the

parent/guardian no later than 60 calendar days after the District receives signed parental consent. Evaluations for determining if a child meets criteria for a school-age disability and is eligible for special education do not include the procedures or basic tests that are administered to all children.

Parents/guardians who think that their child may have a disability may request at any time that the District conducts an evaluation to determine if the child is eligible to receive special education and related services. This request must be made in writing to the Office of Student Services. If a parent makes an oral request for an evaluation, the school district shall provide the parent/guardian with a permission to evaluate request form to complete.

School entities cannot proceed with an evaluation or with an initial provision of special education and related services without the written consent of a parent/guardian. For additional information regarding consent, please refer to the Procedural Safeguards Notice, which can be found at [www.rasd.us](http://www.rasd.us) under the tab for Departments, then click on Student Services and scroll down.

### **Chapter 16 (Gifted Education)**

The Gifted Multidisciplinary Evaluation (GMDE) follows state guidelines for assessment and eligibility. The RASD procedures for determining eligibility and need for Gifted Education Support include conducting a comprehensive Gifted Education Evaluation, assessing cognitive ability, levels of academic achievement, and current levels of classroom performance. Additionally, factors such as grades and performance on state and local testing is taken into consideration, as is input from parents and school staff, including examining evidence of possible factors which are masking giftedness. Consideration is given to a student's level of ability in terms of various factors specific to an overall assessment of giftedness; a rubric is also utilized by the school as a tool when conducting such an assessment.

Based on the District's rubric, and per the Commonwealth's gifted guidelines, while IQ is not

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the sole criterion for gifted status, it is the most substantial piece of datum collected. Those students with an IQ of 130 or over, as per administration of a comprehensive cognitive abilities assessment by a certified school psychologist, will immediately be considered a student mentally gifted and offered a GIEP. Those students with an IQ of 120-129, as per the administration of a full battery from a cognitive abilities assessment, will be given consideration as a potential gifted student after review of additional data such as state assessment results, teacher and parent input, curriculum based measurements, and standardized achievement assessment results. Based on the result of those additional data, as outlined in the rubric, those students with an IQ of 120-129 may meet the District's criteria as a gifted student. Those students with an IQ of 119 or below will not be offered a GIEP, as while their IQ is in the High Average range, the standard deviation from the Commonwealth's 130 mentally gifted standard is too substantial.

Information gathered throughout the screening process is compiled into a Gifted Written Report (GWR). The district will convene a Gifted Multidisciplinary Evaluation (GMDE) team meeting in order to develop an appropriate education plan for the student. If the criteria are not met, the student is ineligible for gifted services under Chapter 16 and a Notice of Recommended Assignment (NORA) will be issued with the final copy of the Gifted Written Report (GWR).

If there is evidence that other factors (such as English as a second language) are masking the student's aptitude, the evaluation team considers the other criteria for giftedness more closely before making a decision.

Parents/guardians are kept informed at every stage of the evaluation process and their input is actively sought. Parents also have the right to contest the decision made.

### **Independent Educational Evaluation**

The parent/guardian of a child with a disability has the right, under 34 CFR part 300, to obtain an independent educational evaluation of his/her child, subject to the provisions outlined below. RASD will provide to the parent/guardian, upon request, information about where an independent educational evaluation may be obtained and the LEA criteria applicable for independent educational evaluations as set forth below. An "independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the LEA and "public expense" means that the LEA either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.

A parent/guardian has the right to an independent education evaluation at public expense if the parent/guardian disagrees with an evaluation obtained by RASD. If a parent/guardian requests an independent evaluation at public expense, RASD with unnecessary delay, will either initiate a hearing under procedures described below to show that its evaluation is appropriate or will ensure that an independent evaluation is provided at public expense, unless RASD demonstrates in the hearing that the evaluation obtained by the parent/guardian did not meet the District's criteria. If the District initiates a hearing and the final decision is that the District's evaluation is appropriate, the parents still have the right to an independent educational evaluation, but not at the District's expense.

If a parent/guardian requests an independent educational evaluation, the District may ask the parent/guardian's reason why they have objection to the public evaluation. This explanation by the parent/guardian is not required and the District shall not unreasonably delay with providing the independent evaluation at the District's expense or initiating a due process hearing to defend the District's evaluation.

### **Parent Initiated Evaluations**



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If a parent/guardian obtains an independent educational evaluation at private expense, the result of the evaluation will be considered by the District. If it meets the District's criteria in any decision made with respect to the provision of FAPE to the child it may be presented as evidence at a hearing under this subpart regarding that child. (34 CFR 300.502)

### **Program Development**

RASD is required to provide a free and appropriate public education (FAPE) to children with disabilities who are determined, through the evaluation process, to be in need of special education and related services under IDEA and 22 PA Code 14. If a child is identified by the District or an Early Intervention (EI) provider as possibly being in need of special education and related services, the parent/guardian will be notified of applicable procedures and receive a copy of the Procedural Safeguards Letter/Notice. Individualized services and programs are available for children who are determined to need specially designed instruction due to the following conditions:

- Autism/Pervasive Developmental Disorder
- Orthopedic Impairment
- Deaf-Blindness
- Deafness
- Emotional Disturbance (ED)
- Hearing Impairment
- Intellectual Disability (ID)
- Multiple Disabilities
- Developmental Delay (ages 3 to the age of beginners)
- Mentally Gifted
- Other Health Impairment (OHI)
- Specific Learning Disability (SLD)
- Speech or Language Impairment
- Traumatic Brain Injury (TBI)
- Visual Impairment (Including Blindness)

The legal definitions of these disability categories, which schools are required to apply under IDEA, may differ from those used in the medical and clinical practices.

Under section 504 of the Federal Rehabilitation Act of 1973, and under the Federal Americans with Disabilities Act, some school-aged children with disabilities, who do not meet the criteria outlined above, might be eligible for special protections, adaptations and accommodations in instruction, facilities and activities. Children are entitled to such protections, adaptations and accommodations, if they have a mental or physical disability that substantially limits or prohibits participation in or access to one or more areas of the school program. This is further outlined on page 7.

The Individuals with Disabilities Education Act (IDEA) intends to provide greater access for children with disabilities to the general curriculum. It is the belief of the District that the majority of children identified as eligible for special education and related services are capable of participating in the general education curriculum with modifications. All special education programs and services offered by the District reference the general curriculum. Such programs are also available at the Elk County Prison and are arranged by contacting the Office of Student Services.

After an evaluation team has determined that a child with a disability is eligible for special education, an IEP team develops an educational program. The Individualized Education Plan (IEP) is based on the evaluation that identifies the type of service, the level of intervention and the location of the intervention. The IEP team must include: LEA representative, general education teacher, special education teacher, child's parent/guardian and the student (if 14 years of age.)

The IEP team determines the type and intensity of special education and related services that a child needs based on the individualized program of special education and related services that is developed. Parents/guardians of the child have the right to be notified of, and to participate in, all meetings for the IEP. The IEP is revised as often as warranted, but must be reviewed annually. The law requires that the program and placement

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of the child, as described in the IEP, be reasonably calculated to endure meaningful educational progress to the student at all times. IEPs contain a statement of present educational levels of performance, annual goal(s) established for the child and a statement of the special education services and/or related services. For students who are 14 years of age or older, the IEP also includes an appropriate transition to assist in the attainment of post-secondary objectives. RASD must invite the child to the IEP team meeting at which the transition plan is developed.

A student's special education placement must reflect the least restrictive environment (LRE) in which the student's educational needs can be addressed. All students with disabilities must be educated to the maximum extent appropriate with students who are not disabled, as determined by the IEP team.

Programs and services available to students with disabilities in descending order of preference are:

- Regular education class placement with supplementary aides and services (SAS) provided as needed in that environment.
- Regular education class placement for most of the school day with itinerant services by a special education teacher within or outside of the regular education classroom.
- Regular education class placement for most of the school day with instruction provided by the special education teacher in a special education classroom.
- Special education class placement or special education services provided outside of the regular education class for most or all of the school day, within a traditional school setting or alternative school setting.

Depending on the nature and severity of the disability, RASD can provide special education programs and services in:

- The public school the child would attend if not disabled
- An alternative public school in or outside of the school district of residence

- A special education center operated by a public entity
- An approved private school or other private facility licensed to serve children with disabilities
- A residential school
- Approved out of state program
- The home setting

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

In compliance with the state and federal laws, and 22 PA Code, Chapter 15, the school district will provide to each protected handicapped student, without discrimination or cost to the student or family, the related aides, services or accommodations that are needed to provide equal opportunity to participate in and obtain the benefits of school programs and extra-curricular activities to the maximum extent appropriate to the student's abilities. This will be delivered through a Section 504 Service Agreement.

### **Protected Handicapped Students**

To qualify as a protected handicapped student, the student must be of school age with a physical or mental disability that substantially limits life activity and prohibits participation in, or access to, an aspect of the school program. These services and protections for handicapped students are different from those applicable to all students eligible for, or thought to be eligible for, special education services. Parents may initiate a request for an evaluation of the student at any time. Parents who are in need of more information pertaining to the process, procedures, or provisions of services to the protected handicapped students, should communicate with the Supervisor of Special Education at 814-776-4255.

### **Consent, Confidentiality and Educational Records**

Consent means the parents/guardians have been fully informed regarding the activity of requiring consent, in their native language or other mode of communication, that they understand and

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agree in writing to the activity, and that they understand that consent is voluntary and may be revoked at any time. RASD obtains parental consent before disclosing personally identifiable information to anyone not entitled to see it under law. (Note: student consent takes the place of parent consent if the student is 18 years old and attending a post-secondary institution.)

Student records are essential to the successful delivery of formal education at the elementary, middle and secondary levels. The District has established a system for the maintenance, use and destruction of student records that enables the District to educate children thoroughly and efficiently and to do so in a manner consistent with the privacy rights guaranteed by state and federal law.

The Ridgway Area School District may maintain records in two categories:

**CATEGORY A-** This file contains the minimum personal data necessary for the operation of the school system. Identification of student (name, student identification number, etc.) names and addresses of parents or guardian, last known home address and telephone number, birth date, attendance records, classes attended and academic levels completed or services received, year of program or service completion, and when applicable, grades or marks received, grade level completed, and whether a diploma was received. The file may also include achievement test scores, honors, awards, activities, photographs, suspension records or other similar types of information.  
**CATEGORY A DATA SHALL BE FILED FOR 100 YEARS.**

**CATEGORY B-** This file's data is verified information of clear importance such as intelligence and aptitude scores, interest inventories, health data, family information, teacher or counselor observations and reports of serious acts of misbehavior and behavior patterns. This file also contains the documents that pertain to evaluation procedures to determine if a student was eligible

for special education services or for other accommodations such as Chapter 15 Service Agreements.

**CATEGORY B DATA SHALL BE DISCARDED SIX YEARS AFTER THE STUDENT HAS GRADUATED OR, IN THE CASE OF A TRANSFER OR DROPOUT, WHEN THE STUDENT REACHES AGE TWENTY-ONE. ELIGIBLE STUDENTS MAY REQUEST THEIR CATEGORY B FILE BEFORE IT IS DESTROYED.**

**NOTICE IS HEREBY GIVEN TO PARENTS OR ELIGIBLE STUDENTS WHO GRADUATED IN 2017 AND TO STUDENTS WHO ARE TWENTY-ONE YEARS OF AGE WHO DID NOT GRADUATE FROM THE DISTRICT DUE TO TRANSFER OR DROP OUT THAT ALL DATA MAINTAINED IN THEIR CATEGORY B FILE WILL BE DESTROYED AFTER SEPTEMBER 30, 2023.**

If records are requested, the original documents will be provided. The original records will be supplied at no cost to the parent, eligible student or District. However, for this to occur, records must be picked up at the Office of Student Services during normal business hours. If the District is not contacted before the designated date, the District will presume that the parent or eligible student does not want this information. For an appointment to examine your Category B file, contact the Office of Student Services at 814-776-4255 **before September 30, 2023.**

**Notice of Rights under FERPA:**

1. Elementary and Secondary students of the Ridgway Area School District.
2. Parents and eligible students who reside in the Ridgway Area School District.
3. Parents of incarcerated students and eligible incarcerated students who are housed at the Elk County Prison.

*Family Educational Rights and Privacy Act (FERPA)* grants parents and students over 18 years of age, or attending a post-secondary institution ("eligible students") certain rights with respect to educational records. The rights are:



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1. *The right to inspect and review the student's education record within 45 days of the date the District receives a request for access. Parents or eligible students should submit to a school official a written request that identifies the records they wish to inspect. The principal will arrange for access and notify the parent of eligible students of the time and place where the records may be inspected.*
2. *The right to request the amendment of the student's education record that the parent or eligible student believes is inaccurate or misleading or violates the privacy of other rights of the child. Parents of eligible students may ask the Ridgway Area School District to amend a record for reasons stated above. They should write the school principal or other appropriate school administrator, clearly identify the part of the record that they want to have changed and specify why it should be changed. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding their request for the amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. After the hearing, should the District still decide not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.*
3. *The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorized disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member ( including health or medical staff and law enforcement unit personnel) a person serving on the school board, a person or company with whom the District has contracted as its agent to provide a service instead of using its own employees or*

*officials (such as an attorney, auditor, medical consultant or therapist) or a parent of student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her task. A school official has a legitimate education interest if the official needs to review an educational record in order to fulfill his or her professional responsibility. Upon request, the District discloses educational records, without consent, to officials of another school district in which a student seeks or intends to enroll, upon request. The District may also disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. In the event a parent of an eligible student does not want directory information disclosed, the parent or eligible student must inform the district in writing through the appropriate school administrator within forty-five (45) days of the publication of this notice.*

4. *The right to file a complaint with the US Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:*  
*Family Policy Compliance Office*  
*US Dept. Of Education*  
*400 Maryland Avenue, SW*  
*Washington, DC 20202-8520*

**Procedural Safeguards (Mediation, Prehearing Conference, Due Process Hearing)**

Procedural Safeguards protect the rights of students and parents/guardians. These safeguards include the understanding that parental consent is always required to conduct an initial evaluation, when conducting a re-evaluation, when initially placing an exceptional or eligible child into a special education program, and when disclosing unauthorized persons' personally identifiable information.

RASD will notify parents/guardians in writing whenever it wants to begin, change or discontinue special education and related services

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and, in doing so, will provide parents with a comprehensive written description of their parental rights. The District will notify parents in writing when it proposes to or refuses to: conduct an evaluation or re-evaluation or initiate or change the identification or placement of a child. The District will notify parents/guardians in writing when it refuses to provide an independent educational evaluation that the parent requests, and/or makes changes to an IEP when requested to do so by parents/guardians.

Parents/guardians who disagree with the actions proposed or refused by the District, have the right to request mediation, pre-hearing conference, a due process hearing or file a complaint as outlined in IDEA. The dispute resolution mechanisms available to parents/guardians and the District include:

**Mediation**

Parents/guardians may request mediation by checking their choice on the Notice of Recommended Educational Placement or by letter. Pennsylvania has mediation services available across the Commonwealth at the Commonwealth's expense. Mediation helps parents/guardians and agencies involved in a dispute about special education to reach a mutually agreeable settlement with the assistance of the impartial mediator. Mediation does not delay or deny a parent/guardian the right to a Due Process Hearing.

**Pre-Conference Hearing**

A pre-conference hearing is between the District and the parents/guardians. Either party may waive the right to a pre-conference hearing. Through this process, the District, parents/guardians, and attorneys representing each party attempt to resolve the dispute. If the dispute is not resolved, the parent/guardian may request an impartial due process hearing with an independent hearing officer or, if a hearing has been scheduled, move to the due process hearing.

**Due Process Hearing**

Parents/guardians requesting a due process hearing must notify the school in writing of the nature of the problem with the school's proposed or existing program, placement, evaluation or identification, the facts relating to such a problem, and a proposed resolution to the problem to the extent known and available to the parents/guardians at the time. This notice is required and failure to provide such notice may diminish or extinguish a claim for attorney's fees and costs if counsel represents the parents/guardians.

Due process hearings are oral, personal hearings open to the public unless otherwise requested by the parent/guardian. The decision of the hearing officer shall include finding of facts, a discussion, and conclusion of law. The decision may be appealed to a three-member panel of hearing officers. The panel's decision may be appealed to the courts. During a due process hearing, students must remain in the last agreed upon placement, which is called pendency. Due process procedures are governed by timeline and procedures in IDEA.

Upon request, RASD will make available the following printed information in the Office of Student Services:

- Information regarding special education programs and services
- Procedural safeguards
- Due process rights
- Information pertaining to the awarding of or prohibition of attorney's fees
- Information regarding guidelines for parental claims for tuition reimbursement
- Information pertaining to the discipline and suspension/disciplinary exclusion of eligible students
- Information relating to the procedures to be followed when a referral to law enforcement and judicial authorities is pursued.

**Complaint with the Bureau of Special Education, Department of Education**

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Parents/guardians who believe that the special education procedures and requirements outlined in federal and state laws have not been adhered to by the District in regards to the identification, evaluation, educational plan development and/or implementation of the IEP may file a written complaint with the Bureau of Special Education. The Bureau has staff assigned to investigate the allegations of the complaint. If a parent/guardian wants to file a written complaint with the PA Department of Education, a complaint packet is available by calling the Special Education Consult Line at 1-800-879-2301.

### **Communication**

**If a person has questions regarding the contents of any portion of this notice or is in need of further information about child find, screening and evaluation procedures (including purpose, time and location) provisions of special education programs and services, and/or on the rights of parents and children, including the right to due process procedures, they should contact the Supervisor of Special Education at 776-4255.**

If the parent/guardian needs to have this document in his/her native language, an interpreter or support for assistive technology for communication purposes, the District will arrange for these services for the parent/guardian. If a parent is deaf or blind or has no written language, the District will arrange for communication of this notice in the mode normally used by the parent (e.g., sign language, Braille, or oral communication).

### **Compliance Statement**

The Ridgway Area School District does not discriminate based on race, color, national origin, sex, age or handicap in its programs, activities, admissions or employment practices, as required by Title IV, Title IX, Section 504 and Title II of ADA. The District has, as a matter of policy, a grievance procedure for the prompt and equitable resolution of student and employee complaints alleging

discrimination. Said policy and complaints may be accessed or directed to the district's Affirmative Action Officer:

Superintendent of Schools  
62 School Drive  
Ridgway, PA  
15853  
Telephone: 814-773-3146

The Ridgway Area School District complies with its obligations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). For more information or questions, contact the district's privacy officer at 814-773-3146

### **School Administration Contact Numbers**

Superintendent	773-3146
Supervisor of Special Education & Office of Student Services	776-4255
School Psychologist	776-4255
Middle/High School Administration And Counselors	773-3164
Elementary School Administration And Counselor	776-2176