

The Referral Process

Things to Consider

If you think your child may need special education services, keep in mind that:

- Children learn and develop at different speeds and in different ways.
- Children who learn differently do not necessarily have a disability.
- Children should not be referred for special education services solely because of limited English proficiency.

If English is not your child's first language, your child may be able to get support through an English as a New Language (ENL) program. Please reach out to Jenice Mateo-Toledo (MateotoJ@hohschools.org) for any questions.

Eligibility

Children may be eligible for special education services from the ages of 3-21. Your child may be eligible for special education services if they show delays in areas including but not limited to:

- Thinking and learning
- Understanding and using language
- Self-help skills (toileting, eating, dressing)
- Behavior (getting along with others, expressing feelings)
- Physical ability (vision, hearing, movement)

Talking to Teachers/Service Providers

Talk to your child's teachers and service providers. They can share information about how your child is doing in school and you can share information about how your child is doing at home. Here are some questions to help you think about what to share:

- What brings out the best in your child?
- What are your child's strengths, challenges, and interests?
- What does your child like to do outside of school?
- What do you do at home to encourage positive behavior and learning?
- At what age did your child start school?
- What areas does your child need extra help with?

Questions to Ask

- What are my child's strengths and challenges in the classroom?
- How do you support my child when they need help?
- Do you have examples of my child's work that we can look at together?
- Is my child learning and developing at a rate that is expected for their age?
- How does my child get along with other students in the classroom?
- Are there programs in the community that might help my child?
- What are some learning activities I can do at home or in the neighborhood?
- What are some questions I can ask my child when we read together?
- How can I help my child if they are struggling with homework?
- What are learning strategies that work for my child?
- What strategies do not work for my child?

Multi-Tiered System of Supports/Response to Intervention

Multi-Tiered System of Supports (MTSS/RTI) is an approach schools use to match individual students with the teaching practices and level of support that work best for them. Public schools serving students in grades K-12 are required to implement MTSS before making a referral; however you may refer your child for a special education evaluation at any time.

RtI is a school process used to determine if a student is responding to classroom instruction and progressing as expected. In an RtI process, a student who is struggling receives additional instructional support provided by matching instruction to a student's individual needs through a multi-tier instructional model. Each level, also known as a tier, provides instruction with increased intensity such as smaller groups or instructional time focused on specific areas.

RtI focuses on the early prevention of academic difficulty, particularly in the areas of reading and math by:

- ensuring appropriate instruction for all students;
- monitoring students' progress; and
- providing additional levels of instructional assistance (intervention) for students who require support.

RTI is an instructional approach that enables teachers to provide interventions early and often in a tiered approach to support all students at their levels of learning.

Students who have received targeted interventions from their classroom teacher and/or support personnel may need their performance to be reviewed and discussed for specific areas of vulnerability. Building Level Teams review student data and history of interventions to determine additional supports needed. Team members provide additional supports and suggestions to the classroom teachers to assist children in developing their academic abilities.

Building Level Services

Students may receive building level support services if they have been determined in need of such services by the Building Level Teams. These services are not mandated and are provided less frequently, and with less intensity, than mandated services. The services available are Academic Support, Speech & Language, Occupational Therapy, Physical Therapy, Social Skills Group and/or Counseling.

How it Works:

MTSS/RTI is a three-tiered model. At each step, more support is offered to students who need it.

- **Tier 1: For all students. This is high-quality, differentiated instruction provided in a general education classroom.**
- **Tier 2: May include small group instruction or additional instructional time.**
- **Tier 3: More intensive instruction that may include materials or programs to target your child's needs.**

Teachers using MTSS/RTI will:

- **Use screening methods to assess your child's skills and behaviors.**
- **Determine if your child needs more support than the instruction provided in general education.**
- **Provide interventions as needed.**
- **Monitor your child's progress to determine if the intervention is working and, if not, how it might need to be adjusted.**

What's Next?

If MTSS/RTI has been provided and your child still needs more support, the Building Level Team can make a CSE referral for an evaluation through special education. If the Building Level Team does not believe a CSE referral is required at this time, you can request one.

How to Make a Referral

The referral must be in writing and may be made by you or a school official. The referral should:

- Describe the concerns about your child's development, learning, and/or behavior.
- State that you are requesting a special education evaluation.
- List any services your child has received or is currently receiving.
- Include your child's full legal name and date of birth.
- Include your name, address and a telephone number where you can be reached.
- State your preferred language, if it is not English.

Where to Send the Referral

Preschool-Age Children

Children may be eligible for preschool special education services during the year in which they turn three through the end of the school year in which they turn five. To refer your preschool-age child, mail, fax or provide the referral letter to the Special Education district office.

School-Age Students in Public School

Children may be eligible for special education services from the ages of 5-21. To refer your school-age child, mail, fax or provide the referral letter to the Special Education district office. After the district receives a parent referral, the building administration will reach out to the parents to discuss possible interventions that may best support the child and discuss the evaluation process.

School-Age Students Enrolled in Private, Religious or Charter Schools, or Home Schooled

To refer your school-age child, mail, fax or provide the referral letter to the Special Education district.

After The Referral Has Been Made

If your child is preschool-age, you will receive a referral packet from the CPSE, which includes

- A notice that the referral was received;
- A list of approved evaluation sites in which you can choose one;
- A "Consent for Initial Evaluation" form;
- Information about your rights; and A medical form.

If your child is school-age, you will be sent a "Notice of Referral Letter," which:

- Explains your rights;
- Provides the name and telephone number of a person to call if you have questions; and
- Asks for you to meet with the school social worker for a social history interview. The interview will be held in your preferred language or mode of communication with the help of an interpreter, upon request.

Consent

If your child has never received special education services, you will be asked to sign a "Consent for Initial Evaluation" form in your preferred language. Even if you made the referral yourself, you must still give consent for the process to begin. If you choose not to give consent your child will not be evaluated. After you give consent, the District has up to 60 calendar days to evaluate your child and 60 school days hold the initial CSE meeting and offer special education programming/services if your child is determined to be eligible.

Initial Evaluation

The District will evaluate your child in all areas related to the suspected disability. The evaluation includes all of the following:

Social History

An interview with you to get information about your child's development and family history.

Psychological

A test that looks at what your child knows and how he or she learns.

Observation

A study of your child in his or her classroom (or, for a pre-school age child, in an environment appropriate for a student of that age).

Physical Examination

A recent report of your child's vision, hearing, and general health from your doctor.

Other Assessments, When Needed

- **Speech and Language**

- Occupational Therapy
- Physical Therapy
- Functional Behavior Assessment (FBA)
- Assistive Technology (AT)
- School records
- Teacher assessments
- Interviews to determine work skills and interests, if your child is 12 or older

Independent Assessments

An independent assessment is done by someone who does not work for the District.

Independent Assessments Paid for by the Parent

We will evaluate your child, but you have the right to pay for an independent assessment. Results are only given to you, but the IEP team will consider any independent assessments that you provide to them.

Independent Assessments Paid for by the District:

An Independent Educational Evaluation is an individual evaluation of a student thought to have a disability, conducted by a qualified examiner who is not employed by the District or any public agency responsible for educating the student.

A parent may request an independent educational evaluation by requesting one in writing to the Director of Special Education. The District may ask the reason(s) why the parent disagrees with the District's evaluation. The Director of Special Education will promptly make a decision as to whether the request for an independent educational evaluation at public expense will be granted. If such a request is denied, the District will, without unnecessary delay, commence an impartial hearing to demonstrate the appropriateness of the challenged evaluation(s). If the hearing officer's decision is that the challenged evaluation is appropriate, the parent(s) still has the right to an independent educational evaluation, at their own expense. The results of any independent educational evaluation provided to the District, regardless of whether it was funded by the District or the parent(s), will be considered by the Committee on Special Education at any meeting where the student's educational program is considered.

When an independent education evaluation is at public expense, the criteria under which the evaluation is obtained must be the same as the criteria the District uses when it initiates an evaluation. Therefore, whenever approval of a parents' request for an independent evaluation is granted, the independent evaluator must be licensed or certified to perform said evaluations in New York State or have met any minimum qualification requirements that an evaluator(s) employed by the District would need to possess to perform the same evaluation, shall be within the same geographic radius as District evaluations, and shall, with certain exceptions, be limited in cost to standards for such evaluations within the community.

Bilingual Assessments

Assessments should be administered in the student's native language/mode of communication and in the form most likely to yield accurate information regarding what the student knows and can do academically, developmentally and functionally. A bilingual assessment, conducted in both English and the student's native language, may be administered if necessary to best determine the child's abilities and needs.

Preschool-Age Children

- **Languages will be identified by an agency on the evaluation site list in the referral packet.**
- **Contact your CPSE for help finding an agency that can administer an assessment in your child's native language or administer a bilingual assessment.**

School-Age Students

The language in which the evaluation will be administered will be based upon:

- **The language you use in your home, as indicated on the Home Language Identification Survey;**
- **Results of the New York State Identification Test for English Language Learners (NYSITELL) or the New York State English as a Second Language Achievement Test (NYSESLAT); and**
- **Determination/discussion among you and the evaluators.**

Initial CSE/CPSE Meeting

You will be invited to a Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) meeting after your child's evaluation is completed.

At the meeting, the CSE, of which you are a member, will review information from the evaluation(s) and other sources to determine if your child is eligible for special education services. If so, the team will work together at the meeting to develop an IEP.

Meeting Location

The location of the meeting is determined by:

- Your child's age/grade level
- The type of school your child attends

Preschool-Age Students

- The meeting will be held in the Hastings-on-Hudson School District School-Age Students in Public School

- The meeting will be held at your child's school/building.

School-Age Students Enrolled in Religious, Private, or Charter Schools, and are not residents of the Hastings-on-Hudson School District.

- The meeting will be held at the Hastings-on-Hudson School District :
- If your child is or will attend a private or religious school in New York State, and the CSE finds your child eligible for special education, the Hasting's CSE will develop an Individualized Education Service Program (IESP) instead of an IEP. The IESP will describe the special education services and/or related services to be provided while your child attends the private or religious school within the village of Hastings-on-Hudson.

Preparing for the Meeting

- Gather information from people who know your child, such as teachers, providers or doctors.
- Be prepared to discuss your child's strengths and needs, and how they affect his or her academic, social, emotional, and physical development.
- Review the evaluation reports. Take notes on results that you think are important and reports that you have questions about.
- Provide the CSE or CPSE with any independent assessments you want it to consider, and tell the Committees about any issues you would like it to consider.
- Invite other people to the meeting who know your child and can help make decisions, such as a doctor, child care provider, relative or advocate.
- If English is not your preferred language, make sure the CSE/CPSE knows in advance so that we can arrange to have an interpreter at the meeting.

- If you want a certified IEP Parent Member to attend, make your request in writing at least 72 hours before the meeting.
- If you want the school physician to attend, make your request in writing at least 72 hours before the meeting.

Members of the Committee on Special Education

- Parent(s) or anyone in a parental relationship with the child
- A general education teacher
- A special education teacher
- Related service providers (if applicable)
- A school psychologist (if the meeting is an initial evaluation or reevaluation for students in grades K-12, or in other meetings when applicable)
- A school social worker (if he or she is involved in the evaluation process for students in grades K-12)
- A district representative (Chairperson)
- A school physician (if requested in writing by the parent or a member of the school at least 72 hours before the meeting for students in grades K-12)
- A certified parent member (if requested in writing by the parent or a member of the school at least 72 hours before the meeting)
- An Early Intervention (EI) service coordinator (for preschool children, if requested by a parent)
- The student, if appropriate (if the child is 14 years old or older, he or she must be invited)

Parent Role

You are a legally mandated member of the CSE team. You know your child best and can speak about his or her strengths and needs. As a member of the CSE team, you should:

- Offer observations about how your child learns
- Share information about your child's interests
- Talk about how your child uses (or does not use) the skills he or she learns in school and at home
- Listen to what the other team members think your child needs to work on in school and share your suggestions
- Ask questions and speak up if you don't understand something
- Work with the rest of the team to develop the IEP if your child is determined to be eligible for special education programming/services.

Questions to Ask

Examples of questions the parent might ask at the meeting:

- What type of learner is my child?
- How has the teacher accommodated my child's learning and behavioral needs in the classroom?
- What programs or other supports might help my child?
- More questions to ask at the CSE meeting can be found in the Parent's Guide to Special Education Ages 3-21.

The IEP

The Individualized Education Program (IEP) is a written statement of a plan to provide the child with a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).

Least Restrictive Environment

This means that your child will be in schools and classrooms with non-disabled peers for as much of the day as possible. Children with disabilities must have the opportunity to participate in district programs, including academic, non-academic and extra-curricular programs, to the maximum extent appropriate while still meeting their special education needs.

Eligibility

The CSE team, which includes the parent, will determine if the child is eligible for special education programming/services and requires an IEP.

Eligibility for School-Age Children

- The child meets the criteria for one or more of the 13 disability classifications as defined by the [New York State Education Department's Regulations of the Commissioner of Education: Part 200](#); and
- The disability adversely affects the child's performance in school and/or ability to access the general education curriculum.

Eligibility cannot be based on:

- A lack of appropriate instruction in reading;
- A lack of appropriate instruction in math; or
- Limited English proficiency.

If your child is not eligible, an IEP will not be developed. Instead, with parental permission, information from the evaluation will be given to the principal of your child's school. The principal can work with staff to help your child.

Disability Classifications

Students must be eligible for one of the 13 disability classifications as defined by the [New York State Education Department's Regulations of the Commissioner of Education: Part 200](#).

Autism

Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3, that adversely affects a student'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 student's educational performance is adversely affected primarily because the student has an emotional disturbance. A student who manifests the characteristics of autism after age 3 could be diagnosed as having autism if the criteria in this paragraph are otherwise satisfied.

Deafness

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

Deaf-Blindness

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 students with deafness or students with blindness.

Emotional Disturbance

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 student's educational performance: (i) an inability to learn that cannot be explained by intellectual, sensory, or health factors; (ii) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; (iii) inappropriate types of behavior or feelings under normal circumstances; (iv) a generally pervasive mood of unhappiness or depression; or (v) 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

Hearing impairment means an impairment in hearing, whether permanent or fluctuating, that adversely affects the child's educational performance but that is not included under the definition of deafness in this section.

Learning Disability

Learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which manifests itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, as determined in accordance with section 200.4(j) of this Part. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing or motor disabilities, of an intellectual disability, of emotional disturbance, or of environmental, cultural or economic disadvantage.

Intellectual Disability

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 student's educational performance.

Multiple Disabilities

Multiple disabilities means concomitant impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.), the combination of which cause such severe educational needs that they cannot be accommodated in a special education program solely for one of the impairments. The term does not include deaf-blindness.

Orthopedic Impairment

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

Other Health Impairment

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 is due to chronic or acute health problems, including but not limited to a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, diabetes, attention deficit disorder or attention deficit hyperactivity disorder or tourette syndrome, which adversely affects a student's educational performance.

Speech or Language Impairment

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

Traumatic Brain Injury

Traumatic brain injury means an acquired injury to the brain caused by an external physical force or by certain medical conditions such as stroke, encephalitis, aneurysm, anoxia or brain tumors with resulting impairments that adversely affect educational performance. The term includes open or closed head injuries or brain injuries from certain medical conditions resulting in mild, moderate or severe impairments in one or more areas, including cognition, language, memory, attention, reasoning, abstract thinking, judgement, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing, and speech. The term does not include injuries that are congenital or caused by birth trauma.

Visual Impairment

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

Contents of the IEP

The IEP must contain information about the child and the educational program designed to meet his or her unique needs. This information includes:

Present Levels of Performance

A description of how the child's disability affects his/her involvement and progress in the general curriculum; or, for a preschool child, how the disability affects his/her participation in appropriate activities. This includes:

- **Evaluation results**
- **Academic achievement**

- Social development
- Physical development
- Management needs

Measurable Annual Goals

Academic, social, behavioral, and/or physical goals to meet the child's needs that result from his/her disability and enable him/her to be involved in and progress in the general education curriculum and to meet other educational needs resulting from his her disability that can be reasonably be expected to be accomplished in one school year.

Progress Reporting

A description of how the child's progress will be measured, how often it will be measured, and how the parent will be informed of that progress.

Recommended Special Education Programs and Services

A list of the programs and services the child will receive. This includes when they will begin, how often they will be provided, where they will be provided (in the classroom or some other school location), and how long they will be provided.

Participation with Students without Disabilities

The extent to which the child will participate in the general education class and other school activities with non-disabled peers.

Participation in State and District-Wide Assessment

If the child will participate in State and district-wide assessments:

- The IEP must list what, if any accommodations will be provided.

If the child will not participate:

- The IEP must state how the child's progress will be measured including the New York State Alternate Assessment (NYSAA) Program.

Diploma Objective

The IEP must state if the child is working toward a diploma (and, if so, which) and/or a commencement credential.

Transition Services

Transition services must be part of the first IEP that will be in effect when the child is 15 years old. This refers to a coordinated set of activities, services, and supports that will support the child's movement from school to post-school activities with the goal of continued education, employment, and independent living.

Language

If the child is an English Language Learner and requires English as a New Language (ENL), this will be noted in the IEP.

Consenting to Services

After the initial IEP is developed, we will ask the parent for written permission to start services. We will not arrange for any services to be provided until we receive the parents' informed consent to do so.

The parents can withdraw their consent for special education services at any time. After withdrawing consent, parents have the right to change their mind. If the parents later decide they want their child to receive special education programming/services, they must write a new referral letter and give it to the school, CPSE, or CSE.

Annual Review

After the child has received special education services, an IEP meeting is held at least once each year to review the child's progress. This is called an annual review. During the annual review the team will:

- Discuss the child's progress toward his or her goals
- Review the special education services provided
- Determine services and goals for the following year

The parent may also request an IEP meeting. This request should be made in writing to the child's school, CPSE or CSE.

Reevaluation

A reevaluation must be completed no less frequently than once every three years, unless the parent and the district agree in writing that it is not necessary.

If new assessments are needed, the parent will be asked to provide consent. Consent means the parent is giving the district permission for an evaluation to determine continued eligibility.

All written reports will be shared with you when the reevaluation is completed. The CSE team will meet again to determine if any part of the IEP needs to be changed based on this new information.

A reevaluation can also be requested by the parent or school staff, but will not take place more than one time per year unless the parent and the district agree otherwise in writing.

Parent Members

Parent members are nonmandated members of the CSE team. Parent members contribute valuable information and support to families who request their attendance at a CSE meeting. Parent members participate in discussions about:

- Eligibility for special education services
- Educational planning and goal-setting
- Learning in the Least Restrictive Environment (LRE)
- Understanding the evaluation and placement processes

They help to ensure that the student's family member(s):

- Understand and are comfortable with the IEP team's decisions
- Have had their questions and concerns addressed

If the parent wants a parent member at their meeting, a request must be made in writing to CSE at least 72 hours in advance:

Becoming a Parent Member

Parent members receive training so they can help other parents at CSE meetings, when requested. <http://www.p12.nysed.gov/specialed/techassist/rsetasc/parentmember.htm>

Eligibility Requirements to become a Parent Member:

- Your child has been classified with a disability or was declassified within the past five years;
- Your child is attending school or has graduated in the past five years; and
- You are not a district employee.