

Annual Public Notice of Special Education Services and Programs for Protected Handicapped Students

Notice To Parents

Franklin Towne Charter High School (“FTCHS”) will ensure that all students with disabilities, regardless of the severity of their disabilities, who are in need of special education and related services, are identified, located, and evaluated. This process is called Child Find (34 CFR § 300.125) (22 Pa. Code § 711.21).

The IDEA requires school districts, intermediate units, and charter schools to conduct “child find” activities for children who may be eligible for special education supports and services. Educational entities are also required to conduct “child find” activities for children who may be eligible for accommodations under Section 504 of the Rehabilitation Act of 1973. For additional information related to accommodations and services available, parents may refer to 22 Pa Code, chapter 711.

In accordance with the child find process, this notice shall serve as official notification to the public of the child identification activities and of the procedures followed to ensure confidentiality of information pertaining to students with disabilities or eligible young children. In addition to this public notice, FTCHS shall publish written information in the handbook and on the web site. Children ages three through twenty-one can be eligible for special education programs and services. If parents believe that the child may be eligible for special education, the parent should submit a written request for testing to:

Dr. Sharmon James, Director of Student Services
Franklin Towne Charter High School,
5301 Tacony Street,
Philadelphia, PA 19137

FTCHS is required by the IDEA to provide a free appropriate public education to children with disabilities who need special education and related services. (Note: the duty to identify, locate, evaluate and provide special education services to school-age individuals incarcerated in local correction institutions rests with the school district within whose boundaries such an institution is located.) School age children who need special education and related services are identified as children with disabilities. These students have been identified as being in need of specially designed instruction and have one or more of the following physical or mental disabilities:

- Autism
- Emotional disturbance
- Deafness

- Hearing impairment
- Specific learning disability
- Intellectual Disability
- Multiple Disabilities
- Other health impairment
- Orthopedic Impairment due to chronic or acute health problems
- Speech and language impairment
- Visual impairment including blindness
- Deaf-blindness
- Traumatic Brain Injury
- Developmental Delay

Screening

FTCHS will implement early intervention procedures with the purpose of identifying at-risk students and those students needing special education services. Systematic screening activities that lead to the identification and evaluation of students with disabilities will be conducted. Basic screening procedures may include, but are not limited to, hearing and vision tests as well as grade level tests of academic performance. Records of newly enrolled students will be screened to determine which are currently receiving special education and related services. If a student is identified as suspected to have a disability, he or she will be evaluated, with parental consent.

Except as indicated above or otherwise announced publicly, screening activities take place in an on-going fashion throughout the school year. Screening is conducted at FTCHS unless other arrangements are necessary.

Records of newly enrolled students will be screened to determine which are currently receiving needed special education and related services. This includes highly mobile students with disabilities and those who are suspected of having a disability under 34 CFR § 300.7 and are in need of special education, even though they are advancing from grade to grade (34 CFR § 300.125).

Evaluation Process

As mandated by the Pennsylvania Department of Education (“PDE”), when screening indicates that a student may be a child with a disability, school districts, intermediate units, and charter schools must seek parental consent to conduct an evaluation. Evaluation means procedures used in the determination of whether a child has a disability and the nature and extent of the special education and related services that the child needs. This evaluation is conducted by a multidisciplinary team (MDT) that includes the parent and a group of qualified professionals. The process must be conducted in accordance with specific timelines and must include protection-in-evaluation procedures.

Tests and other evaluation materials used to assess a child will be selected and administered so as not to be discriminatory on a racial or cultural basis and will be provided and administered in the student's native language or other mode of communication, unless it is clearly not feasible to do so. Materials and procedures used to assess a student with limited English proficiency will be selected and administered to measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.

No single procedure will be used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child. The child will be assessed in all areas of suspected disability and the evaluation will be sufficiently comprehensive to identify all of the child's special education and related service needs.

The evaluation process results in a written evaluation report. This report specifies a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction. The evaluation report also makes recommendations for educational programming.

Consent

School entities cannot proceed with an initial evaluation, or with the initial provision of special education and related services, without the written consent of the parents. For additional information related to consent, please refer the Procedural Safeguards Notice which can be found at the PaTTAN website, www.Pattan.net . Once written parental consent is obtained, FTCHS will proceed with the evaluation process. If the parent disagrees with the evaluation, the parent can request an independent education evaluation at public expense.

If neither the parent of a child who is eligible or thought-to-be-eligible for special education, nor an individual who meets the definition of parent per 34 CFR § 300.30 a "parent" can be located, the host school must appoint a surrogate parent per 34 CFR § 300.519 Surrogate parents.

Program Development

Once the evaluation process is complete and a child has been identified as having a disability and eligible for special education supports and services, the multidisciplinary team determines the student's educational placement and meets to develop a written Individualized Education Program ("IEP"). The IEP team consists of at least one regular education teacher of the child (if the child is participating in the regular education environment), at least one special education teacher, a local education agency ("LEA"), parents, and when appropriate, the child.

The IEP team will make decisions about the types of services and supports the student receives, the level of intervention, and the location of intervention. The IEP will describe the student's data driven information, annual testing measures and reports in the present levels, measurable goals, and the services and supports the student receives. This will be reviewed on at least an annual basis, but whenever warranted. Anyone on the team can request an IEP meeting at any time if they feel it is needed to support the child's progress.

Placement must be made in the least restrictive environment in which the student's needs can be met with special education and related services. All students with disabilities must be educated to the maximum extent appropriate with their typically developing peers.

Once the IEP team develops the program and determines the educational placement, the School will issue a Notice of Recommended Educational Placement ("NOREP").

A re-evaluation will be conducted every three years or if conditions warrant a re-evaluation, or before determining that the student is no longer a child with a disability. Students with Intellectual Disabilities will be re-evaluated every two years.

Parent/guardian written consent is required before initial services can be provided. The parent has the right to revoke consent after initial placement. In this event, the charter school may not challenge that parent's decision using Part B dispute resolution procedures. If at any time following initial provisions of special education services a parent revokes consent to services, in writing, the school must provide a written notice before ceasing the provision of special education services. (34 C.F.R. § 300.300). No member of the administration may appeal this decision using mediation or a due process hearing in order to secure education services for the child (34 C.F.R. § 300.300). If a parent later wants to reinstate special education services, the child would again need to undergo the initial evaluation process.

Protections for Eligible Students

State and federal law grant many rights, protections and procedural safeguards to children with disabilities and their parents, including mediation and due process hearing request rights. A written summary of those procedural safeguards and protections is available to parents and students upon request to the Special Education Coordinator.

FTCHS must notify parents in writing whenever it: (1) Proposes to initiate or change the identification, evaluation, or educational placement of the child; (2) Refuses to initiate or change the identification, evaluation, or educational placement of the child; (3) Proposes or refuses to make changes regarding the provision of a free appropriate public education (FAPE) to the child; and (4) No later than the date on which the decision to take disciplinary action is made, a Charter School must notify the parent of that decision and of all available procedural safeguards. Such notice must be accompanied by a full written description of the parents' rights.

Services for Protected Handicapped Students

A student who does not qualify for special education services under the IDEA may still qualify for services under Section 504, if the disability is shown to substantially limit his or her educational performance. A child with a disability is one who has a physical or mental impairment that substantially limits major life activities. 34 CFR § 104.3(j) defines a handicapped person with rights under the Rehabilitation Act as any person who:

- Has a physical or mental impairment which substantially limits one or more major life activities,

- Has a record of such impairment, or
- Is regarded as having such an impairment.

FTCHS must ensure that qualified handicapped students have equal opportunity to participate in the school program and extracurricular activities to the maximum extent appropriate for each individual student. In compliance with federal law, FTCHS will provide to each protected handicapped student without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities.

Procedural Safeguards

A copy of the Procedural Safeguards can be found here. (<https://www.pattan.net/Forms/The-Procedural-Safeguards-Notice>)

Confidentiality of Information

FTCHS will maintain records concerning all children enrolled in the school, including students with disabilities. All records are maintained in the strictest confidentiality. Parent/guardian 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 the Family Education Rights and Privacy Act (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 within the agency who have access to personally identifiable information.

If parents think information in an education record is inaccurate, misleading, or violates the privacy or other rights of their child, they may request amendment of the record. Requests should be in writing, directed to Joanne Attewell at jattewell@franklintowne.org, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. The School will decide whether or not to amend the record and will notify the parents in writing of its decision. If the School refuses to amend a record, it will notify the parents of their right to a hearing to challenge the disputed information. Additional information regarding the hearing procedures will be provided to the parents or student when notified of the right to a hearing. This request can also be made via mail to:

Joanne Attewell, Special Education Coordinator
Franklin Towne Charter High School,
5301 Tacony Street,
Philadelphia, PA 19137

If parents wish to make a complaint, they can contact the Director of Student Services, Dr. Sharmon James.

Dr. Sharmon James, Director of Student Services
Franklin Towne Charter High School,
5301 Tacony Street,
Philadelphia, PA 19137

Parents have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. Complaints may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

For additional information related to student records, the parent can refer to the Family Education Rights and Privacy Act (FERPA).

<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

FTCHS will provide each eligible student with a disability enrolled in the School, at no cost to parents, a free and appropriate public education (“FAPE”) (22 Pa Code § 12.4; 15; 4.4(c)).

This includes provision of education and related aids, services, or accommodations which are needed to afford each eligible student with a disability equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination, to the same extent as each student without a disability, consistent with federal and state laws and regulations. FTCHS does not discriminate on the basis of race, color, national origin, age, disability, or sex (including pregnancy, sexual orientation, and gender identity). FTCHS does not exclude people or treat them differently because of race, color, national origin, age, disability, religion, or sex (including pregnancy, sexual orientation, and gender identity).

FTCHS provides free aids and services to people with disabilities to communicate effectively with us, such as qualified language interpreters, written information in other formats, and information written in other languages. If you need these services contact Nicole Schultz at nschultz@franklintowne.org.

Nicole Schultz
Franklin Towne Charter High School,
5301 Tacony Street,
Philadelphia, PA 19137

FTCHS students and parents/guardians who believe that FTCHS has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex to promptly report such incidents to Dr. Sharmon James, Director of Student Services at sjames@franklintowne.org.

Dr. Sharmon James, Director of Student Services
Franklin Towne Charter High School,

5301 Tacony Street,
Philadelphia, PA 19137

FTCHS Administration will promptly investigate complaints of discrimination or harassment and corrective or preventative action will be taken for substantiated allegations.

Confidentiality of all parties will be maintained, consistent with the School's legal and investigative obligations.

This notice is only a summary of the Special Education services, evaluation and screening activities, and rights and protections pertaining to children with disabilities, children thought to be disabled, and their parents.

Independent Educational Evaluation

Parents have the right to obtain an independent educational evaluation ("IEE") of their child, conducted by a qualified examiner who is not employed by FTCHS at their own expense. An evaluation is the procedure used in accordance with 34 C.F.R. § 300.530-300.536 to determine whether a child has a disability and the nature and extend of the special education and related services the child needs.

If a parent disagrees with an evaluation of FTCHS and requests an IEE, FTCHS will, without unnecessary delay, either initiate a due process hearing to show that the School's evaluation is appropriate, or it will ensure that an IEE is provided, at no expense to the parent.

Upon request for an IEE, FTCHS will provide to parents, information about where an IEE may be obtained and criteria for an evaluation, which is the same criteria required for an evaluation completed by FTCHS. (34 C.F.R. § 300.51(a)(2)).

If the parent obtains an IEE at private expense, the results of the evaluation will be considered by FTCHS in any decisions made with respect to the provision of FAPE to the child and may be presented as evidence at a hearing regarding the child (34 C.F.R. § 300.502(c)(1 and 2)).

FTCHS CHILD FIND PROCESS

Tier I

The academic and emotional welfare of each and every student is of the utmost importance. The primary responsibility for the Guidance Staff is: Academic monitoring, Attendance protocols, and IEP compliance.

Academic Monitoring

Monitoring - In order to support the academic success of our students the guidance department will tend to the academic status of each student through the use of online grading system.

- General academic reports will be extracted from the system on a regular basis (minimum once per week). Information on students' grades will also be addressed from report card grades.
- Each counselor will prioritize the students on their caseload whose academic standing, and other possible factors, need to be investigated. As a guideline, students will be seen using the following priorities:
 - Students failing multiple classes
 - Students continuously failing a class without signs of improvement
 - Students who are in jeopardy of failing a class
 - Students whose grades have dropped
 - Students with attendance and discipline issues
 - Students who are in need of non-academic/medical support
- Counselors will contact teachers for information regarding the student's progress
- Based upon the information received, counselors will schedule meetings as necessary.

When necessary, the Guidance Department will keep detailed notes and logs that contain the information obtained during the student meetings. These information sheets are kept in the student's folder located in the counselor's office and include information such as:

- Comprehension of material
- Completion of assignments
- Social/Emotional barrier
- Physical barrier
- Attendance
- Behavioral
- Attention
- Additional school supports already in place

Referrals for Tier I interventions should include:

- The reason for the referral
- Observations of the student's behavior
- Any background information teachers have gleaned that is pertinent to the referral reason.

Once the major contributing factor(s) have been determined a collaborative decision will be reached as to what improvement/intervention strategies will be implemented (and monitored) during the specified intervention period.

Collaboration and agreement on intervention strategies may take place between:

- Guidance counselor

- Student
- Teacher
- Parent
- Psychologist
- Administration

Interventions can include:

- Teacher tutoring
- Peer tutoring
- Referral to Friday Homework remediation sessions
- Referral to tutoring by National Honor Society (NHS)
- Referral to tutoring by academic extracurricular clubs (e.g. math club) – Prep Zone
- Referral to psychologist
- Parent phone call
- Non-verbal cues to redirect off-task behavior
- Preferential seating
- Merit points

Issues or concerns regarding student who already have an IEP/504 should be referred to the Special Education Coordinator, Joanne Attewell at jattewell@franklintowne.org.

Joanne Attewell, Special Education Coordinator
Franklin Towne Charter High School,
5301 Tacony Street,
Philadelphia, PA 19137

The Guidance Department will refer any student who needs further intervention to the Child Find Team. The Child Find Team consists of CEO, Principal, Assistant Principal, Dean of Students, Psychologist, and the Special Education Coordinator. An Administrative Assistant will be present at each meeting to take notes.

Tier II

Counselors will present the status of their cases to head of guidance or the administrative team on a regular basis. Cases will be presented to the Child Find team on a bi-weekly basis. The head of guidance will report any student issues that need immediate resolution as soon as the issue is reported. During the bi-weekly meetings the Child Find team will discuss various student issues.

Present for these meetings are the Child Find Team and an Administrative Assistant. The agenda for each meeting is as follows:

- Review prior case notes
- Follow up activities from previous meetings will be presented for discussion and possible interventions.
- New Student Referrals (discipline, attendance, special education, psychologist, or guidance)

Based on discussions and student referrals, the following are possible Tier II interventions that will be considered:

- Continuation of current intervention protocols with newly established timelines
- Meeting with parents and/or student
- Meeting with teacher
- Meeting with School Psychologist
- Roster change
- Behavior Contract
- Attendance Contract
- Classroom observations
- Positive reinforcements
- Recommendation for Tier III interventions

Tier III

Based on discussions and student referrals, the following are possible Tier III interventions that will be considered:

- Multi-disciplinary meeting
- 504 Service Agreement
- Issue a Permission to Evaluate
- Functional Behavior Assessment/Positive Behavior Support Plan
- School Attendance Improvement Plan

This Annual Notice has been written in accordance with The Individuals with Disabilities Education Improvement Act (IDEA 2004).

THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE LANGUAGE. IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE PRINCIPAL OF FTCHS FOR AN EXPLANATION. FTCHS WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY. IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE. THE SCHOOL WILL ARRANGE FOR COMMUNICATION OF THIS NOTICE IN THE MODE NORMALLY USED BY THE PARENT (E.G. SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION).

THIS NOTICE IS ONLY A SUMMARY OF THE SPECIAL EDUCATION SERVICES, EVALUATION AND SCREENING ACTIVITIES, AND RIGHTS AND PROTECTIONS PERTAINING TO CHILDREN WITH DISABILITIES, CHILDREN THOUGHT TO BE ELIGIBLE, AND THEIR PARENTS AND IS ONLY A SUMMARY OF THE CONFIDENTIALITY RIGHTS REGARDING STUDENT INFORMATION.

FOR MORE INFORMATION OR TO REQUEST AND EVALUATION OR SCREENING OF A CHARTER SCHOOL STUDENT, CONTACT THE SPECIAL EDUCATION COORDINATOR OF FTCHS NOTHING IN THIS NOTICE IS INTENDED TO CONFLICT WITH OR SUPPLANT THE INFORMATION CONTAINED IN THE PENNSYLVANIA DEPARTMENT OF EDUCATION'S CURRENT "PROCEDURAL SAFEGUARDS NOTICE" WHICH IS AVAILABLE THROUGH THE SCHOOL FOR YOUR REVIEW OR WITH APPLICABLE STATE AND/OR FEDERAL LAWS.