



Child Find and Annual Notice to Parents (CFR 300.125)

In compliance with state and federal law, the Baden Academy Charter School 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. In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability, which substantially limits or prohibits participation in or access to an aspect of the school program,

These services and protections for "protected handicapped students" are distinct from those applicable to all eligible or exceptional student enrolled (or seeking enrollment) in special education programs.

For further information on the evaluation procedures and provision of services to protected handicapped students or eligible students, contact Caitlin Davidson, Special Education Coordinator, throughout the school year.

Child Find, Baden Academy Charter School
Caitlin Davidson
1016 W. State St.
Baden, Pa 15005
724-869-4269

Notice of Special Education Services and Programs

Each school district, along with other public agencies in the Commonwealth, must establish and implement procedures to identify, locate and evaluate all children who need special education programs and services because of the child's disability. This notice is to help find these children, offer assistance to parents and describe the parent's rights with regard to confidentiality of information that will be obtained during the process. Each school district shall also conduct awareness activities to inform the public of gifted education services and programs and the manner by which to request these services and programs.

The content of this notice has been written in English. If a person does not understand and of this notice her or she should contact the school district and request an explanation.

Identification Activity

Child Find refers to activities undertaken by public education agencies to identify, locate and evaluate children residing in the State, including children attending private schools, who are suspected of having disabilities, regardless of the severity of their disability, and determine the child's need for special education and related services. The purpose is to locate these children so that free appropriate public

education (FAPE) can be made available. These types of disabilities, that if found to cause a child to need services are: Autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment due to chronic or acute health problems, specific learning disabilities (speech or language), traumatic brain injury and visual impairment including blindness, in the case of a child that is preschool age developmental delay. Screening activities are also conducted to determine student need for gifted support services.

Baden Academy Charter School provides educational services for all eligible students either through district operated classes, contracts with the Beaver Valley Intermediate Unit (BVIU) #27, Private Academic Schools or Approved Private Schools. Classes providing Learning Support, Life-Skills Support, Emotional Support, Physical Support, Multiple Disabilities Support, and Autistic Support are available for students at beginning school age through 6th grade. Additional services include hearing, vision, and speech and language support. Students found to meet eligibility criteria as “mentally gifted” may receive services through the charter school’s gifted programs.

Each charter school is required to provide notice describing the identification activities and the procedures followed to ensure confidentiality of personally identifiable information. This notice is intended to meet this requirement.

Identification activities are performed to find a child who is suspected as having a disability that would interfere with his or her learning unless special education programs and services are made available. Children suspected of being “mentally gifted” who need specially designed instruction not ordinarily provided in the regular education program also go through screening activities. The activities may include: Review of data, screening of academic functioning, observation of the student displaying difficulty in behavior and determining the student’s response attempted remediation. Input from parents is also an information source for identification. After a child is identified as a suspected child with a disability, her or she is evaluated, but not before parents give permission for their child to be evaluated.

The charter school will follow procedures outlined in the special education regulations (Chapter 711) for determining eligibility and need for special education services. Chapter 16 regulations will be followed to determine eligibility and need for Gifted Education services.

Confidentiality (CFR2 300.127)

If after screening, a disability is suspected, upon your permission, your child will be evaluated. Written records of the results are called an education record, which are directly related to your child are maintained by the charter school. These records are personally identifiable to your child. Personally identifiable information includes the child’s name, the name of the child’s parents or other family members, the address of the child or their family, a personal identifier such as social security number, a list of characteristics that would make the child’s identity easily traceable or other information that would make the child’s identity easily traceable.

The charter school will gather information regarding your child’s physical, mental, emotional and health functioning through testing and assessment, observations of your child as well as through a review of any

records made available to the charter school by your physician and other providers of services such as day care agencies.

The charter school protects the confidentiality of personally identifiable information by one school official being responsible for ensuring the confidentiality of records. Training being provided to all persons using the information, and maintaining for public inspection a current list of employee's names and positions who may have access to the information. The charter school will inform you when this information is no longer needed to provide educational services to your child and will destroy the information at designated intervals, except general information such as your child's name, address, phone number, grades, attendance record and classes attended, grade level completed, may be maintained without time limitation.

As the parent of the child you have a number of rights regarding the confidentiality of your child's records. The right to inspect and review any education records related to your child are collected, maintained, or used by the charter school. The charter school will comply with a request for you to review the records without unnecessary delay before any meetings regarding planning for your child's special education program (called an IEP meeting). Should you and the charter school disagree about your child's special education supports and services and a due process hearing is requested, the charter school will furnish you with the opportunity to inspect and review your child's records within 30 days.

You have the right to an explanation and interpretation of the records, to be provided copies of the records if failure to provide the copies would effectively prevent you from exercising your right to inspect and review the records, and the right to have a representative inspect and review the records. This review is conducted with the assistance of an appropriate charter school member.

You have the right to request in writing the amendment of your child's education records that you believe are inaccurate or misleading, or violate the privacy or other rights of your child. The school district will decide whether to amend the records within 45 school days of receipt of your request. If the charter school refuses to amend the records you will be notified of the refusal and your right to a hearing. You will be given at that time, additional information regarding the hearing procedures. Upon written request, the charter school will schedule and provide written notice of the hearing to challenge information in your child's education files.

Parent consent is required before personally identifiable information contained in your child's education records is disclosed to anyone other than officials of the charter school collecting or using the information for purposes of identification of your child, locating your child and evaluation your child or for any other purpose of making available a free appropriate public education to your child. A school official has a legitimate educational interest if the official needs to review an education records in order to fulfill his or her professional responsibility. Additionally, the charter school, upon request, discloses records without consent to officials of another charter school/school district in which your child seeks or intends to enroll.

A parent may file a written complaint with the Pennsylvania Department of Education at the address below alleging that the rights described in this notice were not provided.

Pennsylvania Department of Education
Bureau of Special Education
Division of Compliance
333 Market St.
Harrisburg, PA 17126-0333

The Department of Education will investigate the matter, issue a report of findings and necessary corrective action within 60 days. The Department will take necessary action to ensure compliance if achieved. Complaints alleging failures of the school district with regard to confidentiality of personally identifiable information may also be filed with:

Family Policy Compliance Office
US Department of Education
400 Maryland Ave SW
Washington, DC 20202-4605

Baden Academy Charter School will provide ongoing screening services. If you wish to learn more, have questions, or believe your child may need to be identified, please contact:

Baden Academy Charter School
Caitlin Davidson
Special Education Coordinator
1016 W. State St.
Baden, Pa 15005
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Early Intervention Identification

Children age three through the age of admission to first grade are also eligible if they have developmental delays and as a result, need Special Education and related services. Developmental delay is defined as a child who is less than the age of when one of the following exists: (i) The child's score on a developmental assessment device, on an assessment instrument which yields a score in months, indicates that the beginners and at least 3 years of age and is considered to have a developmental delay child is delayed by 25% of the child's chronological age in one or more developmental areas (ii) The child is delayed in one or more of the developmental areas, as documented by test performance of 1.5 standard deviations below the mean of standardized tests. Developmental areas include cognitive, communicative, physical, social/emotional and self-help. For additional information, you may contact the Beaver Valley Intermediate Unit.

Potential Indicators of Weaknesses in the Developmental Domain Areas and Other Risk Factors That Could Indicate a Disability Requirement of section 14.212 (b)

A developmental delay is determined by the result of a developmental evaluation. The results of one or more domain areas (adaptive, personal-social, communication, motor or cognitive) have to show at least a 25% delay or a score of 1.5 standards deviations below the mean (Standard Score of 77 or below.) The delay results in the need for specially designed intervention/instruction (SDI) in order to participate in typical activities and routings.

Children with a developmental delay may show weaknesses in the following areas:

Adaptive: Pre-Kindergarten-aged children with a developmental delay may have difficulty dressing/undressing; using utensils to eat, removing shoes without assistance, distinguishing between nonfood/food substances, or have difficulty with toileting needs. One may have difficulty moving independently around the house, understanding that hot is dangerous, putting away toys when asked, indicating an illness or ailment to an adult, or demonstrating caution and avoiding common dangers.

Personal/Social: Pre-kindergarten-aged children with a developmental delay may have difficulty responding positively to adult praise, rewards or promise of rewards; greeting familiar adults spontaneously; enjoying simple stories read aloud; helping with simple household tasks; initiating social interaction with familiar adults; expressing affection/liking for peers; playing cooperatively with peers; stating first name, last name, age, or identifying themselves as male/female; using objects in make-believe play” using “I” or “me” to refer to themselves; or recognizing facial expressions of common emotions.

Communication: Pre-kindergarten-aged children with a developmental delay may have difficulty following 2-step verbal commands; associating spoken words with pictures; recalling events from a story presented orally; engaging in extended and meaningful nonverbal exchanges with others; using words to get their needs met; responding to ‘yes’ and ‘no’ questions appropriately; or asking “wh” questions.

Motor: Pre-kindergarten-aged children with a developmental delay may have difficulty running without falling; kicking a ball without falling; walking up and down steps alternating feet without assistance; walking backward; imitating the bilateral movements of an adult; pointing with his index finger independent of the thumb and other fingers; scribbling linear and/or circular patterns spontaneously; using the pads of fingertips to grasp a pencil; holding a paper with one hand while drawing or writing with the other hand; fastening clothing without assistance; cutting with scissors; copying a circle; or imitating vertical and horizontal markings.

Cognitive: Pre-Kindergarten-aged children with a developmental delay may have difficulty attending to one activity for 3 or more minutes; reciting memorized lines from songs or TV shows; showing interest in age-appropriate books; matching/naming colors; responding to one and one more; giving three objects on request; matching shapes; identifying objects by their use; identifying items by size; identifying colors of familiar objects not in view; or identifying simple objects by touch.

Other Factors That Could Indicate a Disability

Developmental disabilities are birth defects related to a problem with how a body part or body system works. They may also be known as functional birth defects. Many of these conditions affect multiple body parts or systems. Researchers have identified thousands of different birth defects. Birth defects can have a variety of causes such as:

Genetic problems caused when one or more genes doesn't work properly or part of a gene is missing, problems with chromosomes, such as having an extra chromosome or missing part of a chromosome, environmental factors that the expectant mother is exposed to during pregnancy, such as Rubella or German measles or if she uses drugs or alcohol during pregnancy.

Factors Considered When Determining Mental Giftedness

1. The child performs a year or more above grade achievement level in one of more subjects as measured by a nationally normed and validated achievement test.
2. The child demonstrates rates of acquisition/retention of content and skills reflecting gifted ability.
3. The child demonstrates achievement, performance, or expertise in one of more academic areas as evidenced by products, portfolios or research, as well as criterion-references team judgement.
4. The child demonstrates early and measured use of high level thinking skills, academic creativity, leadership skills, intense academic interest, communication skills, foreign language aptitude, or technology expertise.
5. The child demonstrates that intervening factors such as English as a second language, disabilities, gender or race bias, or socio/cultural deprivation are masking gifted abilities.

Free Appropriate Public Education (CFR 300.121)

Baden Academy Charter School provides a free, appropriate public education (FAPE) to exceptional students attending the school in grades k-6. All children with a disability between the ages of three to twenty-one who have been identified as needing special education and related services have the right to FAPE. The determination that a child is eligible for special education and related services is made on an individual basis by a team of qualified professionals and the parent of the child following a multidisciplinary evaluation and the completion of an evaluation report. A student qualifies as exceptional if he or she is found to be a child with a disability and in need of specially designed instruction and related services under the provisions of the Individuals with Disabilities Act (IDEA) and Chapter 711 of the Pa. School Code. The following are disability categories under IDEA: Autism, deafness, deaf/blindness, emotional disturbance, traumatic brain injury, hearing impairment, specific learning disability, intellectual disability, multiple disabilities, other health impairments, speech and language impairment, orthopedic impairment and visual impairment including blindness.

Individualized Education Program (CFR 300.340)

An Individualized Education Program (IEP) is developed and implemented annually for each eligible child with a disability. The IEP is completed within 30 calendar days of the parent's receipt of the evaluation report and must be in effect before special education and related services are provided. An IEP describes a student's current educational levels, goals, and objectives, and the individualized programs and services that the student will receive. These services include the learning support class, life skills support class, emotional support class, sensory support (deaf or hard of hearing and blind or vision support class). The extent of special education services and the location for the delivery of such services are determined by the IEP team which consists of the child's parent, a regular education teacher, the special education teacher and the LEA or district/ charter school representative responsible for supervision the provision of special education services. The IEP goals and related services are based on the student's identified needs and abilities, chronological age and the level of intensity of the specified intervention. The school district/ charter school will invite a student with a disability of any age to attend his or her IEP meeting if a purpose of the meeting will be the consideration of the student's transition service needs. If the student does not attend the IEP meeting, the district will take other steps to ensure that the student's preference and interests are considered. In implementing these requirements, the district also invites a representative of any other agency that is likely to be responsible for providing transition services to the student.

The District/Charter School also provides related services, such as transportation, physical therapy, occupational therapy, and speech and language support services or other appropriate services are determined to be necessary for the student to benefit from the special education program.

Least Restrictive Environment (CFR 300.130)

It is the school district's / charter school's policy for children with disabilities, including children in public or private owned institutions or other care facilities, for whom a free appropriate public education is owed by the district, to the maximum extent appropriate, are educated with children who are nondisabled and that special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only if the nature of severity of the services cannot be achieved satisfactorily. Baden Academy Charter School provides a continuum of services based upon the needs of the individual child ranging from the least restrictive setting in the regular school to more restrictive services in a program outside the regular school. The placement option considered by the IEP team include supportive intervention in the regular class, itinerant services, resource services, part-time or full-time services. The placement may be in a charter school operated program, and intermediate unit operated program in a neighboring school district, a private school placement or other agency operated program. The placement decision is made by the IEP team at least annually based upon the child's IEP and is as close to the student's home as possible. In selecting the least restrictive environment, consideration is given to any potential effect of the program and on the quality of services that the child needs. A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed curriculum modifications.

Surrogate Parents (34CFR 300.515)

Each public agency shall ensure that the rights of a child are protected if (1) no parent (as defined in 34CFR 300.20) can be identified (2) the public agency, after reasonable efforts, cannot discover the whereabouts of a parent; or (3) the child is a ward of the State under the laws of that State. (b) Duty of public agency. The duty of a public agency under the paragraph (a) of this section included the assignment of an individual to act as a surrogate for the parents; and (2) for assigning a surrogate to the child (c) criteria for selection of surrogates, (d) non-employee requirement; compensation. A person who otherwise qualifies to be a surrogate parent under paragraph (c) of this section is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent. (e) Responsibilities; surrogate parent may represent the child in all matters relating to (1) identification evaluation and educational placement for the child; and (2) the provision of FAPE to the child. For more information, please contact the Special Education Coordinator at 724-869-4269.