

## **Referral/Pre-Referral Administrative Procedure**

Maine School Administrative District #33 shall refer to the IEP Team all school-age students suspected of having a disability that requires special education and related services. Referrals to the IEP Team may be made by a child's parent, by professional school staff, or by others with knowledge of the child. Referrals should be made and processed consistent with these procedures.

### **A. Referrals by Parents**

A parent may refer his or her child to the IEP Team at any time. That referral shall be made in writing directly to the office of the school principal. Should the parent seek to make a referral through other professional staff (such as teachers, guidance counselors, or administrators), that professional staff member shall directly assist the family in making the referral in writing to the office of the school principal. Should a parent attempt to make a referral orally, professional staff shall assist the parent in reducing that referral to writing and submitting it to the office of the school principal.

A parent referral shall be processed consistent with these procedures and governing timelines even if the child is receiving interventions pursuant to the District's pre-referral procedures (discussed below). Those pre-referral procedures shall continue during the referral process, however.

### **B. Referrals by Staff**

Any professional employee of the school unit may refer a child to the IEP Team regardless of the results of initial child find activities, but only after completion of any pre-referral intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances where the school unit and parent agree to do so. Even in that situation, however, pre-referral interventions will continue during the referral process.

Professional school staff shall prepare a referral in writing and shall submit that referral directly to the office of the school principal.

### **C. Referrals by Others**

Individuals or agency representatives (including representatives of the Department of Health and Human Services) with knowledge of the child may refer that child to the IEP Team regardless of the results of initial child find activities but only after completion of any pre-referral intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances where the school unit and parent agree to do so. Even in that situation, however, pre-referral interventions will continue during the referral process.

Should such a person attempt to make a referral orally, professional staff shall assist that person in reducing that referral to writing and submitting it to the office of the school principal.

D. Receipt of Referral

Regardless of the source of the referral, a referral is received by Maine School Administrative District #33 on the date that the written referral is received by the office of the school principal. It shall be signed and dated by the school principal, thereby indicating the date of the receipt of that referral.

E. Time Line for Processing Referral

Once the referral has been received in the office of the school principal, the IEP Team shall review existing evaluation data and determine the need for additional evaluations. The IEP Team may conduct its review without a meeting. If additional evaluations are needed, the local unit must send a "consent to evaluate" form to the parent within 15 school days of receipt of the referral. Also upon receipt of the referral (from any source), the local unit shall send the parent its written notice form documenting that referral.

Once the office of the school principal receives the signed consent for evaluation back from the parent, the local unit shall have 60 calendar days to complete the evaluation and to hold an IEP Team meeting to determine whether the student qualifies for special education services. If the student is identified as a child with a disability in need of special education, the Team should develop an IEP for that child either at that same meeting or within 30 calendar days of determining that the student is eligible.

The local unit shall implement the IEP as soon as possible following the IEP Team meeting when the child is found eligible, but no later than 30 calendar days after that meeting.

F. Transfer Students

Students who have already been identified as in need of special education services and who transfer into the school unit from another school unit *within Maine* shall, on enrollment and in consultation with the parent, be provided with FAPE (including services comparable to those described in the child's IEP from the previous school unit) until the local unit either adopts the child's IEP from the previous unit or develops, adopts, and implements a new IEP.

Students who have already been identified as in need of special services and who transfer into the school unit from another school unit *from outside of Maine* shall, on enrollment and in consultation with the parent, be provided with FAPE (including services comparable to those described in the child's IEP from the previous school unit) until the local unit conducts an evaluation to determine whether the student is eligible for special education and, if so, develops, adopts, and implements a new IEP.

If the transfer student's current IEP from his or her prior school unit is not available or is believed to be inappropriate by either the parent or the school, the local unit should develop a new IEP through appropriate procedures within a short time after the student enrolls at the school.

If a child transfers into the school unit after the referral time line has begun in the previous school unit but before an eligibility determination has been made, the time line referenced above for completing that process shall not apply if the local unit is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and school unit agree to a specific time when the evaluation will be completed and the eligibility decision made.

### **Pre-Referral Procedures**

Teachers who observe that a student is encountering academic or functional difficulties in school shall be responsible for reporting such to the principal/guidance counselor and assist in documenting those specific difficulties on a pre-referral checklist/*STAFFING Referral Form*.

District "Staffing" teams function in a pre-referral role to the Special Education/Section 504 processes. Staffing teams consist of an administrator and/or guidance counselor, classroom teachers and parents. Students, other school personnel, and outside agencies may also be invited to team meetings.

Upon receipt of a Staffing referral, the principal/guidance counselor will gather all information necessary and call a Staffing team meeting to discuss the student's academic difficulties and/or behavioral issues impacting performance. The Staffing team will identify intervention strategies to help the student experience success in school and develop an Action Plan. Intervention strategies will include an established time period (typically 3-6 months for initial strategies) for implementation. The plan will include strategies for the school, parent, and student to implement. Data collection by all team members is expected throughout the process.

The Staffing team shall assess and document progress with the strategies in the action plan. If the intervention strategies have not been effective or if the interventions are demonstrated to be effective but require continued and substantial effort that may include the provision of special education and related services, the Staffing team shall refer the child to the IEP Team consistent with the procedures set forth above.

The school shall notify parents whenever their child has demonstrated educational difficulties that have led to a pre-referral. The local unit may advise the parents as to why it may be appropriate to have the child participate in intervention strategies prior to a referral to the IEP team, but the local unit shall not reject or delay the referral until the completion of the intervention strategies.

All notes from the pre-referral process and, if relevant, team meetings and all the data collection procedures that may have been developed through this process shall be considered by the IEP Team and shall become part of the child's special education file. For children who do not qualify for special education services, all pre-referral documents are kept in the child's cumulative folder for future reference and for ongoing educational planning.

The general education interventions developed through this pre-referral process shall be continued in the event of a referral while the referral is being handled by the IEP Team, and the resulting data shall become part of the child's special education file.

Special education due process procedures shall not be used to address parental concerns regarding successful implementation of these pre-referral procedures, and the failure to use this pre-referral process may not be used in special education due process proceedings to establish that the school unit has failed to meet its child find or referral obligations.

Legal Reference: Ch. 101, §§ II(23), III, IV(2)(D), (E), V(4)(A) (Me. Dept. of Ed. Rules (August 2007).

History:	Adopted	Meeting #636	May 3, 1993 (as policy IHB)
	Revised	Meeting #653	April 4, 1994 (as policy IHB)
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