

REFERRAL/PRE-REFERRAL PROCEDURES

RSU 13 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.

1. 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 Director of Special Education. 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 Director of Special Education. 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 Director of Special Education.

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.

2. 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 Director of Special Education.

3. 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 Director of Special Education.

4. Receipt of Referral.

Regardless of the source of the referral, a referral is received by the school unit on the date that the written referral is received by the office of the Director of Special Education. It shall be signed and dated by Special Education Director or designee, thereby indicating the date of the receipt of that referral.

5. Time Line for Processing Referral.

Once the referral has been received in the office of the Director of Special Education, 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 Director of Special Education receives the signed consent for evaluation back from the parent, the local unit shall have 45 school 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.

6. 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.

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

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