



Take these steps to unearth transfer students' needs, develop proper IEPs

Now is a good time to train your teams on how to develop and implement IEPs for transfer students.

Some districts are witnessing an influx of transfer students, and others anticipate more students will swap districts in the next couple of years. More families living in poverty, moving for new job opportunities, and searching for districts that can better meet their children's needs attribute to this growing trend, sources say.

"Over the years, the thing that's been most interesting to me is the amount of children that move from place to place," says Eric Hartwig, administrator of pupil services for Marathon County (Wis.) Special Education. "It used to be that we would have the same number of special ed students at the end of the school year that we had at the start of the year. At the most, there would be one or two transfer students. Now we are seeing a large percentage of students transfer into our district and must work to accommodate those students."

When a student transfers districts within the state during the same academic year, you must adopt the existing IEP or develop and implement a new IEP that offers FAPE. When a student transfers from a different state, you are responsible for providing services comparable to those described in the previously held IEP, in consultation with the parents, until you conduct an evaluation, if necessary, and develop a new IEP, if appropriate.

But before any of this can occur, you must attempt to obtain the student's IEP and any other vital information from his previous district, missing data, and monitor the student's progress to ensure the program you implemented meets his needs.

Follow these tips for success in this area:

Make strong effort to obtain records. Often, schools accept a copy of an incoming student's IEP and take it from there. "But you need more than the IEP," says Ryan L. Everhart, a school attorney with Hodgson Russ LLP in Buffalo, N.Y. Ask the sending district for the student's entire file, which should include evaluations, progress reports, and observational data.

"In the ideal world, the previous district sends the student's file to the new district before the student begins school there. But record-sharing is not as thorough as it should be," Hartwig says. Always contact staff members at the previous school district and ask them to send you everything they have on the student, he says. This lessens the chance that they leave something out.

"A lot of times, schools resist asking for all of that information on the notion that it's a violation of FERPA for the district to share it," Everhart says. "But it's not a violation." FERPA permits disclosure without prior written consent "to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer." 34 CFR 99.31 (a)(2).

Review records carefully. IEP teams are most likely to overlook the need for support services when developing IEPs for transfer students, Hartwig says. Examine whether the child received any support services in the previous district and, if not, determine why, he says. Perhaps a deaf student who transfers to your district did not have an interpreter at his old school. However, if he came from a school for the deaf, there likely was not a need for an interpreter. If that student will be educated alongside nondisabled students in your district, he may need an interpreter, Hartwig says.

Open lines of communication with parents. Parents will have information about their child that is not included in the former district's records. "But they are not always so forthcoming, because many aren't sure what to share with the district," Hartwig says. Thus, it is good practice to ask parents questions about the child's history. For example: Has your child ever received a clinical evaluation? Does the child receive medical services? Has your child received services outside of the school district in the past two or three years?

Also, follow up with a phone call within the first couple of weeks to ask parents how they think the child is acclimating and if they have any questions. This gesture also shows you are committed to helping the child make a smooth transition.

For example, service delivery models may vary between school districts, which will generate questions. Maybe the child received speech services through a pull-out model in his former district; however, your district may use a push-in model where the speech therapist provides services in the general ed classroom, Hartwig says.

"Even though the service is the same, parents likely have questions because it looks different," he says.

Collect data to fill in gaps. Don't assume that a child can do without a particular service solely because it was not mentioned in his previous IEP. Perhaps the student didn't have a BIP in his previous district. "You shouldn't out rule the possibility that he may need one in yours," Hartwig says. Consider conducting a functional behavioral assessment, and instruct teachers and service providers to monitor and document the child's behavior for a couple of weeks.

"If there are a number of behavior incidents, reconvene to discuss the need for a BIP," he says.

It is equally important to examine whether the child no longer needs a service identified in the sending district's IEP, sources say. For example, if a student's behavior improves in your district, revisit the BIP and make any necessary changes.

"It's like professional athletes: An athlete may be an average player on one team but could be traded to another team and become a star," Everhart says.

Also, remember that you can always conduct a reevaluation. Just because the sending district reevaluated the student last year doesn't mean that you can't reevaluate, Everhart says. You can do so if you suspect that a child no longer has a need in a certain area or has a need that wasn't addressed by the former district. And you should always reevaluate interstate transfers, because each state has its own eligibility criteria, Hartwig adds.

Invite right people to IEP meeting. Involve teachers and service providers who worked with the child in his previous district, Everhart says. If they can't attend in person, set up a conference call or request their written input before the meeting.

Also, ask the parent if there is anyone with special expertise on the child who should be involved in developing the IEP, Hartwig says. "That's something that parents might overlook unless they are asked," he says.

Update IEP as needed. Children need time to acclimate to new surroundings, and staff needs time to get to know new students, Hartwig says. "We find that what is written in a previous district's IEP doesn't necessarily tell the full story," he says.

Keep an eye on the child to get a sense of his capabilities and needs. "We typically follow up in four to six weeks to see if what we are providing meets the child's needs," Hartwig says.

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