

TERMINATION OF SPECIAL EDUCATION SERVICES

The following are examples of reasons for terminating special education services. All terminations, except in cases when the student moves out of the county, require a re-evaluation and eligibility/ineligibility determination. Terminations initiated by the school district require the **Prior Notice of Special Education Action** form and the **Transfer Out (or) Withdrawal From Jefferson County Schools** form. Terminations initiated by the parent or student (move, dropout, enrolling in home school, etc.) should be documented on the **Transfer Out (or) Withdrawal From Jefferson County Schools** form.

Termination at Initial Evaluation

- Student does not meet minimum criteria for services (evaluation been completed., eligibility team meeting held, statement of eligibility, with all required attachments, is completed with appropriate signatures noting ineligibility).
- A parent may interrupt an evaluation process prior to its initiation by withdrawing consent.
- After an initial evaluation, a parent can refuse initial placement into special education. This is documented on the **Prior Notice and Consent for Initial Provision of Special Education Services**.

Termination by Re-Evaluation

- Results of a re-evaluation indicate that the student no longer requires services.
- Medical documentation indicates that the health impairment(s) that qualified the student for services no longer exist.
- Student has met goals. A re-evaluation must be completed. The re-evaluation may or may not include formal assessments. If a formal assessment is conducted, the parent must be given the opportunity to sign the **Prior Notice about Evaluation/ Consent for Evaluation** form. A parent signature *is required* before administering an intelligence or personality assessments. If the team determines that no additional assessments are necessary and the parent agrees, document the agreement on the **Written Agreements Between Parents and District** form. Upon completion of the re-evaluation, an IEP meeting is scheduled to determine eligibility or ineligibility. At this meeting, options are discussed. If the team determines that the child is ineligible for services, the **Prior Notice of Special Education Action** form proposing the termination of services. Special education services cease after parent receives the notice.

Termination by Graduation

High school graduation is a change of placement requiring prior notice. It is not necessary to conduct a re-evaluation when the student is graduating with a regular diploma. A student who receive a regular high school diploma will no longer be eligible for a free appropriate public education upon graduation. **The Summary of Performance form, Notice of Special Education Action form, and Transfer Out (or) Withdrawal From Jefferson County Schools** form must be completed.

Termination by Aging Out

Students who reach their 21st birthday during a school year should be exited from special education services at the end of the school year in which the student turns 21 years of age. Forms to be completed include: **Summary of Performance form, Notice of Special Education Action form, and Transfer Out (or) Withdrawal From Jefferson County Schools** form.

Termination by Parent Request

- Students cannot be terminated from special education based solely on a parent request. If such a request is made, the school district must offer the parent the option to have the district conduct a re-evaluation. If the parent refuses permission, the district may conduct assessments to assist in determining continued eligibility. However, the district *may not* conduct intelligence or personality testing without parent permission.
- If the parent(s) is refusing services the **Prior Notice of Special Education Action** form must be completed and sent to the JCESD so that a stand ready to serve letter can be mailed to the parent(s).
- If the district believes that the child is in need of services, the LEA must initiate informal resolution or due process proceedings. The Special Programs Director should be contacted for assistance.

Termination by Student Move out of District

District case managers must use the **Transfer Out (or) Withdrawal From Jefferson County Schools** form to notify that a special education file should be closed because a student has moved out of district. On the form, note that the student has moved and whether he/she continues to qualify for special education. This form should be completed and sent to the JCESD secretary no later than 10 days after the child's last day in the district.