

ENHANCED PROGRAM OF SERVICES ADMISSIONS POLICY

MARYLAND SCHOOL FOR THE DEAF

FREDERICK CAMPUS - COLUMBIA CAMPUS

The Maryland School for the Deaf, as an educational agency, views as its fundamental responsibility the provision of long-range sequential educational services for students whose primary disability is deafness. To fulfill this responsibility, MSD offers four distinct programs each of which is governed by separate eligibility criteria.

RESIDENCY REQUIREMENTS

1. **Residence Status:** The Enhanced Program of Services is only available to In-State students. Out-of-State students are not eligible for this program.

2. **Residence:** The following residence requirements apply to admission.

a. **In-State Students:** In-State students are those who have an established bona fide residence in Maryland. Bona fide residence means one's actual residence, maintained in good faith, and does not include a temporary or superficial residence established for the purpose of free attendance at MSD.

The determination of a student's residence status is a factual one and must be made on an individual basis. MSD shall apply the following criteria in determining whether a student is an In-State student:

- i. A student living with a parent who has an established bona fide residence in Maryland is an In-State student.
- ii. A student who is 18 to 21 years of age and lives independently is an In-State student if he or she is a bona fide resident of Maryland, without regard to the residence of the parents.
- iii. A student living with a court-appointed guardian who has an established bona fide residence in Maryland is an In-State student, provided that the guardianship was obtained for necessary reasons concerning the child and not for the primary purpose of free attendance at MSD.

In the cases of guardianship, the petition and court order for legal guardianship must be provided to MSD prior to admission. MSD will examine the reasons for obtaining guardianship on an individual basis, based on documentation provided by the parent, guardian or independent student. Such documentation includes: statements of health, social services or juvenile services personnel; court records; health records; written, notarized statements from parents, or other documentation which establishes necessary reasons for the guardianship other than free attendance at MSD.

b. **Out-of-State Students:** A student who does not meet the above criteria for In-State status will be considered an Out-of-State student. Out-of-State students are not eligible for the Enhanced Program of Services.

3. **Proof of Residence:** The burden of demonstrating bona fide residence is on the parent, guardian or independent student. Factors which will be considered and documentation reviewed by MSD in determining bona fide residence include, but are not necessarily limited to:

- Federal and/or State income tax forms giving Maryland as the home address;
- A valid Maryland driver's license;
- Registration of motor vehicles in Maryland;

- Documentation showing ownership or rental of real property in Maryland;
- Documentation showing military or diplomatic station in Maryland;
- Documentation verifying a Maryland payment address for various types of public benefit payments received;
- Bank account or utility bill statement showing name and Maryland address.

For residents new to the State of Maryland, proof of residence must be provided by the date of the IEP meeting.

The parent, guardian or independent student is required to notify MSD in writing immediately of any changes in residence which would affect the student's residence status.

If inaccurate, false and/or misleading information is presented by the parent, guardian, or independent student, MSD may at its discretion revoke the student's In-State status.

4. Procedure for Determining Residence: MSD will review all documents substantiating residence as part of the admissions process. Any cases where residence is in question will be referred to the Residence Status Review Committee. The Superintendent of MSD shall appoint a Residence Status Review Committee of three MSD Administrators. All cases where guardianship have been established and all cases where students live independently will be referred to the Residence Status Review Committee. The Residence Status Review Committee will make a determination of residence status based upon its review of the documentation provided by the parent, legal guardian or independent student. The parent, legal guardian, or independent student shall be advised in writing of MSD's determination of residence status and of the right to appeal that determination as outlined in section 5 below.

5. Appeals: A parent, legal guardian, or independent student may appeal a determination of residence status by filing a written request for reconsideration with the Superintendent of MSD. The request for reconsideration must be filed with the Superintendent within 20 calendar days of notification of residence status. Upon the receipt of the written request, the Superintendent shall review all documentation and issue a written decision within 20 calendar days. The decision of the Superintendent will be final.

ENHANCED PROGRAM OF SERVICES

MSD provides educational programming and services to deaf school age students who have other moderate to severe disabilities and whose IEPs can be implemented at MSD. The primary disability for these students must be deafness. Enrollment in the Enhanced Program of Services may occur only when all of the following conditions have been met:

- the student has met the Enhanced Program of Services' admissions criteria;
- placement in the Enhanced Program of Services has been determined to be appropriate for the student by the combined MSD/LSS IEP Team;
- funding, staff, and related services are in place, provided to MSD from MSDE and the LSS through the non-public funding process.

For admissions information, interested families, professionals, and advocates should write to the Principal of the Columbia Campus, Route 108 and Old Montgomery Road, P.O. Box 894, Columbia, Maryland 21044-0894 or the Principal of the Frederick Campus, 101 Clarke Place, P.O. Box 250, Frederick, Maryland 21705-0250.

EVALUATION FOR MSD

Prior to consideration of a student for admissions and placement in the Enhanced Program of Services, the LSS shall provide all available screening and assessment data for consideration by the joint IEP Team, which includes MSD, the LSS, and the parent. Screening and assessment data

from other sources shall also be provided prior to consideration by the committee. Each applicant for admissions to any MSD program must visit MSD with a parent or legal guardian. Applicants 18 years old or older may apply independently.

The following evaluation information is required of all applicants seeking admissions to the Enhanced Program of Services: personal interview with MSD personnel, case history, and audiological, educational and psychological assessments. The case history and assessments may be conducted by MSD, the LSS, independent evaluators or any combination of the three.

Upon review of all available screening and assessment data, the joint IEP Team shall determine if any additional assessments are necessary for admissions purposes. As a member of the committee and as the provider of the Enhanced Program of Services, MSD has the right to request additional assessments where it deems necessary. If the committee is unable to reach consensus regarding additional assessments or the results of assessments are not provided, the admissions process shall end. Written informed consent shall be obtained prior to any assessments or evaluation in accordance with the Procedural Safeguards of MSD and the LSS.

The screening and assessment data are used to assist the joint IEP Team in determining each applicant's educationally disabling condition(s), developing and approving an IEP, making recommendations for special education and related services, and reaching a decision as to whether the applicant meets admissions criteria for the Enhanced Program of Services, and whether the IEP can be effectively implemented in that program. If, upon review of all data, the committee determines that the applicant does not meet admissions criteria or that the IEP cannot be effectively implemented in the Enhanced Program of Services, the admissions and placement process shall end. MSD shall provide any assistance and consultation as requested by the LSS and/or the parent in determining an alternative educational program for the child.

If the committee determines that the applicant meets admissions criteria, and that the IEP can be effectively implemented in the Enhanced Program of Services and that funding, staff, and related services are in place, the student is enrolled and services begin within 30 calendar days. MSD is not required to admit to the Enhanced Program of Services an applicant who MSD as a member of the committee and the provider of the program determines does not meet the admissions criteria or whose IEP cannot be effectively implemented in the program. If the committee is unable to reach consensus regarding the applicant's eligibility or the implementation of the IEP, the admissions and placement process shall end.

For some students, it may be valuable for personnel from MSD to observe and/or assess the applicant in his/her current educational setting. Arrangements for observations will be mutually agreed upon by representatives of MSD, the LSS, and the parents.

Admissions to the Enhanced Program of Services does not constitute admission to any of MSD's other educational programs.

CRITERIA FOR ADMISSIONS

Enhanced Program of Services

1. Age: Applicants between the ages of four years of age and twenty years of age on or before August 31 of a given school year may be evaluated for admission to the Enhanced Program of Services. Students may stay at MSD through the school year in which they become 21.

2. Hearing Status: Applicants for admission must have valid audiological testing by a qualified examiner. Documentation should indicate significant hearing loss, sufficient to significantly compromise the understanding of spoken information and require learning primarily through the visual modality. Factors such as familial deafness, progressive hearing loss, failure to thrive in an auditory learning environment will be taken into consideration.

- a. those who are aphasic.
- b. those who have central auditory processing disorders.
- c. those who are hearing/auditory learners.
- d. those who are mute only.
- e. those who have diminished hearing in one ear only.

3. Intellectual Functioning: Deaf applicants must have a performance I.Q. of no lower than 35 (moderate mental retardation as per the Diagnostic and Statistical Manual of Mental Disorders, 4th Edition / Text Revision/DSM-IV-TR, 2000 Applicants beyond the age of 14 must have a performance I.Q. no lower than 50 (mild mental retardation as per DSM-IV.) Applicants must be able to acquire communication skills during early childhood years and be able to attend to personal care with moderate supervision. They should be able to learn to travel independently, or with the assistance of a one-to-one aide, in familiar places around campus.

In determining intellectual functioning, other factors must be considered in addition to the applicant's performance on non-verbal measures of cognition and adaptive behavior scales. Other adaptive and life skill factors which may be considered in determining the applicant's intellectual abilities include: the applicant's developmental history, educational history, achievement to date, motor skills, communication ability, and social emotional maturity. No student may be excluded from consideration for admission on the basis of any single assessment result.

4. Emotional Disabilities: Deaf applicants who are autistic or with emotional disturbance, as defined by the Maryland State Department of Education in Code of Maryland Regulations (COMAR) 13A.05.01.03B(20) are not eligible for admission to MSD, if they require:

- a. 24 hour medical care;
- b. 24 hour psychiatric treatment (including but not limited to treatment for arson tendencies, psychosis, sociopathy, chronic substance abuse, danger to self or others);
- c. aggression control programs (including but not limited to treatment for dangerous behavior to self or others, severe inappropriate sexual behavior , severe acting out, conduct disorder).

According to this definition, a child is emotionally disturbed if he or she exhibits one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

- a. an inability to learn which cannot be explained by intellectual, sensory, or health factors;
- b. an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- c. inappropriate types of behavior or feelings under normal circumstances;
- d. a general pervasive mood of unhappiness or depression and;
- e. a tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance includes schizophrenia, but does not include social impairment, unless it is determined that the student has emotional disturbance. Deaf applicants who, after an evaluation by the MSD admission team, are found to also carry a DSM-IV-TR diagnosis of "autistic disorder 299.00" are not eligible for admission to MSD. We note that the criteria for autistic disorders are subject to change with revision of the DSM. The school will address those changes when available.

While it is not unusual for a deaf child with special needs to have an overlay of emotional problems; to be eligible for admission the child's emotional difficulties cannot adversely impact the child's ability to learn and cannot be the child's primary or major disability.

5. Orthopedic Impairments: Deaf applicants with orthopedic impairments may be accepted into MSD provided they are ambulatory and are able to move about the school using braces, a wheelchair, or a mobility aide.

6. Vision: Deaf children with visual impairments can be admitted to the Enhanced Program of Services provided that their visual impairment does not preclude the use of visual media ordinarily used in instruction. As the primary mode of communication and learning for deaf children is visual, applicants must be able to benefit from this form of instruction.

Partially sighted individuals who wear glasses that permit them to function visually within normal limits would qualify for admission. Deaf applicants who need special provisions such as braille or tactile manual communication would be referred to the Deaf-Blind unit of the Maryland School for the Blind in Overlea, Maryland and their Local School System.

7. Neurological Impairments: Deaf applicants who are diagnosed as having aphasia (receptively, expressively, or mixed), brain injury, central processing disorders, or an auditory processing disorder are not eligible for admission to MSD. While it is understood that deaf children/youth with supplemental neurological problems may evidence aphasic-like language deficiencies and characteristics, to meet admissions criteria they should have the ability to progress linguistically and academically through the visual modality.

8. Other Health Impairments: Applicants with other health impairments who, with the use of supplemental aides and services and/or assistance will be able to participate in the educational programs at MSD may be eligible for admission to the Enhanced Program of Services.

STUDENTS MSD DOES NOT SERVE

1. MSD does not serve students who are in need of 24-hour medical care.

2. MSD does not serve students who need a 24-hour psychiatric treatment program, including but not limited to students who exhibit arson tendencies, are psychotic or sociopathic, are chronic substance abusers or are a danger to themselves or others.

3. MSD does not serve students who need a custodial program, including but not limited to students who are severely to profoundly retarded, are autistic, or lack self-help skills. Students who lack self-help skills include those who are unable to learn simple mobility patterns around campus, are unable to communicate basic needs to staff members, are unable to respond appropriately to life-threatening situations, do not demonstrate the potential to eat and dress, or do not demonstrate the potential to attend to personal care/hygiene needs.

4. MSD does not serve students who exhibit severe acting out/aggressive behaviors, conduct disorders (including sexual behaviors), including but not limited to students who constitute a danger to themselves or others, students who demonstrate assaultive behavior, or students who demonstrate behavior requiring repeated contacts with law enforcement agencies.

¹¹¹ Code of Maryland Regulations (COMAR), Maryland State Board of Education, 13A.05.01.03B(20), Provision of a Free Appropriate Public Education, Revised December 2002.

¹¹² Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition Revision/DSM-IV-TR, 2000 American Psychiatric Association, Washington, D.C.
