

Exceptional Education Policy

Educational Services and Resources for Exceptional Students Policy and Procedures

Services and resources are provided to students with qualifying developmental delays and/or other handicapping disabilities according to student needs. Services and resources are provided under public supervision and at public expense without charge to the students' parents. All interventions are delivered in the least restrictive environment (LRE) as possible in accordance with C.F.R. §§300.13 and 300.550.

Child Find: Procedures outlined in this section are used to identify students with delays and disabilities in that they may receive effective special education and related services and have access to a Free Appropriate Public Education (FAPE) that meets state standards. Such special education and related services will be designed and implemented based upon an Individual Education Program (IEP). All K-12 students with disabilities who are in need of special education and related services will be identified, located, and evaluated commensurate with §300.125. Included are students suspected of having disabilities even though they are advancing from grade to grade commensurate with §300.07.

Identification and Referral: K-12 grade students suspected of having qualifying conditions are located and identified by a variety of means. Referrals may be made based on screening instruments, the concerns of parents, teachers, administrators, public agencies, persons whom have interacted with the student, or recommendation from a student's previous school. Upon receipt of a concern about a child's development or a request for an evaluation from a Parent of a child ages 3-5 years old, *ALL* will attempt to obtain parent consent and will refer Parents to the District of Residence for screening or evaluation. *Arizona's Child Find Tracking Form* will be completed and faxed to the District of Residence within two working days of the date of initial Referral. If the District of Residence has not contacted *ES* within 30 calendar days from the date of Initial Referral, *ES* will contact the District of Residence to determine the status of the referral. If the District of Residence has not initiated the eligibility determination process, *ES* will complete the Alert portion of the Arizona's Child Find Tracking Form and fax it to ADE within two working days. *ES* will refer children suspected of having disabilities, aged birth through two years, to the Arizona Early Intervention Program for evaluation.

Screening: All students are formally screened with hearing and vision tests annually. Throughout the academic year, all students are informally observed, regarding disabilities related to cognition, motor skills, social/emotional skills, speech, language, and adaptive development. All new and transferring students, without sufficient records to rule out disabling conditions, are screened. All necessary screening will be completed within 45 days of a completed enrollment (enrollment is considered complete on the first day a student attends school). Students identified with suspected

qualifying conditions are provided with in-depth evaluations appropriate to the suspected condition. ALL avoids, as much as possible, interfering with students' regular education or inconveniencing their families. ALL's goal is to inform parents of the availability of special education services when it is indicated that a student qualifies. Because ALL places screening, identification, and determination of eligibility on an expedited schedule, and because a referred student's assessment team is comprised of many participants, it is not always possible to accommodate everyone's requests regarding meeting times. ALL participants, including parents, are expected to attend scheduled meetings. Children with special needs require significant resources. Limited resources can easily be squandered if participants in an intervention are not committed to providing for the child's educational needs. Providing effective interventions requires flexible coordination between home and school. Special needs children receive greater benefit if family members are actively involved with the school and if the school and parents insure availability and cooperative communication. ALL's desire to avoid inconveniencing parents is overshadowed by a child's need to access educational resources. ALL apologizes for any inconvenience which may be associated with a disabled child's education and appreciates full cooperation regarding parents' essential involvement.

Initial Planning Process Team Lead (Team Leader): Once the initial screening process is complete and/or referrals are received, students suspected of having qualifying conditions are assigned a "Team Leader" with the appropriate expertise. This person is responsible for sharing information and gathering relevant child and family information. Parents' timely response to the Team Leader's requests for documents, information, and the return of required forms is appreciated. The Team Leader is responsible for coordinating and scheduling evaluations, events, participant involvement, and meetings. The "Team Leader" will ensure the conclusion of screening within 45 days of the completion of enrollment. Enrollment is considered complete on the first day a student attends school. The Team Leader will follow the process from initial planning through the delivery of services. The Team Leader will remain the contact person throughout the entire determination process and subsequent delivery of services.

Evaluation and Assessment: Though the evaluation and assessment period the referred student's unique strengths and needs are ascertained and eligibility for services is determined. If a student is confirmed to be eligible for special education services, the extent of the disabling condition is determined, the condition documented, and services for which the student is eligible are defined. The initial evaluation of a child considered for inclusion in special education is completed as soon as possible but will not exceed 60 calendar days from receipt of the parent or guardian's signed informed consent form. If ALL initiates an evaluation, the 60-day period commences with the date ALL receives written informed consent and concludes with the date the Multidisciplinary Evaluation Team (MET) determines eligibility. If a parent requests an evaluation and the MET agrees, the 60-day period commences with the date ALL receives the signed parental request form and concludes with the date the MET determines eligibility.

Eligibility determination: Not all students who are identified as needing intervention are eligible for special education services, nor are all services appropriate or beneficial. Students who might benefit from intervention but do not qualify for special education services are not recorded as special education students but shall nonetheless receive intervention through the normal education intervention services. Such services may include intensive tutoring, extended day homework helper, reading workshop, computer assisted practice, school and home behavioral interdiction, or other appropriate interventions. Children who are determined eligible based on documentation of an established qualifying condition by a qualified professional or assessment that indicates the child meets AzeIP eligibility criteria for developmental delay as defined in 4.23, a MET comprised of qualified members will be assembled and a date for a meeting determined.

Individualized Education Program (IEP): For students who qualify for special education services, a written statement of purpose and intervention plan shall be developed and periodically revised by the MET. Parents of special needs students are expected to participate in the design and implementation of intervention plans. ALL does its best to schedule meetings at convenient times, however, most meetings can be scheduled only during regular school days and hours. In order to maximize the effectiveness of intervention, parents are expected to support and be involved in educational interventions and attend meetings. When family members receive specific training that support and amplify the effects of services provided on campus, such training is provided on school grounds during regular school hours.

Discipline / Identified Students: If disciplinary action against a student receiving special education services prevents the delivery of services for more than 10 school days, arrangements will be made to deliver services in accordance with §§300.121.

Public Awareness: Information regarding special education and related services can be located in this manual. Additionally, we welcome parent inquiries in the main office. Individuals with in-depth questions may want to make an appointment with an ES qualified special education professional. On occasion, information concerning special education services is included in the *Parent Group* newsletter.

Data Reporting / Confidentiality / Privacy / Identified Students: Although ALL has developed and implemented a method to determine which children are currently receiving special educational and related services; maintains documentation of the number of children with disabilities within each disability category that has been identified, located and evaluated; and complies with federal and state reporting mandates, the collection and use of this data meets confidentiality requirements of §§300.560 and 300.577. Most reported data is compressed and specific children are not identified. ALL will share specific names and data, which could be used to identify students, only when required by law and only with those individuals and agencies which have a need and right to know. All other transfer of such materials shall require parent consent.

Procedural due process for students afforded additional due process measures under IDEA:
Students with disabilities conditions are afforded all of the due process protections and rights of normal students in addition to the following:

- With the exception of emergency crisis removal initiated to ensure student or staff safety and/or to ensure the preservation of a harmonious learning environment, reasonable effort shall be made to include an appropriate member of the student's IEP team in any and all deliberations concerning infractions of ALL's Code of Conduct by a student with disabling conditions.
- No student, including those with disabling conditions, may be placed in a setting or returned to a setting in which it has been determined that such action presents: a physical or emotional risk to the safety or wellbeing of the student, other students, or other persons (e.g., staff); a risk that property may be destroyed or damaged; a risk that the harmonious learning environment may be disrupted.
- The disabling condition must be taken into consideration when determining appropriate consequences for violations of ALL's Code of Conduct. No intervention shall be imposed that exacerbates symptoms of the disabling condition. Interventions that interfere with the delivery of services shall be avoided.
- Prior to the initiation of any formal disciplinary action, determination shall be made as to whether the prescribed accommodations were in position when the alleged infraction occurred. Lapses in accommodations shall be considered in the determination of consequences. Consequences are not required to be punitive but must produce incentives that alter future behavioral.
- Prior to any formal disciplinary action, determination shall be made as to whether the alleged infraction was a manifestation of the student's disabling condition. If so, the student may not be suspended or expelled.
- If any proposed disciplinary action is likely to result in ten (10) or more cumulative days (inclusive of partial days) of suspension within any one academic year, of a student with a disabling condition, a Manifestation Determination Hearing, consisting of the student's IEP team members, must be convened within ten (10) school days to consider the proposed action and/or changes in the placement of the student. If disciplinary action against a student receiving special education services prevents the delivery of services for more than 10 school days, arrangements will be made to deliver services in accordance with §§300.121.
- Prior to any Manifestation Determination Hearing, all relevant information related to the alleged infraction(s), must be made available to the student's parent and IEP team members.
- At said Manifestation Determination the Hearing, IEP team shall review information including but not limit to the contents of the student's IEP file, instructor or administrator observations, home observations, and all available information regarding the events surrounding or related to the infraction, in order to conclude: 1) If the infraction was a manifestation of the disabling condition; 2) If the student's disabling condition had substantial involvement in or relationship to the infraction; 3) If the infraction was an outcome of absent or improperly implemented IEP interventions or services.

Should the infraction(s) be determined be a manifestation of the student's disabling condition or substantial outcome of it, the IEP team shall: 1) Conduct a Functional Behavioral Assessment (FBA), if one had not been conducted prior to the infraction and develop and implement a positive Behavioral Intervention Plan. 2) If a FBA had been conducted prior to the infraction and a Behavioral Intervention Plan developed and implemented, the IEP team shall review the Behavioral Intervention Plan and adjust as is appropriate, relative to the circumstances related to the infraction.

- If the IEP team determines that the infraction was a manifestation of the disabling condition, the student may not be suspended or expelled.
- The student shall be returned to his original placement if such action does not present a risk as stated above (See: II.D.5.b.ii.2.) unless the IEP team, LEA, and parent agree to alter or change placement as defined in a new or revised Behavioral Intervention Plan.
- If the infraction is a manifestation of the disabling condition and the infraction includes any of the following; possession of a dangerous weapon, use or sales of illegal or controlled substances, or injury to another person the student may be placed in an Interim Alternate Educational Setting for forty-five (45) days or less.

All actions, interventions, decision or judgments pertaining to infractions to *ALL's* Code of Conduct by students with disabling conditions, must conform to all relevant IDEA regulations including but not limited to: 300.530 Authority of school personnel; 300.530(e) Manifestation determination; 300.531 Determination of setting; 300.534 Protections for children not determined eligible; 300.535 Referral to and action by law enforcement and judicial authorities; 300.536 Change of placement because of disciplinary removals.