

# A Guide for Special Education Teachers & Other Personnel Serving Students with Disabilities



**SOWEGA STEM  
Charter School**

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# PREFACE

This manual has been created to provide guidance to service providers in the SOWEGA STEM Charter School related to the implementation and compliance of special education programs as required by the Individuals with Disability Education Improvement Act 2004 (IDEIA) and its regulations. In this manual, general guidelines and specific procedures may be found to assist you with the evaluation process, IEP development for students with disabilities, and the provision of a Free and Appropriate Education (FAPE). It is also designed to guide staff working with students with special needs through the appropriate procedures for the identification and evaluation of students with disabilities.

This manual is a district supplement to the Georgia's Department of Education's Special Education Rules and Implementation Manuals and is meant to serve as a practical guide for implementing the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) and its regulations. It is not intended to state new law or supplant any federal or state laws, regulations, or requirements. No part of this manual should be seen as having the force of law. This manual should not be cited as law or as imposing any additional requirements or obligations outside the requirements of existing law.

All staff members also have access to the State Special Education Rules and Implementation Manuals which should be consulted first when questions arise regarding laws and policies. Also, an electronic version will accompany this manual. This information may be transferred and saved to a special folder located on the desktop of your computer. Using the digital format of the manual will make it easy for you to access the hyperlinks, which are dispersed throughout this manual.

While compliance is imperative and non-negotiable, SOWEGA STEM Charter is focused on providing excellence in the educational experience which focuses on providing high-quality instruction that is engaging and challenging, a physically emotionally safe learning environment, and data driven decision making. The mission of SOWEGA STAM Charter is to prepare young people to become lifelong learners, based on high academic standards for all, individual appreciation for each student and teacher, a culture of trust, respect for the diverse traditions of Georgia, and involvement of family and community. The District expects that all Special Education Staff will review the contents of the manual, participate in opportunities for training and review and effectively implement the procedures outlined. Other personnel are expected to review, participate in trainings and implement the procedures for the sections appropriate for their professional duties and responsibilities.

**Laws mandating special education and related services are some of the mostly highly litigated laws in the United States. For this reason, if you are ever in doubt about what steps you should take in a particular case, please contact the SOWEGA STEM Charter School System's Special Education Director.**

**Purpose Statement**

Personnel in the SOWEGA STEM Charter School System have the responsibility to ensure that all children aged 3 through 21 residing in the county are provided with a free appropriate public education (FAPE) including children with disabilities who have been suspended or expelled from school.

## **SECTION 1:**

### **STUDENT RECORDS AND CONFIDENTIALITY**

SOWEGA STEM Charter School ensures that confidentiality rights are afforded to parents as explained in the Parent Rights Document (procedural safeguards) and Family Educational Rights and Privacy Act (FERPA) of 1974, which applies to all students, not just those with disabilities.

All district personnel (including contracted employees) will participate in training and sign that they are governed by confidentiality requirements and receive annual school based training and information regarding the law. A training summary will be provided to all personnel at the midpoint of each year.

#### **SUPERVISION AND MONITORING:**

- All staff working with students with disabilities will sign off that they have completed the annual confidential requirement in the annual school based training, the midyear review and that they understand the confidentiality requirements.
- The Special Education Director will monitor the school to ensure completion and submission and Principals will receive notification of any staff not completing by deadline.
- Staff not having completed tasks within 10 days of training will be turned into the Principal and will be required to participate in one to one in person training.

Written and dated parental consent must be obtained before personally identifiable information can be disclosed to unauthorized individuals, organizations, or agencies (unless authorized to do so under FERPA: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>)

- All special education information is confidential.
- Unless in immediate use, files should be maintained in a locked filing cabinet.
- List of personnel (list specific titles, not names) with access to files should be displayed.
- **For all personnel in the school system, breaching confidentiality is a violation of ethics and may result in a reprimand or dismissal.**
- Georgia State Rules for Special Education  
[http://www.doe.k12.ga.us/ci\\_exceptional.aspx?PageReq=CIEXCAadoptedRules](http://www.doe.k12.ga.us/ci_exceptional.aspx?PageReq=CIEXCAadoptedRules)

Personally identifiable information is defined by the district but may include the following:

- The name of the student, the student's parent, or other family member
- The student's address
- Any personal identifier such as the student's social security number or student number
- Any personal characteristics or other information that would make it possible to identify the student

#### **Description of the children on whom personally identifiable information is maintained:**

The SOWEGA STEM Charter School uses special education record to help with planning and implementing instruction, guidance and monitoring the educational progress of students with disabilities in order to provide information to parents and staff as we comply with federal and

state regulatory requirements. SOWEGA STEM Charter School complies with federal laws and regulations pertaining to the privacy and confidentiality of special education records. Information that is collected, stored or disclosed, or destroyed will be protected in the following manner.

- The district maintains electronic information on an internal secure server.
- All personal computers are assigned to appropriate staff and are password protected.
- When not in use, all hard copy documents are stored in locked areas or filing cabinets accessible to only those individuals who need access to the confidential information.
- Any confidential Information (at the school) of students that are no longer active is destroyed in a secure manner. Records of inactive students are kept at the district office for a set number of years before being destroyed in a secure manner.

### Access Rights and Required Procedures

SOWEGA STEM permits parents or guardians to inspect and review any education records relating to their children that are collected, maintained, or used by the district. The district complies in a timely manner with any request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session. The rights of parents regarding education records are transferred to the adult student at age 18.

### District wide Special Education Student records will be organized in the following manner:

- Active files are kept for all students currently in any special education program in the office of the Special Education Director. Inactive files (i.e. files representing students whose services were terminated or who did not meet eligibility requirements) are also maintained in the office of the Special Education Director.
- Working Special Education files will be kept at the school with case managers in secure locations.
- Special Education paperwork within that folder should be kept together in a folder and clearly marked as confidential information.
- An Access sheet will be filled out when information is reviewed or provided to anyone outside of the employment of SOWEGA STEM Charter School or who does not have a current educational interest in the student. General education teachers (and others not on the Record of Access list for the school's records) should sign the Record of Access form when information in the file is reviewed or discussed, unless the information is discussed in a documented meeting.
- Students who are 18 years old or older may have access to their records.

### The right to inspect/review FERPA for Students:

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html>

- A right to a response from SOWEGA STEM CHARTER School to reasonable requests for explanations and interpretations of the records.
- A right to request that SOWEGA STEM CHARTER School provide copies of the records containing the information, if failure to provide those copies would effectively prevent the parents from exercising the right to inspect and review the records.
- A right to have a representative of the parents inspect and review the records
  - SOWEGA STEM CHARTER School will presume that the parents have the authority to inspect and review all records relating to their child unless SOWEGA STEM CHARTER School has been advised that the parents do not have the authority under applicable State law governing such matters as guardianship, separation and divorce.
  - Record of parties obtaining access; SOWEGA STEM CHARTER SCHOOL will keep a record of parties obtaining access to education records collected or maintained (except access by the parents and authorized employees of the LEA), including the name of the party, the date access was given, and the purpose for which the party is authorized to review or use the records.
  - Fees: the district may charge a fee for copies of records that are made for parents under this Rule if the fee does not effectively prevent the parent from exercising their right to inspect and review those records. SOWEGA STEM CHARTER SCHOOL will not charge a fee to search for and retrieve information. SOWEGA STEM



CHARTER SCHOOL will request a copy fee for excessive requests of identical records upon the discretion of the SPED Director.

More information about FERPA can be found at:

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

**SUPERVISION AND MONITORING:**

- If a records request is made by anyone other than parent, student, or others as identified as not needing parental consent, signed consent must be obtained before proceeding through the process.
- Special Education Records can be requested directly from the SPED Director or the parent can request from the case manager. The case manager will then contact the SPED Director.
- Confidential Special Education files kept by the SPED Director will be reviewed and copied at the district office.

**SECTION 2:**  
**PARENT INFORMATION AND RIGHTS**

SOWEGA STEM Charter School Program for Exceptional Students recognizes and values parent(s) and/or guardian(s) of a student with a disability as they are necessary participants in the development of the IEP. It is important that the parents provide information about their views of the student's progress or lack of progress, as well as express concerns about the overall educational development of the child. Parents provide important knowledge about how the student behaves and performs outside the school setting. SOWEGA STEM Charter School will make every effort to ensure parent(s) and/or guardian(s) are:

- involved in every aspect of the development of an initial IEP
- involved in every aspect of the development of the annual IEP
- involved in amendments if placement and/or services will be discussed
- given the opportunity to participate by telephone conference call if unable to physically attend

**SUPERVISION AND MONITORING:**

Parent participation and parent signature requirements will be reviewed by the Special Education Director when the IEP is submitted.

- The Case Manager will be contacted for all submitted IEP's that are not marked as providing parental rights, documenting parental notice attempts, including parent participation or parental review with staff or documentation that parent agreed for district to continue in their absence.
- Parents will be contacted by the Main office and the information will be appropriately updated.

### Free Appropriate Public Education (FAPE)

All students with an IEP are entitled to a free appropriate public education. This includes children that are eligible for special education from the ages of three (3) through twenty-one (21). Entitlement to FAPE ends upon reaching age 22 or graduating with a regular diploma, whichever comes first.

The education provided to the student with an IEP must be appropriate and must address what the individual student needs in order to make educational progress, but this is neither a guarantee of achievement of each goal on the IEP nor a guarantee of promotion, passing grades, or graduation. Likewise, passing from grade-to-grade or receiving all passing grades does not mean that a student is receiving FAPE. Each student is an individual and his or her appropriate education is determined on a case-by-case basis. In addition, the term “appropriate” is not the same as “best”; appropriate is a minimal standard that assures the student has the opportunity to make educational progress.

FAPE can also include nonacademic and extracurricular services. Supplementary aids and services necessary to provide students with disabilities the equal opportunity to participate in nonacademic and extracurricular activities must be considered in the IEP. Educational opportunity entitles all children to have access to the same education and services that all other children have within the district. For information on possible services and supports for participation in nonacademic and extracurricular activities, please contact your SPED Director in a timely manner to ensure supports can be scheduled.

### **SUPERVISION AND MONITORING:**

- Each IEP will be monitored for provision of FAPE, accuracy and completion of data base processes by the SPED Director.
- The SPED Director will monitor samples of IEPs from each case manager on a rotating basis for accuracy.
- The Case Managers will monitor any IEPs that are requesting a change in placement or have parental concerns.
- The SPED Director will review random IEPs identified with concerns or complaints and assist Case managers with IEP reviews.

Medication

- SOWEGA STEM Charter School may not require medication as a condition of attending school, receiving an evaluation, or receiving services.
- Parents make the decisions regarding their children and any medication they administer or do not administer.
- SOWEGA STEM Charter School staff should not make medical decisions that require medication. Nothing prohibits SOWEGA STEM CHARTER School; however, from sharing classroom observations regarding the academic, behavioral, or functional performance of a child with the parents in order to better inform the parents of the student's behavior and academic performance when taking or not taking medication.
- Please contact the SPED Director to discuss extreme situations regarding medication.

**SUPERVISION AND MONITORING:**

- Medication training will be provided to all staff at each school at the beginning of the year and twice throughout the year by school personnel.
- Completion of all trainings, to include review of medication requirements, will be monitored by the CareConnect staff.

Parent Consent:

Written consent is required for the following actions:

1. To conduct an initial evaluation.
2. To conduct a reevaluation.
3. For the initial provision of special education and related services on the IEP.
4. To make a substantial change in special education and related services; and before disclosure of personally identifiable information that is subject to confidentiality.
5. To conduct a Functional Behavior Analysis and/or Behavioral Intervention Plan.
6. SOWEGA STEM Charter School will ensure written Consent to Place for students entering from other systems with an IEP
7. Whenever guardianship changes.

Revocation of Consent Procedures:

- IDEIA gives parents the right to determine their child's education.
- IDEIA states parents should participate in all components of their child's education and be the primary protector of the rights of the child.
- Parents have the right to revoke consent for special education and related services.

Revocation of Consent:

1. A parent must provide written intent to withdraw consent.
2. If a parent cannot provide the request in writing, the system should assist the parent to put the request in writing.

3. Once the Revocation of Consent is received by the school, the school will provide prior written notice (PWN) to the parent about the revocation of consent.
4. The system may not challenge the revocation through mediation or a due process hearing.
5. The system may not delay the revocation of services, even for the purpose of holding an IEP meeting.
6. Other consideration regarding services that may discontinue may also include the need for schedule changes and transportation changes.
7. When a parent/student revokes consent for special education and related services, the student should be reported with the withdrawal code in Infinite Campus. The date of Event Code indicates the date at which the student no longer received special education services.

Revocation of consent and prior written notice for written notice to discontinue special education services

- Revocation of Consent revokes all services. Consent for services is consent for special education. If the parent revokes consent, all services discontinue.
- Once the system receives the written Revocation of Consent from the parent, the school must provide Prior Written Notice before services can be discontinued and this must occur in a timely manner.
- A student who has reached the age of majority may not hold the LEA responsible for lack of provision of FAPE if the parent has previously revoked consent.
- A student who has reached the age of majority (age 18 years) may revoke consent for placement. In this case, PWN should be provided both to the child and to the parent.

#### Independent Educational Evaluations (IEE)

If a parent disagrees with the results of a completed evaluation done by the district, the parent may request an outside independent educational evaluation (IEE) paid for by the district. The district must agree to pay for the independent evaluation or begin due process procedures to show that the district's evaluation is adequate. If there is a due process hearing and the district's evaluation is judged to be sufficient, then it will not have to pay for an IEE.

A parent is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent disagrees. (Public expense means that the district either pays for the full cost of the evaluation or ensures that the evaluation is provided at no cost to the parent.)

The qualifications of the independent evaluator must be the same as those required of the district evaluators and the district may set a reasonable limit on the cost of the independent evaluation.

Parents are not entitled to an independent educational evaluation at public expense before they allow the district to conduct its own evaluation. Once the district evaluation occurs, and the parents disagree with the results of the evaluation, they can request one at public expense. If granted by the district, the district will provide the parents with a list of qualified examiners from which to choose for the independent educational evaluation.

If a parent obtains an independent educational evaluation at his or her expense, the results of the evaluation that meet state and district criteria shall be considered by the district in any decision made with respect to the provision of FAPE for the child.

#### PROCEDURE: IEE REQUEST

- If a parent requests an IEE, the request should be submitted in writing with an explanation of why he/she is requesting to the SPED Director.
- The parent will receive a letter to include IEE requirements and a district example list of qualified applicants to provide the IEE.
- Consent to test Vision and Hearing is obtained, if needed. Vision and Hearing are cleared.
- If the parent requests someone who is not on the district approved list, the district reviews the request and determines if it is appropriate or if the district refuses the request.
- The parent signs consent to release and discuss records with the selected evaluator.
- Once an examiner is agreed upon, the district sends the requirements and request to the examiner.
- A contract is set up through the Director to facilitate payment and service expectations.
- A parent signs the consent to evaluate.
- The examination is scheduled and completed.
- The examiner shared all records with the district.
- Once the documentation is received, a meeting is scheduled with the parent and team members to review the information and update the present levels of performance and other necessary IEP components as appropriate.

#### **SUPERVISION AND MONITORING**

- The IEE request will be submitted to the SPED Director.
- The SPED Director will document the following:
  - Name
  - School
  - Date of Request
  - Date Director responded
  - Response in agreement or moving to Due process
  - Outcome and date completed
- The SPED Director will monitor the IEE request to ensure timely completion.
- The SPED Director will set up Due Process Request or IEE request to include:
  - Contract with provider
  - Create a financial plan
  - Work with parents to schedule appointment
  - Receive/review final report submission
  - Schedule of meeting to review.

**SECTION 3:**  
**DISPUTE RESOLUTION**

SOWEGA STEM Charter School follows the procedures and timelines set by the Individuals with Disabilities Act (IDEA) for State complaints and for due process complaints and hearings as outlines in the Parent Rights.

If you believe that a parent is upset or concerned about a situation, a proactive response is recommended.

- Offer the parent a copy of their parent rights and offer to allow them to watch the state videos.
- Have the parent write down their concerns and offer to schedule a meeting.
- Contact the case manager to discuss the situation and assist with scheduling a meeting and determine who should be in attendance.
- Ensure that the Principal is aware of any parental issues that require a response beyond the scope of your authority to commit resources.
- Have your Principal or SPED Director work with you to address the parent concerns or questions.
- Ensure that the parents understand who the SPED Director for the system is and has their contact information along with the location of the district office.

**Formal Written Complaint:** A formal written complaint is a written, signed complaint alleging the violation of IDEA procedures or a violation of State Special Education Rules that occurred not more than one year prior to the date the complaint is received.

- Any organization or individual may file a signed, written complaint.
- The person filing the complaint must submit a copy to the district at the same time as submission to the Georgia Department of Education (GaDOE).
- The complaint must include a statement that a public agency has violated a requirement of IDEA, the facts on which the complaint statement is based and suggested resolutions to the complaint issue.
- The complaint will be reviewed and investigated by the GaDOE within 60 calendar days of receipt.

More information regarding the written complaint process can be found on the Parental Rights and the GaDOE website.

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Dispute-Resolution.aspx>

Formal written complaint procedure:

1. The State Division for Special Education Services and Supports shall contact SOWEGA STEM CHARTER SCHOOL and forward a copy of the complaint. The GaDOE will also request in writing a written response within 10 business days from the public agency directly involved.

2. SOWEGA STEM CHARTER SCHOOL SPED Director will submit a written response to the State and to the person filing the complaint within ten business days of receiving the official letter from the State.
3. SOWEGA STEM CHARTER SCHOOL SPED Director will contact parent or complainant in writing and provide them with the procedural safeguards.
4. SOWEGA STEM CHARTER SCHOOL will schedule a meeting to review the complaint.
5. SOWEGA STEM CHARTER SCHOOL SPED Director will offer mediation and a proposal to resolve the issue.
6. SOWEGA STEM CHARTER SCHOOL will authorize the release of records.
7. GaDOE conducts an investigation to confirm details and get clarification of the issues. The investigation may include interviews with the parties, on site visits, and other activities as indicated by the nature of the allegation. The State gives the complainant the opportunity to submit additional information in writing about the allegations of the complaint once it has reviewed the response from the LEA.
8. The State issues a written decision within 60 days to the district and complainant that addresses each allegation in the complaint, the finding of fact, and the conclusions. If there is a violation of the law or regulations, then a resolution is required that may include technical assistance activities or corrective action to achieve compliance.

#### Mediation Process

When the parent(s) and district disagree about the education of a student with a disability, either party may request mediation. Each LEA shall ensure that procedures are established and implemented to allow parties to dispute involving any matter relating to the identification, evaluation and educational placement, or provision of a free appropriate public education (FAPE) to resolve such disputes through a mediation process.

#### SOWEGA STEM CHARTER SCHOOL Procedures for Mediation

1. If a family member is requesting mediation, contact the SPED Director and they will complete the request for mediation form and submit it to GaDOE.
2. The mediation request is faxed to the GaDOE Special Education Services and Supports. (770) 357-9340.
3. Upon receipt, State Special Education Services and Supports assigns the request to a mediator.
4. The mediator will contact both parties to develop the timeline, set up the meeting location and begin preparation.
5. Mediation will occur at a location and time convenient to both parties.
6. Once parties have agreed to a date and location, participants should be prepared to spend most of the day in mediation.
7. If a resolution is reached, the mediator will facilitate the agreement and all parties will sign the mediation agreement.
8. After mediation, both parties are expected to carry out the activities they agreed to during the mediation as outlined in the agreement since this is a legally binding document.
9. If mediation is being requested as part of a due process hearing, the mediation will not delay nor deny the right to a due process hearing. However, discussions during mediation cannot be used as evidence in any due process hearing or civil proceeding.



If a parent chooses not to participate in mediation, SOWEGA STEM CHARTER SCHOOL will offer an opportunity to meet at a time and location convenient to the parents with a disinterested party who is under contract with an appropriate Alternative Dispute Resolution Entity, a parent training or information center or a community parent resource in the State established under section 671 or 672 under IDEA, who would explain the benefits of and encourage the use of mediation process to parents.

#### Impartial Due Process Hearing

The impartial due process hearing is designed to provide a parent or LEA an avenue for resolving differences with regard to the identification, evaluation, placement or provision of a (FAPE) to a child with a disability. More information regarding the written complaint process can be found on the Parental Rights and the GaDOE website.

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Dispute-Resolution.aspx>

- (a) The due process hearing request must allege a violation that occurred not more than two (2) years before the date the parent or LEA knew or should have known about the alleged action that forms the basis of the due process hearing request.

Due Process Request Procedures are as follows:

- SOWEGA STEM CHARTER SCHOOL will ensure that training is provided for understanding that either party or their legal representations may file a due process hearing request.
- The filing party will provide a copy of the written request to the System Superintendent and the GaDOE. All parties shall keep the content of the request confidential.
- The content of the complaint must include:
  - The name of the child
  - The address of the residence of the child
  - The name of the school and the LEA the child is attending;
  - For a homeless child, the contact information for the child and the name of the school and LEA the child is attending;
  - A description of the nature of the problem of the child relating to the proposed or refused initiation or change in the identification, evaluation, placement, or provision of a free and appropriate public education (FAPE) including the facts relating to the problem.
  - A proposed resolution to the problem to the extent known and available to the party at the time.
- A hearing may not occur until the party or attorney representing the party files a request that meets the requirements stated above.
- Upon request, SOWEGA STEM CHARTER SCHOOL will inform the parent of low-cost or no cost legal and other relevant services available if the parent requests the information or whenever a due process request is received.

- SOWEGA STEM CHARTER SCHOOL will notify the complaining part and the hearing officer in writing within 15 days of receipt if it believes that the request does not meet the requirements listed above.
- SOWEGA STEM CHARTER SCHOOL understands that either party may amend its due process request only if:
  - The other party consents in writing to the amendment and is given the opportunity to resolve the due process request through mediation or a resolution meeting; or
  - The administrative law judge or hearing office grants permission no later than five days prior to the beginning of the hearing
  - If an amended due process hearing request is appropriately filed, the timelines for the resolution meeting and the resolution period begin again.
- SOWEGA STEM CHARTER SCHOOL will send prior written notice with ten days of receiving the due process hearing request to the parent that includes an explanation of why the LEA proposed or refused to take action; a description of other options that the IEP team considered and the reasons why these options were rejected; a description of each evaluation procedure, assessment, record, or report the LEA used as the basis of the proposed or refused action; a description of the other factors that are relevant to the LEA's proposed or refused action.
- Unless responded to as above, SOWEGA STEM CHARTER SCHOOL will send a response to the other party within ten (10) days; a response that specifically addresses the issues raised in the due process hearing request.

#### Resolution Process

- If agreed to, the SOWEGA STEM CHARTER SCHOOL SPED district staff will convene a meeting with the parent and relevant IEP team members who have knowledge of the due process complaint within 15 days of the receiving a parent's due process hearing request and prior to the initiation of a due process hearing. This meeting is for the parent to discuss the facts of the due process request in an effort to resolve the dispute.
- A representative of SOWEGA STEM CHARTER SCHOOL who has decision-making authority on behalf of SOWEGA STEM CHARTER SCHOOL shall participate.
- The parent and SOWEGA STEM CHARTER SCHOOL SPED district staff shall determine the relevant members of the IEP team to attend the meeting.
- The district will not include an attorney for the District unless the parent is accompanied by an attorney.
- If the parent and SOWEGA STEM CHARTER SCHOOL agree in writing to waive the meeting or if they agree to use mediation to attempt to solve the request, the resolution meeting will not be held.
- If a resolution is reached, a legally binding agreement signed by both parties will be executed. Either party may void the agreement within 3 business days.

Resolution Period: SOWEGA STEM CHARTER SCHOOL will notify the appropriate personnel. If SOWEGA STEM CHARTER SCHOOL has not resolved the due process hearing request to the satisfaction of the parent within 30 days of receipt of the due process complaint and the due process hearing may occur.

The 45 day timeline for the due process hearing starts the day after the administrative law judge or hearing officer has been informed of one of the following events:

- (a) Both parties agree in writing to waive the resolution meeting.
- (b) After wither the mediation or resolution meeting starts but before the end of the 30 day period, the parties agree in writing that no agreement is possible.
- (c) If both parties agree in writing to continue the mediation at the end of the resolution period, but later, the parent or LEA withdraws from mediation.

A final decision must be reached in the hearing no later than 45 days after the expiration of 30 day resolution period of the adjusted time.

Any party aggrieved by the finding and decision made by an administrative law judge or hearing officer has the right to bring a civil action with respect to the due process hearing request notice requesting a due process hearing. The action may be brought in any State court of complement jurisdiction or in a district court of the United States without regard to the amount in controversy.

For additional information, please contact the SPED Director or review information on the Georgia Department of Education Website at <http://www.gadoe.org/Curriculum-Instruction-and-Assessment/SpECIAL-Education-Services/Pages/Dispute-Resolution.aspx>

#### **SECTION 4: CHILD FIND**

SOWEGA STEM Charter School implements the Child Find requirement in a variety of ways. Child Find is a process required by law that districts use to identify, locate, and evaluate all children, in the district, birth through 21, who are suspected of having disabilities that may result in a need for special education and related services. These policies and procedures ensure the identification, location, and evaluation of children and ensure that public notification is given before any significant Child Find activity is implemented. SOWEGA STEM Charter School uses Response to Intervention at the district level.

Before the start of the school year, the SOWEGA STEM Charter School sends information to Head Start, the local doctor's office, and the local Health Department through fliers, local newspapers, and the district website.

The district:

- provides district wide Response to Intervention, 504 and Student Support Team guidelines and activities
- submits education and related services in a timely and accurate manner
- provides child find statements on the web-site for individuals with students disability concerns.
- runs annual public service announcements in local newspapers for child find activities
- attends transition meetings for children transitioning from the Babies Can't Wait Program
- schedules annual screenings for 3 year olds at Headstart.

#### **SUPERVISION AND MONITORING:**

- Documentation of all Child Find activities, meetings, and training will be kept by SPED Director.
- The SPED Director will track completion of school based training through sign off by the Principal at the school level.

- Identified staff will be provided the opportunity to participate in additional group trainings.
- The Principal and SPED Director are contacted regarding individuals who demonstrate difficulties in areas of Child Find training.
- These individuals will be assigned to small group professional development with the appropriate staff member.
- Continued non-compliance will result in consult with the SPED Director, Principal, and individual.

SOWEGA STEM Charter School is responsible for all children suspected of having disabilities, regardless of the severity of the disabilities. SOWEGA STEM CHARTER SCHOOL identifies and provides early intervention for young children with special needs. Parents, doctors, or other interested persons may refer the child (birth through 5) for suspected delays. In collaboration with Babies Can't Wait Program, the district ensures that students Birth to age 3 are identified, located, and evaluated.

Students at the preschool level, enrolled in a lottery pre-k class in the school system or a day care center or Head Start facility can be referred for suspected delays in their cognitive, communication, adaptive, social/emotional, and motor skills. The Health Departments in counties served by SOWEGA STEM Charter School, Babies Can't Wait Program, provides services for children birth through age three.

#### The Referral Process for Ages 5-21

The Child Find process is facilitated in kindergarten through twelfth grade by the locally-developed Pyramid of Interventions. All students in SOWEGA STEM Charter School participate in evidence-based instruction, which is developed on grade level Georgia Common Core Performance Standards. When students struggle in the general education curriculum, Tier 2 and, if needed, Tier 3 interventions are provided. Data is collected at all tier levels to determine the students' responses to interventions that have been implemented.

Tier 3 serves a Child Find responsibility for students who may need special education and related services substantiated by documentation of scientific, research or evidence based on academic or behavioral interventions that demonstrate insufficient rate of progress. The school is responsible for screening and sending the correct documentation to the contracted school psychologist to assist with determining eligibility for services.

Exceptions may be made in circumstances where immediate evaluation and/or placement is required due to a significant disability that precludes access to instruction. These exceptions require Principal and Special Education Director review and data to support should the evaluation be clearly documented in the eligibility decision.

**SECTION 5:**  
**STUDENT SUPPORT TEAM**

SOWEGA STEM Charter School implements a district wide Response to Intervention Tier approach. This interdisciplinary team utilizes a systematic process to address learning, speech, and/or behavioral problems of students, K-12, in each individual school with a set of minimal district criteria. Students entering with a current IEP or Section 504 are not required to go through the SST process.

- Annual trainings are provided at each school level by the designated trainer to ensure that all professionals have information needed to implement the RTI tiers and complete the process.
- Parent/guardians are invited to participate in all meetings of their child's Tier 3 RTI and SST and in the development of interventions.
  - Documentation of a minimum of two attempts for notification and written notice will be kept with the completed forms.
- Teams use the RTI/SST forms and data collection results to monitor identified student progress as outlined in the RTI training manual.
- Schools keep a list of all students in the tiers process.
  - RTI/SST coordinators at each school should be aware of the students in Tier 3.
  - A list of all Tier 3 students will be turned into the SPED Director each 9 weeks.
- SST coordinators at each school work with each other to ensure that the RTI process is followed at each school to include the steps and documentation required for referral.
- Referrals for supplemental or support services require that an evaluation and/or assessment of the student be conducted.
- The following steps make up the SST process in SOWEGA STEM CHARTER SCHOOL:
  - Completion and submission of required paperwork at each tier.
  - Minutes taken and reviewed for all meetings.
  - Parent invitation to participate in all meetings.
  - Review of current data and assessments.
  - Identification of learning and/or behavioral problems.
  - Development of a learning plan using research-based interventions.
  - Implementation of the learning plan.
  - Follow-up and Support
  - Progress Monitoring and evaluation of results and student needs.
- Students who have been referred for an evaluation will have all RTI data and information submitted to the SPED Director following the SST referral process as outlined in annual training.
- Files are reviewed for required documentation as outlined in the SST referral process in annual training. Documentation shall include:
  - Student's name
  - Name of team members
  - Meeting dates
  - Identification of student learning and/or behavioral problems
  - Any record of assessment
  - Educational plan and implementation results

- Follow-up and, as appropriate, continuous evaluation
- Upon completion, SST coordinators at each school review referrals with the Due Process Checklist through the peer review process, and quarterly the leadership team at each school monitors files.

School personnel and parents/guardians may determine that there is a reasonable cause to request to bypass the SST process for an individual student.

If there is a reason to bypass the SST process for an individual student, the School Psychologist should work with the SPED Director to review documentation to justify the bypass.

Documentation must include:

- Any collected RTI/SST data
- Identification of specific skills identified and data that supports the skill weaknesses to justify the action.
- Parental or guardian knowledge and agreement with the decision.
- What strategies, interventions, modifications, and data collection method and how it will be implemented during the evaluation period.

#### **SUPERVISION AND MONITORING:**

- Documentation of all RTI tier activities, meetings, and training will be kept at each school.
- The SST Coordinators will track completion of all school based trainings through sign off by each school's principal.
- Parents will either sign documentation or the committee will document attempts to set up meeting and/or contract parent to review results from meeting for Tiers.
- Meetings, home visits, etc. will be scheduled with the parent to review paperwork and sign and date if they could not attend Tier 3, SST, or eligibility meetings.
- The SST Coordinators will track all Tier 3 and Learning Plans and keep a quarterly list of students at each school.
- Individuals or schools who need additional training are identified by School Administration and provided opportunity for additional group trainings.
- The Principal is contacted regarding individuals who continue to demonstrate difficulties in areas or training.
- These individuals will be assigned to small group/individual professional development with the appropriate staff members.
- Continued non-compliance will result in a meeting with the Principal, Superintendent, and the individual.

## **SECTION 6:**

### **EVALUATION PROCESS**

SOWEGA STEM Charter School ensures that evaluations are completed using a variety of evaluation tools and strategies to gather relevant academic, functional and developmental information about the student. These assessments must be selected and administered so as not to be discriminatory on a racial or cultural basis and must be provided in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is not feasible to do so. The instruments must be used in a manner to support the instruments validity and reliability and in accordance with publisher instructions and provided in the native language or other mode of communication. If the evaluation is not conducted under standard conditions, this must be explained in the evaluation report.

All evaluations must be administered by trained and knowledgeable personnel. This includes school psychologists with a valid certification, psychologists licensed in the state of Georgia and with experience in either school psychology or child clinical psychology. All evaluators are held to the state of GA requirements to include SLPs, OTs, PTs, etc.

As part of an evaluation (initial or re-evaluation), the committee must review existing data on the student, including evaluations and information provided by the parent, current classroom-based data, local, and state assessment, classroom observations, and teacher and service providers' observations. On the basis of this information, the committee can determine what additional data, if any, are necessary to determine if the student demonstrates a disability and the student's educational needs. The child must be assessed in all areas related to the suspected disability.

### **INITIAL EVALUATIONS GUIDELINES**

A student is typically referred for an evaluation by a Student Support Team (SST) when it has been documented sufficient evidence to suspect that a disability may be the primary cause of the student's learning or behavior problem(s). This usually occurs after appropriate interventions in the general education classroom have failed to find a satisfactory solution.

Prior to referral for evaluation, students are provided a wide range of intensive, research-based interventions. School level data review teams/SST Support Teams meet regularly to review the progress of students who are referred for interventions. When a student does not make the progress required to meet age or grade level standards, the student's Response to Interventions (RtI) referral packet is submitted to the SPED Department at the SOWEGA STEM Charter School.

SOWEGA STEM CHARTER SCHOOL will obtain informed consent from the parents before the evaluation is conducted. Reasonable effort will be made to obtain the consent to include but not limited to detailed records of phone conversation, copies of correspondence, etc.

If a parent refuses to respond or consent to the evaluation request, SOWEGA STEM CHARTER SCHOOL may pursue the initial evaluation through the mediation and impartial due process hearing procedures if the child is enrolled in public school. If a child is a ward of the state and is not residing with the parents, SOWEGA STEM CHARTER SCHOOL is not required to obtain

consent from the parent if despite reasonable efforts the parent cannot be located, the rights have been terminated or subrogated by a judge. The SST Coordinator and/or Principal should contact the SPED Director if there are significant concerns obtaining parental consent.

The initial evaluation must be completed before the initial provision of special education and related services are provided to a child with a disability. Parental consent is not required for:

- Reviewing existing data as part of an evaluation or reevaluation.
- Giving a test or evaluation that is given to all students unless consent is required for all students (State assessments, benchmarks, etc.)
- A screening to determine appropriate instructional strategies for curriculum implementation that shall not be considered to be an evaluation or eligibility.

The SST Coordinator at the school is responsible for gathering the data and completing the referral packet. This packet must include the following completed documents:

- Initial Evaluation Referral Checklist
- Notice of referral
- Cleared vision and hearing documentation and Parent Consent for Evaluation
- Completed student background information form (Submit documentation of attempts to gain parental input)
- Student Case History (Babies Can't Wait, Pre-K enrollment, retained, etc.)
- Tier 3/SOWEGA STEM CHARTER SCHOOL Learning Plan with any supporting tier and intervention data
- Current report card, State assessment scores, copy of permanent record card indicating grade and attendance and any medical reports.
- All progress monitoring data on summary sheets with charts

Depending on evaluation needs, additional information may be recommended.

Once the referral packet is completed by school personnel, it must be submitted to the SPED Department at the board office within ten days of committee decision to refer. If there is a delay in the submission process, the reason must be documented and included in the referral packet.

- A referral packet will be stamped with date of receipt, and a file will be prepared by the SPED secretary to be tracked.

#### Timelines for Initial Evaluations:

The district has 60 calendar days to complete the initial evaluation process, completion being defined as when the eligibility meeting is held.

Exceptions include:

- When students are not required to be in attendance for five consecutive days, (e.g., during holidays, vacation, or special circumstances), an extension to the timeline equaling those days out will be applied.
- If the permission is received less than 30 days before the end of the school year, the days can be split between the current and next school year.
- When the parent repeatedly failed or refuses to produce the child for evaluation.
- If a parent chooses to revoke the consent to evaluate, the process stops and is marked inactive and filed in the inactive files with paperwork indicating why the process was stopped.



- If the parent decides to request an evaluation at a later time, the team must meet and a new consent for evaluation must be signed with the new date.
- If the student is no longer enrolled in SOWEGA STEM CHARTER SCHOOL, the process stops and is marked inactive and filed in the inactive files with paperwork indicating why the process was stopped. If the student returns to SOWEGA STEM Charter School, a new consent to evaluate will be completed and new timelines will begin.

### Initial Evaluation Process

The school psychologist will obtain the referral packet once it has been provided from the SOWEGA STEM Charter School SPED Department. The following steps are recommended for the school psychologist.

Verify that all required information is in the file and obtain missing information.

- a. Determine if additional information is needed.
- b. Identify the 60-day timeline.
  - Enter this deadline on the calendar.
  - Make a note to schedule staffing at least two weeks prior to the 60-day deadline.
- (2) Make a list of tasks to complete and the needed materials.
- (3) Provide rating scales as soon as possible, particularly in end-of-the-year cases.
- (4) Provide with the testing portion of the evaluation.
  - a. Monitor if additional assessments may be needed. Involve additional support personnel, if needed.
  - b. Request observations and associated work samples, if applicable.
  - c. Request that the classroom teachers continue intervention and data collection through the course of the evaluation, and bring the updated data to the staffing.

### **Set up the Initial Staffing:**

- (5) Once the psychological has been completed, the SPED Director will be notified and begin contacting IEP members to establish a mutually agreeable time and date for the staffing.
  - a. Approximately 14 days before the meeting, the SPED Director will complete the invitation in GoIEP.
  - b. She will indicate on the notice that the parent has 3 days to respond.
  - c. She will email the invitation to all committee members.
  - d. Prior to the staffing, the SPED Director will contact the parent regarding the time and date of the upcoming meeting.

### **Prepare Staffing Documents:**

- (6) 3-5 days prior to the meeting, the SPED Director will provide the case manager a draft of the psychological report which must include the summary and test results.
- (7) Prior to the meeting, the psychologist and case manager will complete appropriate portions of the eligibility report.

### **SUPERVISION AND MONITORING:**

- Once a student is referred for an evaluation, the school psychologist will be assigned the referral to review and/or complete the testing.

- Once the testing is complete, the school psychologist will review the referral and completed evaluation.
  - will review the referral for accuracy and completion and complete the evaluation.
  - The report will be reviewed.
  - The school psychologist will be present at the eligibility meeting to discuss results of the evaluation.

#### Reevaluation Consideration

The purpose of a reevaluation consideration meeting is to review current evaluation information and to consider what additional information might be needed to decide whether the child continues to have a disability and to determine the needs of the child. SOWEGA STEM CHARTER SCHOOL requires that parental consent is obtained before conducting a reevaluation unless determined otherwise by the Director. Parents shall be provided written notice and parental procedural safeguards before all evaluations.

- A reevaluation of the child must be conducted at least once every three years unless the parent and the district agree that a reevaluation is necessary.
- An evaluation must be completed before determining that a child is no longer a child with a disability.
  - Unless the student receives a regular education diploma, or ages out.
  - SOWEGA STEM CHARTER SCHOOL will provide the child with a summary of the child's academic achievement and functional performance and include recommendation on assisting the child in post-secondary goals.
- The evaluation must use technically sound instructions and include a variety of tolls and strategies to address academic, functional and development information including information from the parent.
- The evaluation must be sufficiently comprehensive to identify all of the child's special education and related needs, whether or not commonly linked to the disability category in which the child has been classified.
- The evaluation for learning and/or behavior problems is completed by a multidisciplinary evaluation team. Referrals for psychological and clinical evaluations must be conducted by a qualified psychological examiner.
- This information is used to assist with determining:
  - if the child continues to be a child with a disability and
  - what information should be included in the individualized educational planning to enable the child to be involved in and progress in the general curriculum.
- Within 3 years of the current eligibility date, the student must be reevaluated or have a redetermination completed. **There are NO exceptions to this rule.**

#### **Procedures for Staffing Students out of Special Education:**

- Set up a team meeting to discuss and refer for a reevaluation.
- Complete the eligibility form.
- Schedule an Eligibility Meeting and take Meeting Notes.
- Parent signs consent for Dismissal.
- Parent receives a copy of the parent rights, completed Eligibility Report, Consent for dismissal, Meeting notes, and any formal evaluations, which may have been completed.

- Student's change in status will be made in Infinite Campus on the day of the meeting. This step is critical when an FTE count day is near.

The reevaluation may be conducted at any time if the school thinks the needs of the child should be reevaluated or if the child's teacher or parent requests a reevaluation. However, a reevaluation may not occur more than once a year unless the parent and the district agree to more than one a year.

- At the beginning of each year, the SPED director refers all students, who are under consideration for a reevaluation, for vision and hearing screening. This screening is good for one year.
- The SPED director will work with our psychologist and/or speech language pathologist at the beginning of each semester to develop a reevaluation schedule for the school year and/or semester.
- Anytime there are concerns that new information may be needed for a particular student, it is important for teachers to talk to the SPED Director and/or speech language pathologist to discuss and decide upon an appropriate time frame for IEP meeting.
- A parent has a right to request an evaluation. If a parent requests testing, a meeting should be scheduled to include the SPED Director and/or Speech Language Pathologist to discuss parent testing concerns.
- SPED Director, Case managers, SLP, as appropriate, tracks all due 3 year eligibility dates for the year and coordinates Eligibility Review meetings with appropriate team members to include the parents.
- The Case manager collects all needed documentation for the Eligibility Review meeting to include information from the regular education teachers, progress monitoring data, behavioral data, and any other information needed to review eligibility.
- The review team should look at each student individually to determine if a reevaluation is needed.
- No broad decisions should be made, such as excluding all middle school students from reevaluation.

#### **SUPERVISION AND MONITORING:**

- SPED Director and Case Managers will review GoIEP and previous reports for upcoming 3 year eligibility due dates.
- The Case Manager and/or Speech Language Pathologist will review the list accuracy and completion.
- Meetings will be scheduled on the school based monthly calendar by the SPED Director.
- SPED Director will be notified immediately if paperwork is within 14 days of deadline and no meeting is scheduled.
- The SPED Director and Case Manager will meet to address in writing any IEP, Evaluation, or Redetermination found to be out of compliance.
- An action plan will be written to address the issue which will include small group training.
- A second offense of untimely completion will result in a formal letter of concern to the school Principal and the SPED Director.

- A third offense of untimely completion will result in a formal letter of concern to the school Principal, the SPED Director, and the Superintendent.

### Re-evaluation Process

- The current Eligibility date is located at the top of the Eligibility Report and on the first page of the IEP. (The 60 day timeline does not apply to reevaluation. The important date is the eligibility due date).
- **IMPORTANT:** At the annual review before the reevaluation is due, the committee needs to consider what action is needed before the eligibility due date—reevaluation or redetermination. This decision should be documented in the minutes.
- All students with a triennial date occurring during the current school year, should discuss at the annual review and the team should meet a minimum of 90 days before the 3 year eligibility date is due to ensure that there will be time for testing if the committee determines that a reevaluation is needed before eligibility can be determined.
- Please make special notice to students with SDD eligibility. The SDD eligibility expires as the end of the school year in which the student turns age 9.

### The Process:

Case managers should annually provide current levels of performance, benchmark testing, and standardized test scores. For students with ID, a copy of a completed informal adaptive behavior form is required as well.

Use this information to complete the following steps:

- Complete the Reevaluation/Redetermination Form “Section I: Data Reviewed” in order to help navigate through pertinent points to be reviewed (i.e., attendance, teacher/staff observations, etc.) Be sure to check off items once discussed.
- Date Eligibility is due should reflect the next eligibility date 3 years from the current date eligibility is being established (essentially this should indicate the date of next redetermination).
- Review current eligibility area(s), most recent psychological report, and any other pertinent information used to determine eligibility (i.e., medical info., behavior data).
- Teachers, parent, student, related services report on progress and present levels of performance.
- Use the Reevaluation/Redetermination Form “Section II: Recommendations” in order to help navigate through the following points. Be sure to read the three options aloud for committee input.
- If the committee answers “No” to all three options, they should continue to Section III. Additionally, the LEA must notify the parents of the determination and the reasons for it as well as notify the parents of the right to request an evaluation to determine continued eligibility and to determine the student’s educational needs.

If “yes” is answered to any of the following three options, the following steps should be followed to address the appropriate request:

#### **(1) Refer for reevaluation in order to determine continued eligibility:**

- Identify area(s) to be evaluated.
- Obtain vision and hearing screenings.

- Obtain consent for evaluation and psychological report. (The 60 day timeline does not apply to reevaluation. The important date is the eligibility due date).
- Complete evaluation and psychological report.
- Reconvene to discuss evaluation results and determine eligibility. (Meeting notice will be sent from the board office from the SPED Secretary).
- Complete eligibility report, GA eligibility Summary and Eligibility Determination.
- Obtain consent for services.

**(2) Refer for evaluation to consider new/additional eligibility:**

- Identify area(s) recommended for assessment.
- Obtain vision and hearing screenings.
- Obtain consent for evaluation.
- Complete evaluation and psychological report.
- Reconvene to discuss evaluation results and determine eligibility (Meeting notice will be sent from the board office from the SPED Secretary).
- Complete eligibility report, GA eligibility Summary and Eligibility Determination.
- Obtain consent for services.

**(3) Refer for assessment in the following areas in order to aid in instructional planning:**

- Identify area(s) recommended for assessment.
- Complete Eligibility Determination in GoIEP.
- Obtain vision and hearing screening.
- Complete evaluation and Assessment for Instructional Planning Form
- Reconvene to discuss evaluation results and make recommendations for instruction.
- No additional data is needed for continued eligibility.

Use the Reevaluation/Redetermination Form “Section III: Eligibility Determination” in order to help navigate through the following points:

(1) If Student continues to meet eligibility

- Identify and fill in eligibility areas.
- Complete Eligibility Determination in GoIEP.
- Obtain consent for services.

(2) If Eligibility Determination will be made after additional data is obtained

- Complete evaluation and psychological report.
- Reconvene prior to due date to discuss evaluation results and determine eligibility. (Meeting notice will be sent from the board office from the SPED Secretary).
- Complete eligibility report, GA eligibility Summary and Eligibility Determination in GoIEP.
- Obtain consent for services.

(3) If Student does not meet eligibility

- Identify and fill in eligibility area(s).
- Complete Eligibility Determination.
- Obtain consent for dismissal.

Use the Reevaluation/Redetermination Form “Section IV: Parental Consent” in order to help navigate through the following points:

- Parent checks either yes or no.
- If the IEP team and other qualified professionals determine that no additional data are needed to determine continued eligibility and to address the student’s educational needs, the parent must be notified of that determination and the reasons for it as well as of their right to request an evaluation to determine whether a student continues to be a student with a disability and to determine the student’s educational needs. Any evaluations recommended must be completed prior to determining that a student no longer demonstrates a disability. However, an evaluation is not required to terminate a student’s disability due to graduation from high school or exceeding the age eligibility of FAPE. In these cases, the student must be provided a summary of his or her academic achievement and functional performance, including recommendations to address post-secondary goals.

#### Determination of Eligibility:

- Once testing is completed, a group of qualified professionals and the parents will make up the Eligibility Team.
- This group will determine whether a student is a student with a disability and what the educational needs of the student are.
- The Eligibility Team must consider information from a variety of sources, including aptitude and achievement tests, parent input, teacher input, as well as consideration of the student’s physical health, social or cultural background, and adaptive behavior. All considered must be documented.
- The parent will receive a copy of the evaluation as well as copies of any eligibility determination documentation at no cost.
- If a student is determined to have a disability and demonstrates the need for special education and related services as demonstrated through deficits in academic performance, an eligibility document and IEP must be developed for the student.
- A student cannot be determined to be a student with a disability if the following determinant factors include the following: lack of appropriate reading, writing, or math instruction, limited English proficiency, have cultural barriers, have environmental or economic disadvantage or atypical educational history and if the student does not otherwise meet program area eligibility criteria. All exclusionary factors must be discussed and considered before determining eligibility for special education.
- Eligibility must be re-determined and reported every three years.
- The reported eligibility date is the day that a meeting is held to create or re-determine eligibility of a student for a disability.
- The Eligibility date is included on the eligibility report and on the first page of the student IEP along with the area of eligibility determined by the committee.

**SECTION 7:  
ELIGIBILITY**

Each special education area of disability has specific eligibility requirements. To qualify for special education placement, each student must meet eligibility requirements for at least one area. Qualified professionals and parents create an eligibility team which will review assessment data and other information to determine the student's program of eligibility. The parents must be invited to participate in the process and with documentation of multiple attempts of parental notification created. Although the local school system has the responsibility of determining the student's program eligibility, the IEP team will determine placement based upon IEP programming requirements.

An eligibility report (in GoIEP) must be completed or updated anytime Parental Consent for Evaluation has been signed and an evaluation has been completed. This includes initials, reevaluations, and referrals to a new program. A copy of the eligibility and determination report must be provided to the parents.

Exclusionary Factors must be reviewed for each eligibility determination with written documentation to support the decision.

Eligibility must be demonstrated prior to initial placement in a program and must be demonstrated at the time of reevaluation consideration.

Eligibility or non-eligibility must be documented for all students referred and evaluated for special education placement. An appropriate evaluation report must be done as part of the due process procedure for all referred students.

SOWEGA STEM Charter School uses the GoIEP eligibility form which must document the following information prior to determining eligibility for a student:

- Student information
- A documented case history
- A summary of interventions and data prior to referral
- A summary of progress monitoring towards achieving standards
- Results of relevant district, state, and benchmark assessments
- Individual student data, as applicable
- Consideration of exclusionary factors
- Decision making of educational impact
- A summary of considerations
- Eligibility Determination and Eligibility Report

Georgia Eligibility Categories: Click website to obtain GaDOE link.

- **Autism (AU)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional\\_eligibility\\_autism.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D295A92E9B2BE1E991&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional_eligibility_autism.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D295A92E9B2BE1E991&Type=D)

- **Deaf/Blind**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional\\_eligibility\\_deafblind.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D2A996F2D2A8DD37FE&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional_eligibility_deafblind.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D2A996F2D2A8DD37FE&Type=D)

- **Deaf/Hard of Hearing (D/HH)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/DHH\\_Rules\\_and\\_Regulations.pdf?p=6CC6799F8C1371F603FEC15D61D462810206EFC6597482136605AB10BBC9A77C&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/DHH_Rules_and_Regulations.pdf?p=6CC6799F8C1371F603FEC15D61D462810206EFC6597482136605AB10BBC9A77C&Type=D)

- **Emotional Behavioral Disorder (EBD)**

<http://public.doe.k12.ga.us/DMGetDocument.aspx/EMOTIONAL%20AND%20BEHAVIORAL%20DISORDER.pdf?p=6CC6799F8C1371F6B8F2A7669398C922E63F2BDC2C8B7BAE1D64B35B9DC25364&Type=D>

- **Intellectual Disability (Mild-MID)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional\\_eligibility\\_mildintellectual.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D2C46FB6EB703C23EC&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional_eligibility_mildintellectual.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D2C46FB6EB703C23EC&Type=D)

- **Intellectual Disability (Moderate-MODI, Severe-SID, Profound-PID)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional\\_eligibility\\_intellectual.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D21AD9F8857B2168ELECTRONICVERSION&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional_eligibility_intellectual.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D21AD9F8857B2168ELECTRONICVERSION&Type=D)

- **Orthopedic Impairment (OI)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/Orthopedic\\_Impairment\\_Rules\\_Regs.pdf?p=6CC6799F8C1371F65545E28E215201AA21D6C3174AC002573ELECTRONICVERSION6F3BD70BDBC3F3&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/Orthopedic_Impairment_Rules_Regs.pdf?p=6CC6799F8C1371F65545E28E215201AA21D6C3174AC002573ELECTRONICVERSION6F3BD70BDBC3F3&Type=D)

- **Other Health Impairment (OHI)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/OHI\\_Rules\\_and\\_Regulations.pdf?p=6CC6799F8C1371F6C24E001B33B21F8D923A06632FECA29C0A1C0B77F4864BD2&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/OHI_Rules_and_Regulations.pdf?p=6CC6799F8C1371F6C24E001B33B21F8D923A06632FECA29C0A1C0B77F4864BD2&Type=D)

- **Significant Developmental Delay (SDD)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/SDD\\_Rules\\_and\\_Regulations.pdf?p=6CC6799F8C1371F641AB3A546FF0E82D326518E920C90484578800E399541276&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/SDD_Rules_and_Regulations.pdf?p=6CC6799F8C1371F641AB3A546FF0E82D326518E920C90484578800E399541276&Type=D)

- **Specific Learning Disability (SLD)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/160-4-7-.05\\_SLD\\_Eligibility\\_3-31-10.pdf?p=6CC6799F8C1371F663E40FB40C44553EDB7CB5259FFB3192CEAB2E7B758D84E0&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/160-4-7-.05_SLD_Eligibility_3-31-10.pdf?p=6CC6799F8C1371F663E40FB40C44553EDB7CB5259FFB3192CEAB2E7B758D84E0&Type=D)

- **Speech-Language Impairment (SI)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/SI\\_Rules\\_and\\_Regulations.pdf?p=6CC6799F8C1371F6EELECTRONICVERSION701F3B10F58FBC3284DAD0567D0001367CE02A527CF38&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/SI_Rules_and_Regulations.pdf?p=6CC6799F8C1371F6EELECTRONICVERSION701F3B10F58FBC3284DAD0567D0001367CE02A527CF38&Type=D)

- **Traumatic Brain Injury (TBI)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional\\_eligibility\\_tbi.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D2659D06A7B6E787F7&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional_eligibility_tbi.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D2659D06A7B6E787F7&Type=D)

- **Visual Impairment and Blindness (VI)**

[http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional\\_eligibility\\_visual.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D238DC8D352AD0D51B&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/exceptional_eligibility_visual.pdf?p=4BE1EECF99ELECTRONICVERSION364EA5554055463F1FBBF5D074D5FB1F2CAEB3B63B3ECB220ELECTRONICVERSIOND26C2114F3C57D8D238DC8D352AD0D51B&Type=D)



## **SECTION 8:**

### **Individualized Education Program (IEPs)**

SOWEGA STEM Charter School will have IEPs reviewed at least annually for all students with disabilities that meet state board rule requirements at the beginning of each school year. This district uses an electronic data system to compose IEPs that are comprised of all the required IDEA and state regulation components. Teachers are trained on writing IEPs and use the current electronic data system. All service providers and staff have appropriately leveled access to documents. (See confidentiality).

**Purpose of the IEP:** The purpose of the Individualized Education Program (IEP) is to provide a plan designed to meet the educational needs of an eligible individual and to commit the resources necessary to meet those needs.

The IEP is based on the following guideline principles:

- The IEP is a process and a product that documents that students ages 3 to 21 are receiving a free and appropriate public education (FAPE) consistent with all federal and state requirements including children who have been suspended or expelled from school.
- To the maximum extent appropriate, students are educated and participate with other students with disabilities and nondisabled children in the general education environment.
- IEP development is a collaborative process.
- The IEP team develops a program that is designed so that the student can progress toward meeting annual goals of the IEP, be involved in and progress in the general curriculum, participate in nonacademic and extracurricular activities, and be educated with nondisabled peers, and
- The IEP process involves on-going progress monitoring and decision-making. Decision-making is based on the student's needs and is used to improve student results.

The SPED Director will monitor IEPs, implementation, and supervision and monitoring.

During pre-planning and at the beginning of every school term, each case manager will

- review all IEPs on their case load for accuracy and timelines.
- ensure that all staff members have knowledge of all Students with disabilities that they work with, have access to the IEP and Behavior Intervention Plan and have reviewed the requirements.
- ensure that all staff members have copies of testing accommodations for all Students with disabilities that they work with and have signed off saying they have received.
- request training or coaching if they are unsure about conducting an IEP Meeting or writing the IEP independently.

The SPED Director will monitor the meeting calendar to ensure that all meetings are scheduled and held within a timely manner.

All staff will receive training annually.

### **Parent Consent for Services**

- Prior to the initial provision of special education services, SOWEGA STEM Charter School must obtain informed consent from the student's parents.
- Consent will be obtained by any IEP's indicating an eligibility placement or dismissal.

- Consent will be obtained for any IEP driven change of placements.
- Consent for services will be signed by the parents and witnessed by SOWEGA STEM CHARTER SCHOOL staff. Consent should not be sent home with the student.
- A student may not receive special education services until informed parental consent is obtained.

#### Revocation of Consent for Services

- If, at any time following the initial provision of special education services, the parent of the child revokes consent in writing for continuing the special education services, the Case Manager should contact the SPED Director immediately.
- Once this occurs, the Case Manager:
  - May not continue to provide special education services, but must provide prior written notice ceasing the provision of special education services through an IEP meeting stating in the minutes services are revoked per the parent on the specific date of the meeting.
  - May not use procedural safeguards in order to obtain agreement or use a ruling from a hearing, mediation, or state complaints to provide services to the child.
  - Will not be considered in violation of the FAPE requirement because of failure to provide special education services.

#### SOWEGA STEM Charter School Transitioning from Babies Can't Wait

- BCW personnel sends a referral to Special Education Director's office.
- A meeting will be held to complete intake paperwork, including Social Background form, and request additional records.
- After vision & hearing records have been received an evaluation can be initiated.
- A comprehensive evaluation will take place.
- IEP meeting will be held prior to the child's 3rd birthday. Refer to the following link for information from the GaDOE:

[http://www.doe.k12.ga.us/DMGetDocument.aspx/Ch\\_8\\_IM\\_Transition\\_from\\_Early\\_Intervention.pdf?p=6CC6799F8C1371F65F9F10F82EBF153D89CF66F30E0AC47AAB13C4E844466E71&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/Ch_8_IM_Transition_from_Early_Intervention.pdf?p=6CC6799F8C1371F65F9F10F82EBF153D89CF66F30E0AC47AAB13C4E844466E71&Type=D)

#### Initial Meeting:

- Initial IEP meetings are held following the completion of a full and individual evaluation, and the determination of eligibility for special education services.
- An initial IEP meeting must be completed within 30 days after the Initial Eligibility Determination.
- The meeting in which a team reviews evaluation results, and determined eligibility is often held in conjunction with the initial IEP meeting. The requirements of an initial IEP are the same as any other IEP meeting, but must also taking into account:
  - If two meetings are held—one to establish eligibility and one to develop an IEP—the initial IEP meeting must be held within 30 calendar days of the meeting at which eligibility was established, and
  - For children who are transitioning from Babies Can't Wait (infant and toddler services) to preschool and school-age services, an IEP or IFSP must be developed and implemented by their third birthday.

- After the initial IEP is developed, special education and related services should be made available as soon as possible.

Annual Review Meeting:

- IEP reviews are conducted periodically, but must be conducted at least annually.
- The student's entire IEP must be reviewed.
- It is the responsibility of the case manager to lead all IEP meetings related to his/her caseload.

Steps to follow in the annual review process:

- (1) The SPED Director will schedule an IEP meeting before the due date of current IEP.
  - a. Prior Written Notice and parental information sheet must be given to parents and team members as soon as a date is selected
  - b. It must provide timely notice prior to the meeting through email notification to teachers and mail to the parents of the IEP meeting which must include:
    - Purpose of the meeting (including transition, if appropriate)
    - Proposed date, time, and location of the meeting
    - Names and positions of the team members (required and additional members including student if transition will be discussed or as appropriate)
    - Must have prior parent/student (if 18) permission for outside agencies to attend meeting by including the name and agency of the party invited (under additional members) and parent/student (if 18) must check that they approve of the representative participating in the meeting.

Required Team Members: The parent notification will include information indicating that the parents have the right to invite others who have knowledge of specific expertise regarding their child to include the right to request that an invitation to the initial IEP Team meeting be sent to the service coordinator or other representative of Babies Can't Wait to assist with smooth transition of services.

- The parent(s) and/or guardian
- Local Education Agency (LEA)
- Not less than one of the student's general education teachers. At least one general education teacher must be listed on the required side. The general education teacher that fully participates in the meeting should be chosen based on the student's weaknesses identified through progress monitoring.
- Not less than one of the student's special education teachers that serves the student. The provider that fully participates in the meeting should be chosen based on the student's weaknesses identified through progress monitoring.
- School Psychologist (as appropriate)
- Related Service Provider(s) (as appropriate)
- Representative of any participating agency responsible for providing or paying for services, as appropriate with consent.
- The child, as appropriate
- Babies Can't Wait coordinator or other representative if appropriate

Additional Team Members: Additional participants of an IEP meeting must be listed on the original notification that was given to the parent unless the parent gives permission for their participation.

ATTORNEYS AND/OR ADVOCATES IN IEP MEETING: If parent indicates that an attorney and/or advocate will participate in the IEP meeting either verbally and/or in writing:

When an advocate or parent support mentor participates in any meeting, then the district Superintendent along with the SPED Director must be in attendance.

- Contact the SPED Director to discuss attendance and scheduling of meeting.
- When an attorney participates in any meeting, then the district Superintendent and SOWEGA STEM CHARTER SCHOOL attorney must attend.
- Contact the SPED Director to discuss scheduling and attendance by the Superintendent and SOWEGA STEM CHARTER SCHOOL attorney.

If a parent comes to any IEP meeting with an attorney and/or advocates and did not provide notification, then

- Contact the Superintendent's secretary to determine if someone can participate.
- If he/she is unable to participate, adjourn the meeting and reschedule.

Notice for Excusal: Only two circumstances may allow a required member of the IEP team to be excused from an IEP meeting.

- When an IEP team member's area of curriculum or related services is NOT being changed or discussed at the IEP meeting, the parent and the district agree to excuse an IEP team member from all or part of a meeting with the parent consents, in writing, to this excusal.
- When the IEP team member's area of curriculum or related services is being discussed at the meeting, the parent and the district may excuse an IEP team member from all or part of a meeting if the parent consents, in writing, to the excusal.

#### Steps for Notice of Excusal

- (1) When it is determined that a member is asking to be excused from the meeting, the requesting member will submit written information related to the meeting to the case manager.
- (2) The case manager will notify the parent of the team member's absence and will provide them with the submitted written information related to the development of the IEP.
- (3) The case manager will ask the parent if they will excuse the required member and if so, to sign the Excusal Form from GoIEP.
- (4) If no written information is provided and/or the parent does not sign the excusal, the meeting will need to be rescheduled.

#### SUPERVISION AND MONITORING:

- The SPED Director will send out emails every Friday with a list of the upcoming week's meetings, which include parent support groups, advocates or legal representatives.
- The SPED Director will monitor the list, communicate regularly with case managers about outside involvement, and notify the Principal and Superintendent, as appropriate.

**Meeting:**

- (1) Provide parents with an annual copy of the Parental Rights adapted from the state of Georgia example to include all required components.
  - a. Parent rights must be provided at the initial referral or parent request for an evaluation.
  - b. Receipt for the first state complaint in a school year.
  - c. Receipts of the first request for a due process hearing in a school year.
  - d. With the written disciplinary notice for removals that constitute a change in placement under IDEA or violation of code of conduct.
  - e. Prior to accessing the child/family public benefits or insurance for the first time.
  - f. Upon request by the parent.
- (2) Provide the parent with current data or a DRAFT copy of the IEP at the meeting.
- (3) Bring a copy of all information to the meeting with copies for members as appropriate.
- (4) Follow the Agenda for holding an IEP meeting. (See agenda in Appendix)
- (5) Be sure to complete in full every section within IEP program when constructing the IEP.
- (6) The new IEP should have a duration of no more than one year.
- (7) Obtain necessary signatures of participants to include parent signatures.
- (8) Each IEP will be reviewed by the SPED Director to include areas addressed by the Due Process Checklist.

While we discourage meetings without parent attendance, if the parent cannot attend the meeting, document all attempts to reschedule and allow participation in other means. Meeting minutes and the finalized IEP will be mailed to the parents with contact information of the case manager if they have any questions once receiving the documents.

**SUPERVISION AND MONITORING OF IEPs:**

- The SPED Director will monitor each IEP for:
  - Documentation of required parent participation at meetings or the review of documentation after meeting if not present but agree for district to continue.
  - Documentation that all finalized documents were mailed to the parent with case manager contact information
  - Documentation to indicate parent was provided with parental rights and any other paperwork by IEP committee.
  - Accuracy and data based completion within 3 days of the IEP meeting
- Before IEPs are finalized at the district office, the SPED Director will review IEPs and address any inaccuracies with the case manager.

**SUPERVISION AND MONITORING OF IEP IMPLEMENTATION:**

- The importance of IEP implementation will be addressed at the beginning and mid-point of each year during meetings of all staff.
- SPED Director will complete a quarterly comparison of IEPs to schedules in Infinite Campus and notify case managers of any implementation inaccuracies.
- SPED Director will visit classes with implementation inaccuracies to assist with the needed correction.

- SPED Director will conduct random classroom visits to monitor implementation of IEPs and document the outcomes.

### **SUPERVISION AND MONITORING:**

- The SPED Director will review GoIEP reports to include:
  - Student name
  - IEP date
  - Eligibility date
  - Redetermination Date
  - Revocation of Services Date
  - Dismissal of any Services Date
- The SPED Director will review the list accuracy and completion.
- Meetings will be scheduled monthly by the SPED Director.
- Notices will be emailed by the SPED Director to Case Managers and the appropriate members of the IEP team.
- Case managers and School Administrators will be notified immediately if paperwork is within 14 days of deadline and no meeting scheduled.
- The School Administration and SPED Director will meet to address in writing any IEP, Evaluation or Redetermination found to be out of compliance.
- An action plan will be written to address the issue which will include small group training.
- A second offense of untimely completion will result in notification of the SPED Director and School Administration for a formal letter of concern to the case manager.
- A third offense of untimely completion will result in notification of the SPED Director, School Administration, and Superintendent for a formal letter of concern to the case manager, School Administration, and Superintendent.

### **TRANSITION**

If the child is 14 or will turn 14 during the duration of the IEP, the committee must address transition planning using the following steps:

- If not part of an annual review complete the invitation marking the box stating “considering postsecondary goals and transition services (prior to entry to ninth grade or age 16) as purpose for the meeting.
- If student does not attend meeting the case manager must ensure the student has had input in the meeting through formal and informal assessments where preferences and interests are discussed.

The plan must include:

- Results of at least two age appropriate assessments
- Course of study/diploma type and pathway
- Develop measurable postsecondary transition outcome goals for
  - Education/training
  - Employment
  - Independent living

**High School Diploma**-the document awarded to students certifying that they have satisfied attendance requirements, unit requirements and the state assessment requirements. This does not include students who have received an alternative degree that is not aligned with the state's academic standards such as special education diploma, certificate of attendance or GED.

**SUPERVISION AND MONITORING OF TRANSITION:**

- High School will identify a case manager lead who has an understanding of the transition process and will work with other staff to ensure accuracy and compliance.
- Transition Training will be provided annually to the Middle and High School as deemed appropriate.
- The SPED Director will review IEPs for transitions and provide additional training to the individual or department as needed.

Providing FAPE through 21, Inclusive (Free Appropriate Public Education)

SOWEGA STEM Charter School provides a free appropriate public education to all children eligible for special education services residing within the district between the ages of 3 and 21, inclusive including children with disabilities who have been suspended or expelled from school.

- A student shall receive services for the first semester if his/her 22<sup>nd</sup> birthday falls before the first day of school and December 31 of that school year. Any student who turns 22 prior to the opening of school shall be prohibited from attending school unless determined appropriate by the IEP team.
- A student whose 22<sup>nd</sup> birthday falls between January first and the last day of the school year shall be entitled to attend the entire school year.
- A student may be granted permission to remain in school until the end of the year in which they turn 22 if:
  - They are participating in a program that requires a full year's participation in order to receive a certificate of completion and it is approved by the SPED Director.
  - The IEP committee determines it is necessary in order to meet the needs of the individual student.
  - The IEP committee shall notify the student and parent that although services will continue, no individual entitlement to FAPE or other rights under IDEA are afforded.

Assistive Technology:

As part of the IEP Agenda, the Assistive Technology consideration is completed at all IEPs to ensure that each child receives FAPE. The consideration is included with the student's IEP and a statement regarding the outcome is included in the IEP.

If the IEP team cannot address, the Assistive Technology of the student through the use of the AT considerations list and expertise in the IEP team, an Assistive Technology evaluation may be requested by the committee.

- The SPED Director will set up a multidisciplinary group Assistive Technology evaluation at the school level or for other options of consideration.
- The SPED director will work in consultation with AT experts.
- At the completion, written explanation and/or recommendations for assistive technology and training should be provided to the IEP team for review.

- All accepted Assistive Technology must be documented in the IEP and provided to the student to include AT for district wide or statewide testing devices or services for a child who is blind or other print disabled.
- The IEP team must consider if the Assistive Technology is required in the home or other settings to receive FAPE. If it is required, it must be provided at no cost to the parent and documented in the IEP.
- If an outside evaluation is determined necessary by the Director or requested by the parent, it is the responsibility of the SPED Director to work with the school to ensure that the student has current Vision and Hearing, a parent signed consent to release information with the outside agency and SOWEGA STEM CHARTER SCHOOL and a signed consent for evaluation by the parent.

#### **SUPERVISION AND MONITORING OF ASSISTIVE TECHNOLOGY:**

- AT Training will be provided annually to each school as deemed appropriate for each school and if needed an AT committee will be formed.
- The SPED Director will work with the AT Committee to ensure that understanding is up to date and training is provided as needed.
- Assistive Technology Checklists will be reviewed by the SPED Director and additional training will be provided to the individual or school as needed.
- The SPED Director will track and monitor Assistive Technology evaluation requests per region.
- Case Managers will keep an inventory of all AT equipment and turn in inventories to the SPED Director.

#### **Extended School Year Services (ESY)**

As part of the IEP Agenda, the Extended School Year Service checklist is completed at all IEPs to ensure that each child receives FAPE. The checklist is included with the student's IEP and a statement regarding the outcome is indicated in the IEP.

- ESY may not be limited to particular categories of a disability or unilaterally limit the type, amount, or durations of services.
- ESY must be provided beyond the normal school year, in accordance with the individual's IEP, at no cost to the parents of the child and meet the standard of the state.
- The consideration of ESY must be documented in options considered in the IEP with a statement indicating the decision of the committee at the time of the IEP.
- If the need for ESY is determined, the IEP team must identify which goals in the current IEP are being extended or modified. ESY is not the same thing as summer school; however, ESY services may be provided during summer school.
- The committee should decide if ESY is appropriate at the time of the meeting but can indicate that the committee will reconvene to address any additional service options at a later date.
- Homework, work packets, and tutorials do not qualify as ESY services but can be used to compliment instruction and meet the needs of students.
- For more information, contact your SPED Director.

SOWEGA STEM Charter School ensures that students with disabilities are provided the appropriate supplementary aids and services to provide nonacademic and extracurricular services to ensure equal opportunity for participation through the individualized IEP. This may include



counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, referrals to agencies that provide assistance, and assistance in making outside employment available as applicable.

### **ACCOMMODATIONS & ASSESSMENTS**

- In determining appropriate accommodations to provide the student with a disability the opportunity to participate in the assessment in the most standard way possible, there should be a direct link between classroom accommodations and assessment accommodations and must be specified in the student's IEP or 504 Plan.
- No accommodation(s) for a student should be considered for the first time during a state or local assessment.
- Just because a student needs an accommodation does not mean he/she will know how to use it. Students need training and practice in using accommodations.
- Informed decision making regarding accommodations is critical in assuring successful and meaningful participation of students with disabilities. IEP teams (which should include the student at least by age 14) should analyze an assessment for what it requires the student to do in order to take the test.

Additional information and guidance on the appropriate use of accommodations for students with disabilities is provided in the GaDOE Accommodations Manual. Access the manual through the link: [GaDOE Accommodations Manual 2014-2015 http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Assessment/Documents/Student%20Assessment%20Handbook%202012%20-%202013%20Final%208.2.12.pdf](http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Assessment/Documents/Student%20Assessment%20Handbook%202012%20-%202013%20Final%208.2.12.pdf)

### **SUPERVISION AND MONITORING:**

- All Case Managers will be trained to pull accommodations reports from GoIEP and provide reports to all teachers and testing coordinators for review at the beginning of the year and before the end of the year assessments.
- SPED Director will document participation by in-house training for Teachers of Students with Disabilities on DOE Accommodations manual.
  - All Teachers of Students with Disabilities will receive an electronic copy of the DOE Accommodations manual at the beginning of each year and as the district receives notification that it has been updated.
  - All Principals will receive the link and a copy of the manual to be disseminated to all teachers and administrators.

### **SERVICE DELIVERY & LEAST RESTRICTIVE ENVIRONMENT (LRE)**

This procedure is used when determining LRE and documented on the Recommended Instruction/Related services page of a student's IEP.

SOWEGA STEM CHARTER SCHOOL will ensure that students are not removed from the regular classroom environment unless the nature or severity of the disability is such that the

students' needs cannot be satisfactorily met even with the used of supplementary aids and services. Students will not be removed from education in age-appropriate classrooms solely because of needed modifications.

Preschool services are provided through Head Start, Bright from the Start Pre-Kindergarten, and preschool programs with special education services delivered as additional supportive services and direct services.

SOWEGA STEM CHARTER SCHOOL will ensure that school age placements are based upon consideration and implementation of the following:

- (1) General education classroom with age-appropriate non-disabled peers, if required by the IEP:
  - a. Additional supportive services. The child remains in regular classroom with supplementary aids and services provided to the teacher and/or child to implement the IEP. The services provided may be from personnel such as paraprofessionals.
  - b. Direct services. The child remains in the regular classroom with direct services from special education personnel on a consultative, collaborative, or co-teaching basis.
- (2) Instruction outside the general classroom for individuals or small groups.

The SPED Director and school Principal must be part of the IEP team if consideration for the following will be discussed:

- (3) Separate day school or program.
- (4) Home-Based instruction may be used as a short-term placement option on occasions when the parent and LEA agree at an IEP meeting with the following considerations:
  - a. A free and appropriate education (FAPE) is provided and includes access to the general curriculum and an opportunity to make progress toward the goals and objectives included in the IEP;
  - b. Home-based services must be reviewed no less than quarterly by the IEP team, and all IEPs that require home-based placements will include a reintegration plan for returning to the school setting.
- (5) Residential placement in-state or out-of-state.
- (6) Hospital/Homebound instruction program (HHB) is used for students with disabilities who are placed in a special education program and have a medically diagnosed condition that will significantly interfere with their education and requires them to be restricted to their home or a hospital for a period of time. SOWEGA STEM CHARTER SCHOOL shall provide hospital/homebound instruction to students with disabilities under the requirements found in Georgia rule 160-4-2.31 Hospital Homebound Services. Please contact the SPED Director for additional HHB information.

Through the child's IEP, SOWEGA STEM CHARTER SCHOOL will ensure that all extra curriculum services and activities are available to a child with a disability to provide participation with nondisabled peers to the maximum extent appropriate to meet the needs of the child through supplementary aids and services.


SOWEGA STEM CHARTER SCHOOL will provide annual training on LRE duties and responsibilities and LRE considerations.

#### LRE Decision Practices and Procedures

The IEP team will at least annually:

- (1) Review and document student's present levels of academic achievement and functional performance.
- (2) Develop IEP goals (and objectives or transition plan, if needed) based on present levels.
- (3) Determine whether the goal or objective can be taught in the general education classroom with significant levels of support. Document what level of technical assistance will be needed for appropriate instructional practices (i.e., accommodations and modification, personnel supports, general education settings). Determine appropriate continuum of services or setting based on data.
- (4) Determine the alternative placement or community setting where those goals and objectives that cannot be taught in a general education classroom be taught.
- (5) Document in the IEP all options considered and accepted.
- (6) Determine how the student will be monitored.
- (7) Evaluate the student's performance on goals and objectives and determine if mastered based on data.

#### Continuum of Services Model

General Education	Consultation	Supportive Instruction	Collaboration	Co-Teaching	Special Education Classroom	Separate School, Facility, Hospital
						
Least Restrictive Environment			Most			

### Students moving into SOWEGA STEM Charter School

SOWEGA STEM Charter School will provide students moving into the county with FAPE to include services comparable to those described in the child's IEP from the previous county without service delay. Following the Family Educational Rights and Privacy Act, the district will ensure that records are requested and received from the previous district promptly to assist with placement and assignment decisions. The district will ensure that the student promptly received appropriate services, is reviewed for possible evaluation needs and develops, adopts and implements a new IEP as needed.

Procedures for incoming students:

- (1) All Parents/Guardians of new students with special needs will be directed to complete the appropriate enrollment paperwork with the registrar personnel at the school. Any special education paperwork (IEP, psychological, medical, etc.) will be given to the Special Education Director.
- (2) If no paperwork was available, but the parent/guardian noted on the registrar paperwork that the incoming student had an IEP, registrar personnel will notify the SPED Director so that SPED records can be requested from the previous district.

### RETRIEVING RECORDS FOR STUDENTS MOVING INTO THE DISTRICT

SOWEGA STEM CHARTER SCHOOL is defined under FERPA as one of the entities that may obtain educational records without parental consent. Under no circumstances should FAPE be withheld because of paperwork issues.

- Incoming students with special needs will be referred the Special Education Director.
- SOWEGA STEM Charter School will immediately begin the request for records from the previous school system through a fax or call to the previous system.
- Once the paperwork is secured, it will be uploaded into the student data system (GoIEP) and assigned to a case manager.
- All students with disabilities will receive immediate and uninterrupted services while the processes are being completed.

The district provides records to requesting educational agencies within a timely manner and works to ensure that parents have copies of any records needed to assist the new case manager with placement and assignment decisions. Procedures for Records being requested from another county:

- (1) Request is made to the SPED Director.
- (2) Request is documented in student's file.
- (3) Information is promptly copied and submitted to previous county by SPED Director.
- (4) Completion is documented and filed into student's file.

INITIAL:

- Student never received eligibility in our state
- Student where it is determined that we cannot accept eligibility from another state
- Student staffed out of all eligibilities from GA
- Parent revoked GA services
  - Complete referral process as appropriate based on individual situations
  - Put in Infinite Campus—GA determination and summary

REDETERMINATION—When we determine that the eligibility is appropriate.

- Student with current eligibility that continue to qualify
- Student with current eligibility that we are adding or removing other eligibilities
- Student where we accepted out of state eligibility and evaluated within school year if appropriate
  - Completed before 3 year date for 3 year requirements
  - Accepted from out of state: Completed before end of school year if needed for accepted eligibilities
  - Put in Infinite Campus-GA eligibility determination and year of event in SPED

RE-EVALUATION-When you have performed an evaluation on a student who has eligibility in any area. (Including Speech students)

Procedures for students who enter with in-state eligibility or where we accept and adopt the out of state eligibility and IEP—

- (1) SPED office will request all records and reviews for acceptance and assignment. Eligibility and IEP will be entered and uploaded into GoIEP and Infinite Campus.
  - a. If information/paperwork is not completed correctly, SPED Director will make the assignment and then contact the previous district for assistance with getting paperwork completed appropriately and resubmitted to SOWEGA STEM CHARTER SCHOOL.
- (2) Infinite Campus staff inputs the initial information from last districts information.
- (3) SPED staff input the following event dates:
  - a. Initial Eligibility is the PRIOR State's Eligibility date and it expires 3 years from the Prior State's last Eligibility Determination.
  - b. Initial IEP Meeting is the Prior State's IEP date and it expires as indicated on IEP from Prior State.
  - c. Initial Placement Date is the Date the student was placed and Services were started in GA.
- (4) SPED Department provides a copy of Parental Rights and has parent sign consent to receive services based on prior information.
- (5) School implements IEP.
  - a. Case manager does not have to do an IEP as we are implementing the IEP.
  - b. An IEP will need to be scheduled before the out of county IEP expires.

Procedures for students who enter with OUT of state eligibility and IEP but we decide to move to GA Forms:

- (1) SPED Director at the school will request records and records will be reviewed. We accept all incoming information as is but we create GA Eligibility and IEP based on incoming information.
- (2) Hold a 10 day meeting:

- a. Write an Initial IEP and create GA Eligibility and Eligibility Report based on incoming information alone.
- b. SPED Director will input the needed section into Infinite Campus as the day WE in GA accepted and transferred the information to GA forms and implemented the IEP.
- c. Re-determination will be due within 3 years of the Event Date.

Procedures for when we cannot accept incoming eligibility and IEP from the previous state or expired eligibility.

- (1) Registrar personnel at the school will request records and records will be reviewed.
- (2) The SPED Director will be notified that services were being provided and that vision and hearing clearance is needed.
- (3) School meets to write Tier 3 plan with services coming in that everyone agrees will provide FAPE.
  - a. Upload minutes from meeting to support need for FAPE driven services.
  - b. Student not coded as SWD until Initial completed. The student is NOT on a GA IEP at all until the Initial is completed.
- (4) The school should:
  - a. Get cleared Hearing and Vision and hold a 10 day meeting.
  - b. Get Consent to Evaluate and then we are bound to a 60 day timeline to Evaluate and Determine Georgia Eligibility.
  - c. When eligibility is completed, write an Initial IEP and 90 day time line applies.
  - d. SPED Director will enter these events into Infinite Campus.

Student Enters with proof that an Initial Evaluation was in progress in Previous State.

- (1) Registrar personnel at individual schools will request records and records will be reviewed.
- (2) The school and SPED Director will be notified that an evaluation was in progress.
- (3) School meets to review information and determine if a Tier 3 plan is needed.
  - a. Enter minutes from meeting to support need for FAPE driven services.
  - b. Student not coded as SWD until Initial completed. The student is NOT on a GA IEP at all until the Initial is completed.
- (4) The school should:
  - a. Get cleared Hearing and Vision
  - b. Get Consent to Evaluate and then ewer are bound to a 60 day timeline to Evaluate and Determine Georgia Eligibility.
  - c. If appropriate, write an Initial IEP and 90 day time line applies.
  - d. SPED Director will enter these events into PowerSchool.
- (5) We do not serve or report until GA eligibility has been determined.

**Transition to Next Grade when changing Grades**

- At the end of the third 9 weeks of the year, the SPED Director will review students to determine who may be moving to a new school grade
- When the SPED Director anticipates that a student will be moving to a new grade and caseload teacher, (usually as the result of promotion), she will invite the case manager from the receiving grade to attend the last IEP meeting before the transition will occur.
  - Participants should include: the lead or specialized teacher from the current grade, the lead or specialized teacher from the next grade or someone from an appropriate model class, a regular education teacher, the parents, the SPED director, any therapists, and other members as needed.
- If the last IEP meeting is in the fall, schedule a general transition meeting in the spring.
  - Participants should include: the lead or specialized teacher from the current grade, the lead or specialized teacher from the next grade or someone from an appropriate model class, a regular education teacher, the parents, the SPED director, any therapists, and other members as needed.

**Withdrawal or Termination of Students**

- If a student withdraws or special education services are terminated during the school year, it will be documented in Infinite Campus and GOIEP.
- Termination paperwork of a copy of the withdrawal will be sent to the SPED Director.
- Note: Students who turn 22 withdraw at the end of the semester in which they turn 22.

## Referral Procedure Georgia Network for Educational and Therapeutic Support (GNETS)

### Eligibility and Placement:

Referral to GNETS and for students that may need intensive, therapeutic, educational support. Referral documentation must include evidence that appropriate research based interventions to include positive behavioral interventions and supports that were provided for a significant length of time. Documentation should also indicate less restrictive services that have been provided with supporting data that indicates such services have not enabled the child to benefit educationally as needed. Data should reflect the severity, duration, frequency, and intensity of one or more characteristics of the behavior. Any referrals or resulting placements at GNETS are through collaboration between school and GNETS.

### Documentation of Ongoing Effectiveness and Improvement:

According to the GNETS operations manual, GNETS must address the following goals in the Georgia's Continuous Improvement Monitoring Process Plan for GNETS Programs:

- (1) Eliminating or reducing the use of PHYSICAL RESTRAINT, if used in the program.
- (2) Educating all students in THE LEAST RESTRICTIVE ENVIRONMENT.
- (3) Improving ACADEMIC ACHIEVEMENT IN READING AND MATH.

Program and student data will be analyzed and determine areas of needing improvement.

Recommended Class Size by Level: According to the GNETS operations manual, students are considered for placement in GNETS programs due to the severity of their emotional and behavioral disorder. Consequently, the teacher to student ratio supports a smaller class size to enhance the implementation of the required therapeutic and educational interventions. The recommended maximum class size for preschool, elementary, and middle school classes is eight students. The recommended maximum class size for high school classes is ten.

### Positive Behavioral Interventions and Supports

The GNETS rule states that GNETS program shall utilize evidence-based positive behavioral interventions, supports, and other strategies designed to increase children's resilience and social emotional competence. Students served in GNETS programs receive therapeutic interventions in classrooms with teachers trained in the specific interventions adopted by the GNETS program. All GNETS staff is trained in the therapeutic interventions that are utilized in the program. Program interventions are frequently monitored through student progress monitoring to ensure fidelity of implementation of the therapeutic interventions and program changes are made as needed. In addition, GNETS collaborates with local mental health providers to address students' socio-emotional well-being.

### Academic Curriculum

Students receiving services in a GNETS class receive academic instruction based upon the Georgia Common Core Performance Standards. All GNETS staff is trained in the delivery of Georgia's curriculum, which is based on the Georgia Common Core Performance Standards. Academic program interventions are frequently monitored through student progress monitoring to ensure fidelity of implementation of the Georgia Common Core Performance Standards.



**Procedure:**

- (1) The Case Manager contacts the SPED Director to discuss behavioral concerns that may lead to a possible GNETS referral.
- (2) The committee meets to review the situation, discusses the need for an updated FBA/BIP, possible updated Behavior Rating Scales and possible referral. Full criteria is outlined in GNETS packet.
- (3) After intervention implementation and data collection review, the Case Manager, with the committee, begins the Referral Packet.
- (4) The Referral is submitted to GNETS. The team reviews the packet and schedules a meeting to discuss student options including school administration, special and regular education teachers, parent, School Principal, SPED Director, and other members as necessary.

**Monitoring:**

- (1) SOWEGA STEM CHARTER SCHOOL assigns staff to coordinate with the GNETS program and act as the LEA for all students attending GNETS.
- (2) SPED Director reviews IEPs written for SOWEGA STEM CHARTER SCHOOL students and provides input into FAPE and compliance concerns.
- (3) SPED Director reviews GNETS Referral packets to ensure that guidelines and requirements have been followed by local school personnel.
- (4) SOWEGA STEM CHARTER SCHOOL tracks and monitors academic, disciplinary, and compliance data for all SOWEGA STEM CHARTER SCHOOL students attending GNETS.

Contact the SPED Director for more information on GNETS Referral Packet, GNETS implementation manual and Training.

### Amendment IEP (with or without a meeting)

- An existing IEP may be amended. Amendments to an existing IEP may be made at an IEP meeting or, if the parent(s) and the LEA agree, the amendments to an existing IEP may occur without a formal meeting.
- Amendments to IEP's facilitation changes that need to be made in the student's program that arise between regularly scheduled annual review dates but amending an IEP does not extend the duration of the IEP.
- An existing IEP may be amended to make changes to a student's program, provided the team has collected and reviewed data sufficient to justify the proposed changes.
- There are not restrictions on the use of amendments to make changes in a student's educational program or the kind of changes to an IEP that can be made without a meeting.
- An existing IEP may be amended as often as necessary between required annual reviews.
- The extent of the changes and the proximity to the IEP's anniversary date should be considered in making the decision.
- It is necessary to ensure that all key members of the IEP team meaningfully participate in the amendment process either through a conference meeting or a phone conference.

### Process for amending an IEP:

- (1) Through collaboration with the service providers and LEA, the case managers will determine what changes are to be proposed for the existing IEP.
- (2) Determine that changes can appropriately be addressed through the amendment process.
- (3) Contact the parents to discuss the areas of potential change to the IEP and establish, through mutual agreement, whether or not a meeting will be held.
- (4) Use the GoIEP Amendment Process to amend the IEP in GoIEP.
- (5) If a meeting is not held, document in the minutes:
  - a. Who has agreed to amend the IEP without a meeting, and
  - b. How the contact with the parents was made (the Case Manager must make a parent contact to amend the IEP without a meeting).
  - c. Purpose for amending the IEP: What was changed and how
- (6) Consider the portions of the IEP where there are potential changes.
  - a. Update the Present Levels of Academic Achievement and Functional Performance with current data to reflect the changes.
  - b. Update any area of change needed.
- (7) The IEP team members will be informed in writing of the completion of the amendment. All members of the team will access the student information system and review the amended changes.
- (8) Provide the revised copy of the IEP with the amendments to the parent and submit to SPED Director.

### Procedures for Residential Placement Consideration

The IEP team determines the least restrictive environment to include services and supports needed for each Individual student with a disability. IEP teams make recommendations for placements in accordance with GADOE rules, available data and the consideration of the continuum of least restrictive environment to meet student's needs.

SOWEGA STEM Charter School provides a full continuum of alternative placements to meet the needs of students with disabilities. A placement decision to a residential facility is based on the student's disability, the severity of the disability and placement options currently available. Documentation of efforts to serve the students in the LEA as well as efforts to enable the student to benefit from instruction in the least restrictive setting must be reviewed. The cost including non-medical care and room and board will be offered at no cost to the parents.

- (1) When a school with the assistance of the SPED Director, identifies a student is a candidate for consideration for a residential placement, the SPED Director should contact the Superintendent to review the case.
- (2) An IEP should be scheduled to address current student needs. A plan is developed to include data, prescriptive interventions, who is responsible for implementing the interventions, taking the data and a timeline for data collection.
- (3) The team will review the full continuum of service options in the least restrictive environment before considering the need for a residential placement.
- (4) The team will develop or review a list of residential schools
  - a. The GADOE may be consulted for a list of resources and placement options.
  - b. The team looks at the list for the best fit and proximity to the district and services available.
- (5) The IEP team meets to review data collected, need for residential placement and write an appropriate IEP. Parent must attend this meeting to discuss consideration for residential placement.
- (6) The district obtains consent to release records from the parent.
- (7) The district contacts the residential placement facility to discuss available services.
- (8) Information is shared with the residential facility to initiate the residential school's review of the student information.
- (9) Referral Packets are forwarded to the selected residential schools without delay.
  - a. In certain circumstances a student's needs may dictate that the referral process be expedited.
  - b. In these cases, steps may be combined to expedite the process.
- (10) Parental concerns regarding a recommended residential placement should be fully considered and discussed, however the decision to accept or reject a particular residential placement cannot be based solely on a parent's objection or recommendation.
- (11) The residential facility responds with a decision about acceptance.
- (12) If the residential facility accepts the student and the SOWEGA STEM Charter School deems placement is appropriate based on student's needs, the SPED Director and the school will make arrangements for the student's entrance into the program and conduct an amendment meeting to update the IEP to include transition planning.
- (13) The committee will write a global plan to determine target behaviors and expected progress criteria for exiting the residential setting.

- (14) Contract and payments will be scheduled following the SOWEGA STEM Charter School Budgeting and Purchasing guidelines.

Ensuring FAPE for Students Publically Placed in a Residential Setting or Outside Agency

- (1) Once the student is enrolled at the residential facility or outside service agency, the SPED Director will arrange monthly phone conference meetings with the facility. The purpose of these conferences will be to discuss the following topics. This list is not exhaustive and any other relevant issues should be addressed.
  - a. Attendance data
  - b. Academic progress or concerns and Behavioral progress or concerns
  - c. IEP
  - d. Medical issues that may impact students' progress towards IEP goals or academic growth
  - e. Student and parent concerns
  - f. Review of Exit Plan and students' readiness to return to a lesser restrictive environment.
- (2) As agreed to by the District and Facility/Agency, the Residential Facility or Outside Service Agency shall submit in writing materials to support IEP goal progress, work samples, behavioral data to the Region Program Manager to the case on a monthly basis.
- (3) The local special education director will arrange conferences with the parent, guardian, or student at a minimum of once per progress reporting period. The purpose of these conferences will be to discuss student progress and review readiness to move into a lesser restrictive environment.
- (4) As appropriate, the special education director will arrange visits to the facility a minimum of once per semester of the academic school year. Additional visits will be arranged on a case-by-case basis.

EXIT FROM THE FACILITY

- (1) When the facility data supports that a student may have met the exit criteria or because the placement may no longer be appropriate, the facility will contact the district to discuss scheduling a meeting.
- (2) When the facility with the assistance of the district determined that an IEP meeting is needed to discuss a possible change in placement either because they have met the exit criteria or the placement is no longer appropriate, the district will schedule an IEP meeting to write an appropriate IEP and discuss placement options.
  - a. Timely notification of a mutually agreed upon time and date must be given to the Parent, guardian and student as appropriate. These individuals must participate in this meeting.
  - b. The IEP committee will discuss all areas of concern, the exit plan and develop an IEP.
- (3) If the decision is to return to the district, an appropriate IEP addressing transition from residential placement to the district along with services and supports to be provided by the district will be written.
  - a. The district will undertake all reasonable efforts along with the full continuum of service before determining the continued need for or exit from a residential placement.

- b. Parents sign consent for placement based on the services written in the IEP.
- (4) If the decision is to change the students' placement to another residential facility, the district will follow the same process for placing students for an initial residential placement.
- a. Referral Packets are forwarded to the selected residential schools without delay.
    - i. In certain circumstances a student's needs may dictate that the referral process be expedited.
  - b. Parental concerns regarding a recommended school should be fully considered and discussed, however the decision to accept or reject a particular residential school cannot be based solely on a parent's objection or recommendation.
  - c. Residential Placement responds with a decision about acceptance.
  - d. If the residential school accepts the student and the SOWEGA STEM Charter School deems placement is appropriate based on student's needs, the SPED Director and the school will make arrangements for the student's entrance into the program and conduct an amendment meeting to update the IEP to include transition planning.
  - e. Parents sign consent for placement based on the services written in the IEP.
  - f. The committee will write a global plan to determine target behaviors and expected progress criteria for exiting the residential setting.
  - g. Contracts and payments will be scheduled following the SOWEGA STEM Charter School Budgeting and Purchasing guidelines.

**SECTION 9:**  
**PERSONNEL, FACILITIES, SERVICES AND CASELOADS**

The SOWEGA STEM CHARTER SCHOOL tracks and monitors all incoming staff and monitors to create plans with current credentialed staff to ensure highly qualified personnel unless otherwise specified under a program area. Records are maintained of current credentials and/or plans for all staff.

All staff members are monitored to ensure that they hold required standard credentialing. Individuals found to be out of compliance are contacted by the SPED Director and assisted in creating a plan to either meet the credentialing requirement or apply for additional positions. The SOWEGA STEM CHARTER SCHOOL Special Education Department works directly with the SOWEGA STEM staff to provide trainings, support, and recruiting of highly qualified personnel and assist with state and federal reporting requirements.

Through annual recruiting activities, educator job fairs, regular job posting and continual professional development opportunities, SOWEGA STEM Charter works to build and keep a team of highly qualified staff. Job posting are available under the Employment Opportunities tab on the SOWEGA STEM CHARTER SCHOOL website.

SOWEGA STEM CHARTER SCHOOL monitors facilities and caseloads to ensure that classrooms provide the necessary space and furnishings appropriate for instruction through reviews, FTE review, and school facility visits. If there are questions concerning caseloads or facility use or space:

- For questions regarding facility use or size, the Principal should contact the SPED Director.
- For questions regarding caseloads or class sizes, the Principal or Case Manager should contact the SPED Director.

SOWEGA STEM Charter School takes reasonable steps to ensure that children who are blind or other print disabled receive print instructional materials that are specialized and in an accessible format as determined appropriate by the IEP committee.

SOWEGA STEM Charter School ensures that all students have access and the opportunity to participate in regular physical education unless the opportunity is not afforded to children without disabilities in the same grade. Exceptions include students who are enrolled full time in a separate facility or who require specifically designed physical education per the IEP. If the IEP specifically designs the physical education, the district is responsible to provide the services to make arrangement for the services to be provided.

SOWEGA STEM Charter School requires that students in all schools have access and opportunities to the same educational programs and services available to nondisabled peers to include electives, art, music, etc.

### FEEDING & SWALLOWING FOR SWDs

SOWEGA STEM Charter School recognizes that many students have medical and developmental needs that may require an evaluation and/or intervention in the areas of feeding and swallowing in order to access, participate, and progress in their curricula. In order to provide FAPE for students with these needs, the district ensures that the needs of the students are met.

#### Special Diets Procedure:

- (1) Obtain Diet Order Form
- (2) Parents or Guardian must complete the form and get signed by the child's physician.
- (3) Return the completed form to the SPED Director.
- (4) The Director and case manager will discuss and design a plan of action to accommodate.
- (5) Be sure the IEP indicates the special diet requirements.
- (6) The Director will meet with key people involved in the student's status, which might include the Parent, Principal, Teacher, Case manager, etc.

#### Feeding and Swallowing Disorders Interdisciplinary Team Suggested Roles

- Parent-The parent of the student is a very integral member of the interdisciplinary team. Parental signed consent is required for the district and school staff to share and receive medical information with the student's medical staff.
- Teacher-The teacher will help evaluate students and implement their intervention plans.
- Paraprofessional-Support personnel may play a role in evaluating students and implementing their intervention plans.
- Occupational Therapist (OT)-The Occupational Therapist can address pre-feeding, oral phase of eating, selection of appropriate utensils in the school environment, limited use of upper extremities, sensory (e.g. tactile defensiveness), and the training and evaluation of others who carry out eating/feeding interventions during school day.
- Physical Therapist (PT)-The Physical Therapist will provide input to the school team that includes positioning (tonal issues, head/trunk control), seating option (e.g., wheelchair, adapted chair), and assistance with assistive technology needs.
- Speech and Language Pathologist (SLP)-The SLP can assist with identifying students at risk for feeding and swallowing disorders; the SLP mentor addresses any oral motor issues, lip closure, and sucking concerns.
- Dietitian or Nutritionist-A registered dietitian is a food and nutrition expert. The dietitian or nutritionist is qualified to address four areas of nutrition practice: assessment, diagnosis, intervention, and monitoring/evaluation.
- CareConnect- The PA can address any medical interventions for students with swallowing disabilities, including precautions to prevent aspiration, oral feeding, non-oral methods (tube feeding, IV feeding, emergency care, positioning (in collaboration with OT and PT), safety and surveillance, referral and ongoing communication with medical teams, and nourishment preparation.

**SECTION 10:****Working with Students with Challenging Behaviors**

In SOWEGA STEM Charter School we believe that parents, students, and school staff are each vital parts of the RTI, 504, and IEP committees. Their input is crucial for creating a successful behavior intervention plan for students with challenging behaviors.

SOWEGA STEM Charter School provides written guidelines for disciplinary procedures and appeals with the parent rights presented to parents when they enter the district, annually and at each disciplinary removal that may constitute a change in placement, Manifestation Meeting, Initial and Redetermination Eligibility Meetings.

Individuals with Disabilities Education Act (IDEA) require the use of Functional Behavioral Assessments (FBA) and the consideration of PBIS. This means:

- The Individualized Education Program (IEP) team should consider the use of Positive Behavioral Interventions and Supports for any student whose behavior impedes his or her learning or the learning of others.
- A Functional Behavioral Assessment should be conducted when a child who does not have a Behavior Intervention Plan is removed from their current placement for more than 10 school days (e.g. suspension) for behavior that turns out to be a manifestation of the child's disability.
- A Functional Behavioral Assessment, when appropriate, should be used to address any behavior that results in a long-term removal.

Positive Behavior Interventions and Supports involve four basic components:

- Identifying the purpose of challenging behavior
- Teaching appropriate alternative responses that meet the needs served by the challenging behavior
- Consistently rewarding positive behaviors and minimizing the rewards for challenging behavior,
- Minimizing or altering the physiological, environmental, and curricular events that trigger challenging behavior.

Examples of PBIS strategies include altering the classroom environment, increasing predictability and scheduling, increasing choice making, adapting the curriculum, appreciating positive behaviors, and teaching replacement skills. There are several other positive behavior interventions that can be used. For a more comprehensive list, please visit [www.pbis.org](http://www.pbis.org).

**School-wide Positive Behavior Supports**

The mission of schools is to provide opportunities for students to achieve three primary and interrelated expectations that enable participation, contribution, and success in schools, communities, and post-school outcomes. These expectations are Academic Skill Competence; Social Skill Competence; and Lifestyle Skill Competence.



In order for schools to address problem behavior successfully, best practice is to place an increased emphasis on proactive approaches rather than reactive behavior management. Proactive approaches to discipline for all students include expectation of more socially acceptable behaviors that are directly taught, skills that are regularly practiced in the school environment by staff and students, and frequent recognition of everyone in the school environment in the performance of these behaviors.

The Individual Education Plan team works to create plans that include interventions based on Positive Behavioral Supports, instruction in areas of behavioral weakness and discipline that is based on intervention, data collection, multi-disciplinary team decision making. Team members needing training in the areas of Positive Behavioral Support should contact the SPED Director.

## DISCIPLINE

School personnel should follow specific procedures when they discipline students with disabilities. In this manual, removals of students from the classroom by school officials refer to any removal from the classroom which results in the student missing instruction from In-School Suspension, Out-of-School Suspensions (OSS), sent home for the day, or other disciplinary actions of students under the Individuals with Disabilities Education Act. It is important to understand a removal from the classroom could also include removing a student to a partner teacher's room if the same instruction isn't being provided.

Questions concerning disciplinary actions for students with disabilities should be addressed following the continuum of communication that follows:

- Begin with the Student's Case Manager
- the School Administrator
- the Special Education Director
- and following the process for contacting the Georgia Department of Education (GaDOE) in the parental rights.

If a parents determines that they cannot get assistance at the school level, they may at any point contact the Special Education Director. While we work to ensure that parent concerns are addressed at the school and district level, parents are informed they may contact the GaDOE at any time.

School in SOWEGA STEM Charter School has a code of student conduct and school rules. A handbook is given out at the time of enrollment. Parents, students, educators, and administrators need to know what the code of conduct and rules are, and students with disabilities should be expected to follow the rules that are in effect for all of the students in the school. School personnel must consider unique circumstances on a case by case basis to determine disciplinary actions for students with disabilities. The disciplinary procedures described in this chapter pertain to all students with disabilities in any category of eligibility who violate the code of student conduct unless the IEP team determines that a student is unable to follow the district code of conduct. This statement must be included in the Individual Education Plan and reviewed at each annual review or amendment.

Students with disabilities should be expected to follow the SOWEGA STEM CHARTER SCHOOL code of conduct and the school rules. A student with a disability, who has an active IEP, can be removed to Out of School Suspension, In-School Suspension, or an appropriate interim alternative educational setting, just as any other student without a disability, for up to a total 10 school days per school year, for violations of the MCSD code of conduct or school rules. The 10 days can be consecutive or cumulative and can occur during one school year.

It is not necessary for the IEP team to meet when this occurs. Likewise, it is not necessary for a Manifestation Determination to be completed, a FBA to be conducted, a BIP developed, or for

any special education services to be provided if the removal is for 10 or fewer school days in the school year unless the IEP team determines it appropriate. However, it has been determined as a safeguard to contact the SPED Director and hold an IEP meeting at the 5th or 7th day of OSS as a proactive measure. Services for suspensions of less than 10 days are only required if they are provided for non-disabled peers.

Disciplinary actions and punishments for Students with Disabilities should be considered on a case by case basis with consideration of unique circumstances. SOWEGA STEM CHARTER SCHOOL must consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this Rule, is appropriate for a child with a disability who violates a code of student conduct.

Students who are in ISS must continue to have access to the general curriculum and peers, the services prescribed in their IEP, and to progress toward the goals in the IEP in order for ISS not to be considered a removal and not to be counted toward the 10 days of suspension. For example, a student who is co-taught must have access to co-taught classes while in ISS for the suspension not to count as a removal. The school must have documentation to support these areas for each student assigned to ISS.

#### PROCEDURE FOR REVIEWING DISCIPLINE DATA:

- Principals will review discipline data in Infinite campus the first week of each month.
- Principals will contact the SPED Director to investigate removals over 6 days and review the IEP.
- The Case Managers, SPED Director, and school administration will meet to review removals to determine if frequent independent removals demonstrate a pattern that constitutes a change in placement.
- If appropriate, the SPED Director will schedule an IEP meeting to discuss any additional Present Level of Academic Achievement and Functional Performance information, review of goals/accommodations/services of need for an FBA, BIP or BIP update to include Positive Behavioral Strategies.
- School administration will be contacted monthly by SPED Director to indicate which students are beyond 6 days of removal and may need to be monitored for compensatory services.
- The school should work with the SPED Director to determine the need for how compensatory services should be provided at the school level.
- A meeting will be held with SPED Director, school administration, and IEP team with minutes taken to create a written plan for what compensatory services will be offered, who will provide the compensatory support, how many hours of services will be provided, and a timeline for services.
- In cases where a student with 10 days of classroom removals commits a weapon, drug, or serious bodily injury offense, the administration should contact the SPED Director to arrange an emergency IEP meeting to discuss placement needs. This should occur before any further removals from the classroom occur.

## **Implementation and Monitoring of the Behavior Intervention Plan:**

### **During pre-planning, each case manager will:**

- review all IEPs on their case load for accuracy and timeliness.
- ensure that all staff members have knowledge of all students with disabilities that they work with, have access to the IEP and Behavior Intervention Plan and have reviewed the requirements.
- ensure that all staff members assigned a student with a Behavior Intervention Plan receive a hard copy of the plan and sign for receipt each time it is updated. Retain a copy of these forms at the school and send originals to the special education director's office.  
**NOTE: THERE ARE NO EXCEPTIONS MADE TO THIS RULE! FAILURE TO DO SO WILL RESULT IN WRITTEN REPRIMAND.**
- review behavioral data to determine if there is no change or an increase in behaviors, which will require a meeting to review the FBA/BIP, IEP, request consultation, etc. If there is a decrease in the target behavior, the current intervention will be continued.
- check with all staff serving the student at each notification of ISS or OSS to ensure that the IEP and/or BIP are being implemented and to determine if a meeting needs to be scheduled.

### **Special Education Director will:**

- compile a behavior notebook (electronic or hardcopy) to include the Behavior Intervention Plans for all student, monthly behavior data reviews and students assigned to GNETS. This is to be kept in the discipline office at the school.
- review discipline data monthly and meet to discuss any students with more than 6 days OSS or ISS.
- complete Behavior Focus Walks for any students over 7 days of OSS or ISS or any teachers with significantly (two times) more discipline referrals than the staff average.
- request parent conferences for student with patterns of behavior that do not receive OSS or ISS.
- schedule IEP meetings for students over 6 days of OSS or ISS with multiple events to review for the need for and FBA/BIP or to update the BIP and/or IEP.
- after review with the principal, compile a list of any students over 10 days in OSS or ISS.
- track and monitor compensatory service needs.

### **The School with the assistance of the Principal will:**

- ask about the implementation of the BIP when an office referral is submitted.
- request to see documentation of BIP implementation and data when students have more than 2 disciplinary events or more than 6 days of OSS.
- provide annual training on staff duties and responsibilities for implementing the IEP and BIP.
- notify the case manager or lead at each ISS or OSS for a SWD.

- ensure that FBA and BIP training are provided for all new staff and any staff having difficulty with behavior management.
- create regularly scheduled opportunities (weekly or bi-weekly) during planning, meetings, before or after school or as school determines appropriate for their setting for departments, teams, or grade levels to review BIP requirements for individual students they service or work with
- update disciplined data within 5 days of the event as required for documentation purposes.
- monitor and make corrections within 3 days of notification for disciplinary events skewed by human input error.
- indicate on the discipline notice that parental rights were provided if the student is at or over 10 days of OSS.

**Principals along with the SPED Director will:**

- track and monitor any student at 10 days of OSS and work with school personnel to create plans that prevent additional suspensions from being given.
- ensure that all staff participate in mandatory training provided through the district and hold staff accountable for not implementing BIPs, IEPs, and school expectations through the teacher evaluation process.
- ensure that administrative staff read and are familiar with all student with IEPs.
- ensures that the SPED Director participates in all IEPs for students with over 6 days of OSS or significant behavioral concerns.
- ensures that all support personnel are familiar with their students with disabilities, including bus drivers
- ensures that the IEP is reviewed before suspension of a student with a disability.
- work to build a school climate that uses positive interventions to change behavior
- ensures that teacher with significant discipline referrals participate in training on de-escalation techniques.
- provide training on positive behavior interventions and classroom management for faculties as deemed appropriate.
- work to involve parents in discipline and academics for their children, when possible.

**For Removals of TEN or fewer day after review of the individual student for unique circumstance**

A short-term suspension is one in which the student is removed from class up to 10 cumulative schools days in a school year.

- This does not constitute a change in placement, consequently, the student is subject to normal discipline guidelines whether or not there is a casual connection between the student's disability and the misconduct.
  - Removals for one or more days must be considered at short-term suspensions.
  - A suspension of bus privileges resulting in a student's absence from school would be considered a short-term suspension.
  - Services must only be provided if they are provided for non-disabled peers.
- IEP Case manager and student's parent are notified of each removal (in writing, including reason for removal and number of days)

- SOWEGA STEM CHARTER SCHOOL requires Timely and Accurate Tracking system where disciplinary events for all students must be entered into student information system with 5 school days of disciplinary action.

### Functional Behavioral Assessment and Behavior Intervention Plan

A Functional Behavioral Assessment and Behavior Intervention Plan must be completed for any child whose:

- (1) Behavior impedes his/her learning or the learning of others (i.e. observable and measureable behaviors such as throwing objects, disruptive outbursts, physical aggression.
- (2) Behavior is chronic. Ten incidences of the behavior in ten days of data collection remain statistically viable.
- (3) Behavior has resulted in a pattern of three or more disciplinary referrals to the office for similar offenses during the nine-month period.

### Procedure for FBAs and BIPs:

- Meet with the parent and the committee to discuss the need for additional data needed for present levels of educational performance and educational needs. List the target behavior(s) for the student in question for which you will be collecting the data. Obtain parental permission to complete a FBA and BIP.
- Articulate those behaviors (one or two preferably, no more than three) in observable terms.
- Identify and modify the setting events, antecedents, consequences and student responses, per training guidelines.
- As a behavior team, agree on what each target behavior looks like, so there will be no confusion over what to chart.
- Train all observers how to code the start/end times, setting events, antecedents, and other information contained in the Data Chart.
- Collect data per FBA guidelines.
- Analyze the data from the Data Charts as a substantial piece of data in determining the function, frequency, and duration of the behavior.
- Interviews (parent, student, and teacher), rating scales, attendance records, discipline data, grades, and similar data are also important elements to review as you complete FBA.
- Use the FBA to draw conclusions and a hypotheses for the behaviors. The information documented should include the following:
  - When this occurs (describe circumstances/antecedents),
  - The child does (describe target behavior)
  - To get/to avoid (describe consequences)
  - Complete the Behavior Intervention Plan document based on the information obtained from the Functional Behavior Assessment.

The goal is to pro-actively minimize/eliminate the inappropriate behaviors by replacing them with acceptable alternative behaviors that provide the same/similar reinforcement to the student.

In other words, fulfills the function of the inappropriate behavior with an acceptable alternative behavior. Remember, it takes one month of CONSISTENT intervention to effectively change one year of behavior patterns.

### Completed FBAs and BIPs

Upon completion of a FBA/BIP, documents are presented at the IEP meeting. Once accepted as part of the IEP, a copy of the BIP needs to be given to the parents, building principal, assistant principals, and counselors. All regular education teachers and related service providers who work with this student must also be given a copy of the BIP as well as training on how to implement the plan. Similar to the goals/objectives, data must be maintained on the target behaviors. A progress monitoring system will need to be completed that tracks the effectiveness of the prescribed interventions. This data will be reviewed and reported at least once every 9 weeks at designated Progress Report dates, and be considered if a BIP needs to continue, be revised, and/or a new FBA completed. The FBA needs to be maintained as a working document by the Case Manager.

SOWEGA STEM Charter School recommends attaching a BIP to all IEPs developed for serving students who are placed in the EBD category. If one is NOT developed, there should be sufficient documentation to indicate the reason(s) that the IEP team does not feel that a BIP is necessary.

## BUS SUSPENSIONS

Transportation is a crucial part of the school day. To ensure that students receive Free Appropriate Public Education (FAPE), they must have access to educational services. While behaviors can create safety concerns on the bus, it is imperative that teams (bus monitors/personnel) use a variety of interventions based on positive behavioral supports to meet student needs. If these behaviors begin to impede access to bus transportation, the team must document targeted behaviors, interventions and behavioral data after the intervention to ensure that all avenues are reviewed before removing a student from transportation. If the student is suspended off the bus and does not have transportation to school, the IEP team must consider revising the student's BIP and consider special transportation. When regular bus transportation is determined to be inappropriate, the IEP Committee must meet to discuss and/or request special transportation. Only rarely can a child be suspended from the bus if special transportation is checked as a related service on the IEP.

Special education services cannot be taken away without a review of the IEP. An immediate review of the IEP must be scheduled. The Director of Special Education must be contacted when problems arise on a bus. If a student is unable to get to school and does not receive FAPE, a bus suspension would be treated as a removal from the classroom. It is imperative that schools

monitor bus suspensions and attendance to ensure that students are receiving appropriate services.

### DISCIPLINARY ACTIONS BEYOND 10 DAYS

When frequent disciplinary actions add up to more than 10 school days in a school year, or when frequent disciplinary actions clearly indicate a pattern that is a change in placement, the IEP team must determine appropriate services that allow the student to continue to participate in the general education curriculum and progress toward meeting the goals outlined in the student's IEP, although in another setting. The Local Education Agency (LEA) must determine on a case-by-case basis whether a pattern of removals constitutes a change in placement. A change in placement occurs if:

- (1) The removal is or more than 10 consecutive school days, or
- (2) The child has been subjected to a series of removals that constitute a pattern-
  - a. Because the series of removals total more than 10 school days in a year;
  - b. Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals, and;
  - c. Because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.
- (3) SOWEGA STEM CHARTER SCHOOL determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.

The determination of a pattern of removals is subject to review through due process hearings and judicial proceedings.

If school officials want to suspend a student from school which culminates in more than 10 consecutive school days, for a removal that constitutes a pattern of removals or to have a student's educational setting changed to an interim alternative educational setting that may be up to 45 school days for weapon or drug possession or for infliction of serious bodily injury on another person:

- On the day the decision is made for a removal that constitutes a change of placement, the school administration must notify the SPED Director and provide the parent with written notification of the decision and provide a copy of the Parental Rights,
- A manifestation meeting must be held within 10 days of the event and followed by the IEP Team placement meeting.
- In cases involving a tribunal offense the Manifestation and Tribunal must take place within 10 days of the offense.
- Procedures must be followed in regards to: Students with Disabilities Referral to Tribunal Procedures for Special Circumstances: Weapons, Drugs, Serious Bodily Injury. (Incident occurs where student may need an alternative placement.)



#### PROCEDURES FOR DETERMINING A PATTERN OF REMOVALS:

- The SPED Director, case manager, and school administration will meet to review frequent removals of up to 8 days to specifically determine if frequent independent removals demonstrate a pattern that constitutes a change in placement.
- The team will review each student on a case by case basis.
- If it is determined that the removal does constitute a change in placement or the team deems it appropriate, the SPED Director will schedule an IEP meeting to include a minimum of one of the student's teachers to discuss any additional PLAAFP information, review of goals/accommodations/services or need for an FBA, BIP or BIP update to include Positive Behavioral Support strategies and to determine the extent to which services will be provided.

#### MANIFESTATION DETERMINATIONS

In *Vandygrift vs. Turlington*, the court stated the following conditions for expulsion for behavior.

- (1) The child cannot be expelled for behavior which is a manifestation of the handicapping condition (i.e., a deaf child not paying attention in class).
- (2) It is the responsibility of the school system to determine and prove that the behavior is not a manifestation of the handicapping condition.
- (3) The Board of Education cannot make the determination. It must be done by a trained group much like the IEP Placement Committee.
- (4) Even when the behavior is determined not to be a manifestation of the handicapping condition, and expulsion occurs, IDEA requires the education of all handicapped children, and services cannot be withheld.
- (5) Expulsion is a change in placement, and due process safeguards must be implemented.
- (6) Expulsion is a proper disciplinary tool, but denial of educational services is not permitted.
- (7) A special education student may be expelled from school, but services cannot be terminated.

Within 10 school days from the beginning of a disciplinary action that either exceeds 10 school days in a row or that constitutes a pattern of removals (a change in placement), the student's IEP team must meet to determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability or whether the conduct was a result of the district's failure to implement the student's IEP.

In making the manifestation determination, the IEP team will review the student's IEP, BIP to include positive behavior supports, teacher observations, and parent information. SPED Director and School Administration are mandated to attend all Manifestation Determination Meetings. In situations where an alternative school placement may be discussed during the subsequent IEP meeting, the SPED Director must be in attendance and a staff member from the alternative school must have input into the IEP.

If the IEP team finds that the student's behavior was caused by or had a direct and substantial relationship to the student's disability, or that the behavior was a direct result of the district's failure to implement the IEP, then the behavior is a manifestation of the student's disability. In

this case the student must be returned to the placement from which the student was removed, except in cases involving weapons, serious bodily injury, or illegal drugs or controlled substances, unless the parent and the district agree to a change in placement. A FBA must be conducted and an appropriate BIP implemented or updated. The team will create a plan outlining which data to collect, the length of time to collect the data and who will be collecting it based on student need. A minimum of 10 school days of student data is typically required but should be determined on a case by case basis.

If the IEP team finds that the student's behavior was not a manifestation of the student's disability, the same disciplinary actions can be imposed on the student with a disability as those imposed on any student (with exception of duration). If these actions include expulsion, the IEP team must determine how the student will continue to receive educational services that allow him or her to continue to participate in the general education curriculum and progress toward meeting the goals in the IEP. In addition, the IEP team, if appropriate, will conduct a FBA and develop a BIP.

Parents must be notified on the decision to take disciplinary actions that involve a change in placement and be provided a copy of their parental rights no later than the date on which the decision to take the action is made. This is not necessarily the same day the behavior occurred—rather the day the decision is made to take the subsequent action (removal/expulsion).

The manifestation determination must be conducted before the committee deems a tribunal referral is necessary, except cases that are a tribunal offense. These involve weapons, serious bodily injury, or illegal drugs or controlled substances.

#### PROCEDURES FOR MANIFESTATIONS:

SPED Director contacts parent to discuss the need for a manifestation meeting and to determine if they will waive their rights to timely notice. If they will not the meeting should be scheduled 3 to 5 days from the event.

- SPED Director schedules manifestation meeting by working with team members to determine a mutually agreed upon time and day within the timeline.
- Notification is sent to all members.
- Paperwork is completed and entered into Infinite Campus.
- Original paperwork with signatures is submitted to the Superintendent and filed in SPED folders.

#### TRIBUNAL CONSIDERATION

In cases where the IEP team considers a Tribunal Referral is necessary, a Behavior Intervention Plan must be in place with data to support such referral. If a BIP is not in place the following must occur:

- The IEP team must conduct a FBA, unless the district had conducted one prior to the behavior; and a BIP should be implemented.
- If a BIP is already in place, then
  - The IEP team must review the existing BIP; and
  - The IEP team must make changes needed in the BIP to address the behavior, except in cases involving weapons, serious bodily injury, or illegal drugs or

controlled substances, unless the parent and the district agree to a change in placement.

The School conducts a tribunal to determine guilt or innocence when a student is accused of a serious or repeated violation of the code of conduct (only if guilt is denied). The tribunal does not determine placement, the IEP committee determines the placement of the student that ensures he or she continues progress toward meeting the IEP goals and accessing the general education curriculum.

#### SPECIAL OFFENSES:

Certain serious behavior problems can lead to a student being moved to an alternative educational setting for up to 45 school days, even if the conduct is determined to be a manifestation of the student's disability. Removing the student for these offenses does not require parent consent or agreement, nor does it require a tribunal hearing. These offenses involve:

- (1) Weapons-a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury. This definition from the United States Code is used for the term "weapon" in Georgia's Special Education Discipline Rule.
- (2) Drugs-Illegal drugs, controlled substances, and may include over the counter drugs.
- (3) Serious Bodily Injury-Means injury that involves (a) substantial risk of death; (b) extreme physical pain; (c) protracted and obvious disfigurement; or (d) protracted loss or impairment of the function of a bodily member, organ, or mental faculty. Accusing a student of inflicting serious bodily injury is a serious matter. Best practice suggests that careful consideration should be made to ensure the validity of the injury claim.

#### PROCEDURES FOR SPECIAL OFFENSES:

- Administration contact SPED Director to indicate special offense infraction.
- Administration contacts parents to discuss special offense infraction and recommended disciplinary action.
- When parents receive disciplinary notification, administration provides them with a copy of the parental rights to include the procedures for appeals.
- Administration submits paperwork to SPED Director.
- The SPED Director will contact the parents for a manifestation and IEP meeting and to determine if they will waive their rights to timely notice. If they will not, the meeting should be scheduled 3 to 5 days from the event.
- The SPED Director schedules manifestation by working the team members to determine a mutually agreed upon time and day within the timeline.
  - Notification is sent to all members.
  - The Manifestation Agenda is followed during the meeting.
  - If consensus is reached, an IEP meeting is held and the IEP agenda is followed.
  - Alternative School is contacted to notify that Alternative School will be discussed at meeting so they can give input into the DRAFT IEP. They are not required to attend but must be allowed to have input.
- If the Manifestation committee determines that the behavior was a manifestation, the committee reviews the Present Level of Academic Achievement and Functional Performance (PLAAFT), FBA, BIP, and student services to include determining if up to 45 days at the Alternative School is appropriate for the individual student for the special offense.

- If the Manifestation consensus is that the behavior was not a manifestation, the committee reviews the student services to include which services will be appropriate and if/how long the student will be served at the Alternative School.
- Paperwork is completed and uploaded into Infinite Campus.
- Original paperwork with signatures is submitted to the SPED office with a copy to school principal.
- Assignment is made and alternative school orientation is scheduled, as appropriate.

Students with Disabilities Referral to Tribunal Procedures:  
Special Circumstances Weapons, Drugs, and Serious Bodily Injury

Within 24 hours of the infraction the school will:

- Submit Discipline Referral to the SPED Director.
- Contact the parent to schedule a Manifestation Meeting.
- Review individual student for unique circumstances.
- Provide Parental Rights to the parent with notice of disciplinary event.
- The referral is reviewed by Administration team and SPED Director to determine if offense warrants tribunal and if so a tribunal is scheduled. A hearing must be held within 10 days of the 1<sup>st</sup> day of OSS.
- Offer a Tribunal Waiver to include the Principals recommendation.

If the parent agrees with the offense and signs a waiver and the offense has been accepted by the Administration team and SPED Director:

- Conduct a Manifestation Determination  
If behavior IS a manifestation, must review BIP and/or conduct FBA and discuss appropriate placement based on individual student need and circumstances.  
If behavior IS NOT a manifestation, as appropriate with supporting documentation, review BIP and/or conduct FBA.
- Convene an IEP placement meeting of relevant members of the IEP team.
- Notify the Alternative School of possible placement and input/review into the IEP. Alternative School must have input into DRAFT IEP and provide to the parent.
- Special Education contact at Alternative School will be contacted regarding IEP team decision and review of IEP.

**If the parent is not in agreement with offense or doesn't sign the waiver:**

- The referral is reviewed by Administrative Team and SPED Director to determine if offense warrant tribunal or Alternative School Placement.
- Manifestation Meeting is held to review alleged offense.
- Follow Tribunal Procedures:
  - If the student is found not guilty by the Tribunal, the student will return to the setting where the incident occurred.
  - If student is found guilty, proceed with scheduled IEP meeting.
- Convene an IEP placement meeting of relevant members of the IEP team.

When the parent disagrees and appeals, the student will remain in the interim alternative educational setting (IAES) pending the hearing decision or until the expiration of the IEP driven time frame if the infraction involved illegal drugs, controlled substances, weapons, or serious bodily injury, unless the parent and the district agree otherwise. The parent is advised that they can appeal the IEP and/or Manifestation decision to the SPED Director by submitting an appeal form with 72 hours of the decision.

**Students with Disabilities Referred to Tribunal Procedures for Infractions other than Special Circumstances:**

Within 24 hours of the infraction the school will:

- Submit Discipline Referral to the SPED Director.
- Contact the parent to schedule a Manifestation Meeting.
- Review individual student for unique circumstances.
- Provide Parental Rights to the parent with notice of disciplinary event.
- The referral is reviewed by Administration team and SPED Director to determine if offense warrant tribunal and if so a tribunal is scheduled.
- A hearing must be held within 10 days of the 1<sup>st</sup> day of OSS.
- Review individual student for unique circumstances.
- Offer a Tribunal Waiver to include the Principals recommendation.

If the parent agrees with the offense and signs a waiver and the offense has been accepted by the Administration Team and the SPED Director:

- Conduct a Manifestation Determination.
- If the student pleads guilty to the offense, no Tribunal Hearing is necessary.
- If the student denies guilt, A Tribunal Hearing must be held within 10 days of the 1<sup>st</sup> day of Out of School Suspension.
- The Manifestation Meeting must be held within 10 days of the offense.

If the parent agrees with the offense & the Manifestation Committee agrees that the infraction **is a Manifestation** of the student's disability:

- Convene an IEP meeting to determine if a FBA/BIP is needed or needs to be revised. If a change in placement is warranted (i.e. continuum of services) the IEP Team discusses logical consequences for the offense.
- A more restrictive environment may be an option

If the parent agrees with the offense & the Manifestation Committee agrees that the infraction **is NOT a Manifestation** of the student's disability and the offense has been accepted by Administration Team:

- Convene an IEP meeting to determine if changes need to be made to the FBA/BIP and if a change in placement is warranted and to discuss logical consequences for the offense.
- If the IEP meeting determines an alternative placement is warranted the parent signs an Agreement to Place in an alternative setting and signs a Tribunal Waiver.

- The SPED Director will complete the assignment and arrange for placement in an alternative setting.

If the parent does not agree with the manifestation or that the offense occurred and it is a Violation of the Student Code of Conduct, a Tribunal Hearing will be scheduled to determine guilt or innocence and make a recommendation.

- IEP meeting is scheduled to be held after the tribunal hearing when the tribunal is scheduled.
- Manifestation Meeting is held to review alleged offense.
- If the Tribunal renders a guilty verdict with a recommendation:
  - Convene and IEP meeting immediately following the tribunal to determine if changes need to be made to the FBA/BIP and if a change in placement is warranted and to discuss logical consequences for the offense.
  - If the IEP meeting determines an alternative placement is warranted the parent signs an Agreement to Place in the alternative setting.
  - The SPED Director will complete the assignment and arrange for services in the alternative setting.

If the parent does not agree with the decision of the Tribunal, an appeal can be made to the SOWEGA STEM CHARTER SCHOOL Board of Education within 20 days of the decision. This procedure will be shared with the parent at the end of each tribunal and will be included in the parental rights.

If the Tribunal renders an innocent verdict: the student returns to the placement from which the student was removed at the time of the incident.

If the parent does not agree with the Manifestation Committee decision when a Special Circumstance is not involved:

- The parents will be given the option by the SPED Director to appeal through the submission of the Manifestation Determination Appeal Form within 48 hours.
- An IEP Meeting is not held.
- The SPED Director will notify school administration and the Superintendent if an appeal is sought and will render a decision in writing and provide a copy to the parent, the principals, assistant principals, case manager, and Superintendent within 72 hours of the appeal.
- If the parent disagrees with the SPED Director's appeal decision, the parent will be advised of their parental rights to appeal the decision through the Expedited Due Process Procedures.

If a committee member is not in agreement with the Manifestation Committee decision:

- The committee member must submit a Manifestation Determination Appeal Form within 48 hours to the SPED Director. The SPED Director will render a decision in writing and provide a copy to the parent, the principals, assistant principals, case manager, and Superintendent within 72 hours of the appeal.

## APPEALS

A parent may appeal the manifestation determination and/or the selection of an interim alternative educational setting to the Director of Program for Exceptional Students or their designee. The appeal and decision will be completed within 72 hours of receipt of the disagreement in writing.

### PROCEDURE FOR APPEAL TO DIRECTOR:

- (1) The parent is provided with a copy of the parental rights upon entering the system, at the Initial Eligibility Meeting or Redetermination Meeting, at each Annual IEP Meeting, and at the Manifestation Meeting that includes the appeal process and when the student obtains 10 days of OSS or a change in placement.
- (2) At the conclusion of the Manifestation Meeting, the Administrative Team in attendance informs the disagreeing parent of the option to appeal the decision to the SPED Director.
- (3) The Administrative Team gives the parent a copy of the SOWEGA STEM Charter School Appeal form to complete and sign.
- (4) The parent delivers the completed form to the SPED Director.
- (5) Within 72 hours of receipt of written appeal request, the SPED Director will review the information, investigate and make a decision regarding the manifestation determination.
- (6) The Program for Exceptional Students will inform the parent and the school of the final decision in writing.

### DISPUTE RESOLUTION:

As explained in the Parent Rights provided annually:

- the regulations for IDEA set forth separate procedures for State complaints and for due process complaints and hearings.
- Any individual or organization may file a State complaint alleging a violation of any IDEA requirement by a school system, the State Educational Agency, or any other public agency.
- Only a parent or a school system may file a due process complaint on any matter relating to a proposal or a refusal to initiate or change the identification, evaluation or educational placement of a child with a disability, or the provision of a free appropriate public education (FAPE) to the child.
- While staff of the State Educational Agency generally must resolve a State complaint within a 60- calendar-day timeline, unless the timeline is properly extended, an impartial due process hearing officer must hear a due process complaint (if not resolved through a resolution meeting or through mediation) and issue a written decision within 45-calendar-days after the end of the resolution period, as described in this document under the heading Resolution Process, unless the hearing officer grants a specific extension of the timeline at your request or the school system's request.
- The State complaint and due process complaint, resolution and hearing procedures are described more fully in the parent rights.

Parents also have the right to appeal for an expedited due process hearing which will occur within 20 school days of the date the hearing is requested. Once an expedited due process hearing is requested, the determination must be made by the Administrative Law Judge within 10 school days after the hearing.

PROCEDURE TO APPEAL FOR AN EXPEDITED DUE PROCESS HEARING:

- A parent or school alleging a due process violation under IDEA, or his or her attorney, is required to provide a due process complaint notice to the other party (or their attorney) and the Georgia Department of Education. The party presenting the due process complaint must file this notice before a due process hearing can occur.
- The notice must include the name and home address of the child; the name of the school the child attends; in the case of a homeless child or youth, the child's contact information and the name of the child's school; a description of the nature of the problem, and a proposed resolution.
- If the district feels that the parent's due process complaint notice is insufficient, the system must notify the hearing officer in writing immediately in regards to an expedited due process hearing.
- The Administrative Law Judges (ALJs)/Hearing Officers then have up to 20 school days from the date of the hearing request.
- The ALJ/Hearing Officer must result in a determination within 10 school days after the hearing. They must immediately notify all parties in writing of the decision.
- Once the district receives a due process complaint notice, it must first determine whether it has provided prior written notice regarding the subject matter of the complaint.
- If it has not done so, the district must provide a response to the parent
- Prior written notice must contain the following:
  - An explanation of why the agency proposed or refused to take the action raised in the due process complaint.
  - A description of other options that the IEP team considered and the reasons those were rejected.
  - A description of each evaluation procedure, assessment, record or report the agency used to as the basis for the proposed or refused action
  - A description of the relevant factors in the school's proposal or refusal.
  - If both parties are in agreement as noted on the due process complaint, a resolution session must occur within 7 days of the date the hearing is requested.
  - The Resolution session must include a representative of the district who has decision-making authority on behalf of the district. The session may not include an attorney for the district unless the parent is bringing an attorney.
  - If the parties reach an agreement, they must execute a legally binding agreement that is signed by the parent and the district representative.
  - Either party may void the agreement up to 3 days after its execution.
  - If the due process complaint is not resolved through this session, then the parties may proceed to a due process hearing which will be conducted within 15 days of the receipt of the hearing request by the Georgia Department of Education or a contracted impartial agent at no cost to either party.

When the parents disagrees and appeals, the student will remain in the interim alternative educational setting pending the hearing decision or until expiration of the 45 school day time period if the infraction involved illegal drugs, controlled substances, weapons, or serious bodily injury, unless the parent and the district agree otherwise.



### PROTECTIONS FOR STUDENTS NOT YET ELIGIBLE

A student may assert procedures under the Discipline Rule if the district had knowledge that the student was a student with a disability. A district is deemed to have knowledge that a student was a student with a disability if any of the following occurred prior to the behavior that precipitated the disciplinary action:

- The parent expressed concern that the student was in need of special education and related services. (This concern must have been expressed in writing to supervisory or administrative personnel in the district, or to a teacher of the student.)
- The parent requested an evaluation of the student.
- The teacher of the student, or other district personnel, expressed specific concerns about a pattern of behavior of the student. (These concerns must have been expressed directly to the local special education director or other district supervisory personnel.)
- If a parent requests an evaluation of a student during the time in which a student is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner which is expected to be completed at least 5 days before the timeline for a typical evaluation.

### PROCEDURES FOR EXPEDITED EVALUATION:

- The Student Support Team Chair, School Assigned Personnel and the SPED Director should be contacted immediately concerning the evaluation request.
- If the school does not have current vision and hearing clearance, consent should be obtained from the parent and the screening should be completed.
- A meeting should be scheduled to discuss the request and the expedited timeline.
- Once vision and hearing are cleared and the consent is signed, the evaluation packet will be sent to RESA and should be completed in an expedited manner.
- A meeting should be held to review the evaluation and discuss eligibility considerations
- Until the evaluation is completed, the student remains in the educational placement determined by district authorities, which can include suspension or expulsion without educational services. If the student is determined to be a student with a disability, the district must provide special education and related services.

### PROCEDURES FOR PROTECTIONS FOR STUDENTS NOT YET ELIGIBLE

- Response to Intervention meeting held to review disciplinary data, identified needs and possible increased behavioral supports and services.
- With the assistance of the Student Support Team and SPED Director, each school should keep a list of students currently suspected of having a disability that meet the criteria for students not yet eligible as outlined in this section.
- The disciplinary actions for each student should be reviewed monthly to ensure that protections have been provided to meet student need.
- If needed, a meeting should be scheduled to address any behavioral concerns to include the completion of a Functional Behavioral Analysis, Behavior Intervention Plan or Student Contract.

## REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

Law enforcement official can be informed of suspected criminal activity of a student with a disability. If a student with a disability commits a crime and it is reported to law enforcement, copies of the student's special education and disciplinary record, if appropriate, are sent to the agency to which the crime is reported upon request.

### PROCEDURES FOR PAPERWORK SUBMISSION

- If a student with a disability commits a crime and is reported to law enforcement by the school, the school administration will work with the SPED Director to ensure that copies of the special education records (i.e. IEP, Eligibility) and disciplinary records are sent to the appropriate agency.
- The receiving agency will sign an agreement that they agree to obtain parental/guardian consent to disclose records.
- This must be documented on the Review of Student Record log on the school special education folder
- If a subpoena is served for a student's special education records, the Special Education district office will provide all copies and documentation.
- This must be documented on the Review of Student Record log on the district permanent special education folder.

SOWEGA STEM Charter School will ensure that all regulating and reporting requirements are completed to the Georgia Department of Education in a timely and accurate manner.

## APPENDIX

### **APPENDIX A: COMMONLY USED ABBREVIATIONS/ACRONYMS RELATED TO SPEDICAL SERVICES**

ABA = Applied Behavior Analysis	MID = Mild Intellectual Disability
ADA = American with Disabilities Act	MoID = Moderate Intellectual Disability
ADHD = Attention Deficit Hyperactive Disorder	OCD = Obsessive Compulsive Disorder
APD = Auditory Processing Disorder	ODD = Oppositional Defiant Disorder
AS = Asperger's Syndrome	OHI = Other Health Impaired
ASD = Autism Spectrum Disorder	OI = Orthopedic Impairment
ASL = American Sign Language	O&M = Orientation and Mobility
AT = Assistive Technology	OSS = Out of School Suspension
BCW = Babies Can't Wait	OT = Occupational Therapy or Therapist
BIP = Behavior Intervention Plan	PBIS = Positive Behavioral Interventions Supports
CA = Chronological Age	PDD-NOS = Pervasive Developmental Disorder Not Otherwise Specified
CP = Cerebral Palsy	PES = Program for Exceptional Students
D/HH = Deaf/Hard of Hearing	PID = Profound Intellectual Disability
DOB = Date of Birth	PT = Physical Therapy or Therapist
DPF=Due Process Facilitator	PWN = Prior Written Notice
DTT = Discrete Trial Teaching/Training	RTI = Response to Intervention
DX = Diagnosis	RESA = Regional Educational Service Agency
EBD = Emotional Behavior Disorder	ROM = Range of Motion
EI = Early Intervention	SDD = Significant Developmental Delay
ENT = Ear, Nose and Throat	SI = Speech/Language Impairment
ESY = Extended School Year	SID = Severe Intellectual Disability
FAPE = Free Appropriate Public Education	SLD = Specific Learning Disability
FBA = Functional Behavior Assessment	SLP = Speech Language Pathologist
GAA = Georgia Alternate Assessment	SST = Student Support Team
GaDOE = Georgia Department of Education	ST = Speech Therapy
GLRS = Georgia Learning Resources System	SOP = Summary of Performance
GNETS = Georgia Network for Educational	
HI = Hearing Impaired	TBI = Traumatic Brain Injury
ID = Intellectual Disability	TX = Treatment
IDEA = Individuals with Disabilities Education Act	VI = Visual Impairment
IEE = Independent Educational Evaluation	WNL = Within Normal Limits
IEP = Individualized Education Program	
IFSP = Individualized Family Service Plan	
IS=Instructional Specialist	
IQ = Intelligence Quotient	
ISS = In School Suspension	
LEA = Local Education Agency	
LRE = Least Restrictive Environment	
LVE = Low Vision Evaluation	
SOWEGA STEM CHARTER SCHOOL =SOWEGA STEM Charter School School District	

## **APPENDIX B: GLOSSARY**

**Accommodations** The provisions made to allow a student to access and demonstrate learning. Accommodations do not substantially change the instructional level, the content or the performance criteria, but are made in order to provide a student equal access to learning and equal opportunity to demonstrate what is known. Accommodations shall not alter the content of the test or provide inappropriate assistance to the student within the context of the test – they are intended to provide equity, not advantage, for students with disabilities.

**Adapted Physical Education (AdPE).** Physical Education that has been modified so that students with disabilities who are unable to participate in regular PE can participate in a modified or adapted PE.

**Alternative assessment.** An assessment aligned with alternate achievement standards for children with the most significant cognitive disabilities designed by the State and required in lieu of regular statewide assessments, when determined necessary by the child's IEP team. In Georgia, it is called the GAA (Georgia Alternate Assessment).

**Alternative placement.** The special education teacher provides instruction to students with disabilities in a separate classroom (pull-out), special schools, home environment, hospitals, or institutions.

**Applied Behavioral Analysis (ABA).** A scientifically designed teaching method that utilizes rewards to teach specific behaviors and reduce unwanted behaviors.

**Assistive Technology (AT).** The systematic application of technology, engineering methodologies, or scientific principles to meet the needs of, and address the barriers confronted by, persons with developmental disabilities in areas including education, employment, supported employment, transportation, independent living, and other community living arrangements.

**Assistive technology device.** Any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device. Examples of commonly used devices are a pencil grip, Boardmaker, specialized software, or low or high voice output devices. **Assistive technology service.** Any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes (1) the evaluation of the needs of such a child, including a functional evaluation of the child in the child's customary environment; (2) purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by such child; (3) selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices; (4) coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs; (5) training or technical assistance for such child, or, where appropriate, the family of such child; and (6) training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of such child.

**At no cost.** All specially-designed instruction is provided without charge, but does not include incidental fees that are normally charged to nondisabled children or their parents as a part of the regular education program.

**Audiology.** Includes (i) identification of children with hearing loss; (ii) determination of the range, nature, and degree of hearing loss, including referral for medical or other professional

attention for the habilitation of hearing; (iii) provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation; (iv) creation and administration of programs for prevention of hearing loss; (v) counseling and guidance of children, parents, and teachers regarding hearing loss; and (vi) determination of children's needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.

Autism Spectrum Disorder (ASD). Students with ASD exhibit evidence of delay, arrests, or inconsistencies in developmental rates and sequences in motor, sensory, social, cognitive, or communication skills; difficulties in social interaction and participation; deficit in the use of verbal/nonverbal language, especially for social communication; unconventional, unusual or repetitive responses to sensory stimuli; and display of stress over changes and/or engagement in repetitive activities.

Behavioral Intervention Plan (BIP). A plan for a child with a disability, included in the IEP when appropriate, which uses positive behavior interventions, supports and other strategies to address challenging behaviors and enables the child to learn socially appropriate and responsible behavior in school and/or educational settings

Blind or Print Disabled Students.

- Children whose visual acuity, as determined by a competent authority, is 20/200 or less in the better eye with correcting glasses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees.
- Children whose visual disability with corrective and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material.
- Children certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations.
  - o As defined by doctors of medicine, doctors of osteopathy, ophthalmologist, optometrists, registered nurses, therapists, professional staff of hospitals, institutions, and public welfare agencies (e.g. social workers, case workers, counselors, rehabilitation teachers, and superintendents).
- Children certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner.
  - o As defined by doctors of medicine who may consult with colleagues in associate disciplines.

Case Manager. The individual responsible for the IEP.

Child with a disability. In general, (a) refers to a child evaluated as having mental retardation, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as emotional disturbance), an orthopedic impairment, autism, traumatic brain injury, another health impairment, a specific learning disability, or deaf-blindness and who needs special education and related services. If it is determined, through an appropriate evaluation, that a child has one of the above disabilities identified but only needs a related service and not special education, the child is not a child with a disability. If the related service required by the child is considered special education rather than a related service, the child would be determined to be a child with a disability. (b) A child with a disability aged three through nine (or any subset of that age range, including ages three through five) experiencing developmental delays, may include a child:

1. Who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and

2. Who, by reason thereof, needs special education and related service.

Collaboration. A special education teacher works with identified students with disabilities and the general education teacher within the general education classroom for less than a full segment daily.

Consent. Means that the parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication; the parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom, and the parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time.

Consultative. Students with disabilities receive their instruction with accommodations or modifications as required in their IEPs from the General Education teacher in a regular education class. Special Education provides direct support by consulting with the General Education teacher and the student for at least one segment per month.

Co-Teaching. The special education teacher provides service in the general education classroom by sharing teaching responsibility with the general education teacher (full segment daily).

Counseling services. Services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

Critical Point of Instruction or Emerging Skill. The point at which a student has almost mastered the skills in an instructional sequence. As the need for ESY service(s) is made, the IEP team must determine that a break in instructional programming would result in the loss of significant progress made toward the acquisition of a critical or emerging skill.

Deafblind. Concomitant hearing and visual impairments that cause severe communication and educational needs that cannot be accommodated in programs solely for children with deafness or blindness.

Deaf/Hard of Hearing (D/HH). Absence of measurable hearing such that the primary sensory input for communication is other than auditory, or absence of enough measurable hearing that the ability to communicate is adversely affected (but child usually relies on auditory channel for sensory input communication), and adverse impact on education is documented.

Drugs. Illegal drugs, controlled substances, and may include over-the-counter drugs. For detailed listing see section 202(c) of the Controlled Substances Act.

Eligibility for special education. The student must have one of the disabilities recognized by the State and must also require special education services in order to benefit from an educational program.

Eligibility team. A group of qualified professionals and the parent of the child, which determines whether the child is a child with a disability and determines the educational needs of the child.

Emotional Behavior Disorder (EBD). Must have documentation and analysis of duration, frequency, and intensity in at least one of the following: an inability to build or maintain satisfactory interpersonal relationships; an inability to learn that is not explained by intellectual, sensory, or health factors; consistent or chronic inappropriate behavior or feelings under normal circumstances; displayed pervasive mood of unhappiness or depression; or displayed tendency to develop physical symptoms, pains or unreasonable fears associated with personal or school

problems. Definition does not include children who are socially maladjusted unless they are also determined to have an emotional disability as determined by evaluation.

Evaluation. Procedures used to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.

Evaluator. A qualified person in a field relevant to the child's disability who administers specific and individualized assessment for the purpose of special education evaluation and placement.

Evaluation report. A summary of evaluation results obtained in the process of collecting information to determine if a child is a child with a disability and the educational needs of the child. The evaluation reports will vary from child to child, depending on the types of evaluations completed. An eligibility report or written statement of reevaluation considerations may serve as an evaluation report.

Extended school year (ESY). Additional special education and related services for students with disabilities to supplement the normal school year which are provided as part of a free and appropriate public education as defined in PL 94-192. The intent of ESY is to prevent significant regression which compromises the student's ability to make meaningful progress on the IEP, therefore, not providing the student with FAPE. ESY is not provided to guarantee mastery of goals/objectives.

Free appropriate public education (FAPE). Special education and related services that (1) are provided at public expense, under public supervision and direction, and without charge; (2) meet the standards of the State educational agency (DOE); (3) include an appropriate preschool, elementary school, or secondary school education in the State involved; and (4) are provided in conformity with an individualized education program (IEP) that meets the requirements of IDEA 2004.

Functional behavioral assessment (FBA). A systematic process for defining a child's specific behavior and determining the reason why (function or purpose) the behavior is occurring. The FBA process includes examination of the contextual variables (antecedents and consequences) of the behavior, environmental components, and other information related to the behavior. The purpose of conducting an FBA is to determine whether a Behavioral Intervention Plan should be developed.

Functional Curriculum. A curriculum model for students with moderate and severe disabilities. Content is selected based on identified skills needed for functioning in current and future integrated community, residential, and vocational environments.

Georgia Network for Educational and Therapeutic Supports (GNETS). Supports local school systems' continuum of services by providing comprehensive special education and therapeutic support for students whose behavior severely impedes their learning.

General education. Students with disabilities are served in the general education class with no personnel support.

Homeless children. Has the meaning given the term homeless children and youths in section 725 (42 U.S.C. 11434a) of the McKinney-Vento Homeless Assistance Act, as amended (42 U.S.C. 11431 et. seq).

Infant or toddler with a disability. An individual under three years of age who needs early intervention services because the individual: 1. Is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures in one or more of the areas of cognitive development, physical development, communication development, social or emotional development, and adaptive development; or 2. Has a diagnosed physical or mental condition that has a high probability of resulting in a development delay.

Independent educational evaluation (IEE). An evaluation conducted by a qualified evaluator who is not employed by the public agency responsible for the child in question.

Individualized education program (IEP). A written statement for a child with a disability for providing special education services for that child that is developed, reviewed, and revised in accordance with IDEA 2004, including the pupil's present levels of educational performance, the measurable annual goals, benchmarks for evaluating progress toward those goals, and the specific special education and related services to be provided.

Individualized education program team (IEP team). A team whose task is to develop an appropriate educational program for the child with a disability and includes: the parent; at least one of the child's regular education teachers; one of the child's special education teachers; a representative of the public agency that is qualified to provide or supervise the provision of instruction that is designed specifically for children with disabilities who is knowledgeable about general curriculum and the availability of resources (LEA); a person who can interpret the instructional implications of evaluation results; the child, if appropriate (required for transition meetings); and at the discretion of the parent or the public agency, other persons with knowledge or special expertise related to the child.

Individualized family service plan (IFSP). A written plan for services to an infant or toddler in the Part C Babies Can't Wait early intervention program that may be used in the Part B preschool program until an IEP can be written, if the IFSP meets all the requirements of the IEP.

Intellectual Disability (ID). Intellectual functioning based on multiple sources of information documenting IQ scores below 70; significant limitations in the child's effectiveness in meeting standards of maturation, learning, personal, independence or social responsibility; adaptive behavior in school and home that is at least two standard deviations below the mean in one of three areas: conceptual, social, or practical OR composite score that is two standard deviations below the mean; and documentation that deficits in intellectual functioning and adaptive behavior existed prior to age 18.

Interfering Behaviors. Behaviors such as stereotypic, ritualistic, aggressive, or self-injurious behavior(s), targeted by IEP objectives that would have prevented the student from receiving some benefit from his or her educational program during the regular school year, or whether the interruption of programming for this (these) interfering behavior(s) is likely to prevent the student from receiving benefit from his or her educational program without ESY service(s).

Interpreting services. Includes (i) the following, when used with respect to children who are deaf or hard of hearing: oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and transcription services, such as communication access real-time translation (CART), C-Print, and TypeWell, and (ii) special interpreting services for children who are deaf-blind.

Least Restrictive Environment (LRE). To the greatest extent appropriate, children with disabilities (in public or private institutions or other care facilities) are educated with children who are nondisabled. Local educational agency (LEA). A public board of education or other public authority legally constituted within Georgia for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of the State, or for a combination of school districts or counties as are recognized in the State as an administrative agency for its public elementary schools or secondary schools. The term includes an educational service agency and any other public institution or agency having administrative control and direction of



a public elementary or secondary school, including a public nonprofit charter school that is established as a LEA under State law.

Long-term suspension. The disciplinary exclusion of a student from attending his or her assigned school for more than 10 school days (consecutive or cumulative).

Manifestation Determination. Within 10 school days from the beginning of a disciplinary action that either exceeds 10 school days or that constitutes a pattern of removals (a change of placement), the local educational agency, the parent, and relevant member of the IEP team (as determined by the LEA and the parent) shall meet to review all relevant information, including the student's IEP, the student's behavior intervention plan, any relevant teacher observations, and any relevant information provided by the parents to determine: (1) if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or (2) if the conduct in question was the direct result of the local educational agency's failure to implement the IEP. If the review team determines that either (1) or (2) is applicable for the student, the conduct shall be determined to be a manifestation of the student's disability.

Medical services. Services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.

Modifications. Alterations that change, lower, or reduce learning expectations. Modifications can increase the gap between achievement of students with disabilities and expectations for proficiency at a particular grade level. Consistent use of modifications could adversely affect students throughout their educational career, and modifications in statewide assessments may invalidate results.

Occupational therapy (OT). Skilled services and interventions provided by a qualified occupational therapist/occupational therapy assistant that include: (i) improving developing, or restoring functions impaired or lost through illness, injury, or deprivation related to the student's ability to perform school-related tasks as independently as possible by evaluating and establishing goals to address deficits in the following are, as appropriate based on a student's individualized needs: fine and gross motor skills, sensorimotor skills, visual motor/perceptual skills, social integration, activities of daily living, feeding, positioning, and sensory processing and regulation for alertness/attention; (ii) improving ability to perform tasks for independent functioning if functions are impaired or lost; (iii) preventing, through skilled intervention, initial or further impairment or loss of function; and (iv) providing education and training of school personnel to support and monitor occupational therapy programs such a sensory diet, positioning, and feeding.

Orientation and mobility (O&M) services. Services provided to blind or visually impaired children by qualified personnel to enable those children to attain systematic orientation to and safe movement within their environments in school, home, and community. They include teaching children the following, as appropriate: (i) spatial and environmental concepts and use of information received by the senses (such as sound, temperature, and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street); (ii) to use the long cane or a service animal to supplement visual travel skills or as a tool for safely negotiating the environment for children with no available travel vision; (iii) to understand and use remaining vision and distance low vision aids; and (iv) other concepts, technique, and tools.

Orthopedic Impairment (OI). Requires medical report indicating the diagnosis and prognosis; deficits in academic functioning, emotional development, adaptive behavior, motor, or communication skills. Other Health Impaired (OHI). Chronic or acute health problems

documented with medical report that indicates limits in strength, vitality, or alertness; deficits in pre-academic or academic functioning, adaptive behavior, social/emotional development, motor, or communication skills as a result of the health impairment

Parent. (a) Refers to:

1. A biological or adoptive parent of a child;
2. A foster parent;
3. A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not State if the child is a ward of the State);
4. An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or
5. A surrogate parent who has been appointed.

(b) Except as provided in paragraph (c) below, the biological or adoptive parent must be presumed to be the parent unless the biological or adoptive parent does not have legal authority to make educational decisions for the child. (c) If a judicial decree or order identifies a specific person or persons under paragraphs (a)(1) through (4) to act as the "parent" of a child or to make educational decisions on behalf of a child, then such person or persons shall be determined to be the "parent."

Parent counseling and training. Assisting parents in understanding the special needs of their child; providing parents with information about child development; and helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.

Personally identifiable information. Includes: (i) the name of the child, the child's parent, or other family member; (ii) the address of the child; (iii) a personal identifier, such as the child's social security number or student number; or (iv) a list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

Physical education (PE). The development of physical and motor fitness, fundamental motor skills and patterns and skills in aquatics, dance and individual and group games and sports (including intramural and lifetime sports). It includes special physical education, adapted physical education, movement education, and motor development.

Physical therapy (PT). Services provided by a qualified physical therapist to include: (i) improving, developing, or restoring function and participation that have been impaired related to the student's ability to perform educational and related tasks as independently as possible; (ii) physical therapy in the school settings supports the purpose of IDEA – to advance "further education, employment and independent living" of children with disabilities and addresses the students' goals for the educational environment; (iii) school-based physical therapy is a related service provided when it is required in order to assist a child with a disability to benefit from special education as determined by the student's IEP team; (iv) physical therapy provided in educational environments supports children's ability to function, access, and participate safely in all school environments. Physical therapists address issues involving safe access, balance, strength, motor skills, coordination, ambulation, transfers, safe mobility, and general independence as they relate to tasks required in educational environments. Physical therapists assist in providing equipment for students who need support for posture, positioning, proper structural alignment, class participation, and activities of daily living during school activities. This includes providing consult or training services to teaching staff and other personnel on behalf of students for training and monitoring physical therapy programs and equipment; and (v)

prevention, through prompt skilled intervention, initial or further impairment or loss of function and participation.

Positive Behavioral Interventions and Supports (PBIS). An evidence-based, data-driven framework proven to reduce disciplinary incidents, increase a school's sense of safety, and support improved academic outcomes.

Preschool child. A child who is at least three years of age but who has not reached the required age for kindergarten.

Prior written notice (PWN). Notice that includes a description of the action proposed or refused by the school, an explanation of why the school proposes or refuses to take the action, a description of any options the school considered and the reasons why those options were rejected, a description of each evaluation procedure, test, record or report the school used as a basis for the proposal or refusal, a description of any other factors that were relevant to the school's proposal or refusal, a full explanation of all of the procedural safeguards available to the parent and a listing of sources for parents to contact to obtain assistance in understanding the notice.

Psychological services. Includes (i) administering psychological and educational tests, and other assessment procedures; (ii) interpreting assessment results; (iii) obtaining, integrating, and interpreting information about child behavior and conditions relating to learning; (iv) consulting with other staff members in planning school programs to meet the special needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations; (v) planning and managing a program of psychological services, including psychological counseling for children and parents; and (vi) assisting in developing positive behavioral intervention strategies

Recreation. Includes (i) assessment of leisure function; (ii) therapeutic recreation services; (iii) recreation programs in schools and community agencies; and (iv) leisure education.

Recoupment. The ability to recover or regain skills at the level demonstrated prior to the interruption of education programming.

Regression. A decline to a lower level of functioning demonstrated by a decrease of previously attained skills that occur as a result of an interruption in educational programming. Severe Regression occurs when the amount of time required to relearn skills or behaviors becomes so significant that it interferes with the gains made during the school year. Since most students experience some regression over extended breaks, a significant increase in the recoupment period must exist in order for regression to pose a significant threat to the gains made during the school year.

Rehabilitation counseling services. Services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a child with a disability. The term also includes vocational rehabilitation programs funded under the Rehabilitation Act of 1973, as amended 29 U.S.C. 701 et. seq.

Related services. Transportation, and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education. Includes speech-language pathology and auditory services, interpreting services, psychological services, physical and occupational therapy, recreation (including therapeutic recreation), early identification and assessment of disabilities in children, counseling services (including rehabilitation counseling), orientation and mobility services, travel training instruction, and medical services for diagnostic or evaluation purposes. Also includes school health services and

school nurse services, social work services in schools, and parent counseling and training. Exception: does not include services that apply to children with surgically implanted devices (including cochlear implants) - the optimization of that device's functioning, the maintenance of that device, or the replacement of that device.

Removal from the classroom. Any disciplinary exclusion that results in a student being unable to access the general curriculum and progress toward his or her IEP goals; it may include in-school suspension and out-of-school suspension (including removals by school personnel for more than one-half of the school day) when either of the aforementioned provisions are not met. Residential special education placement. The placement of a child with a disability in a public or private residential program, in order to provide the necessary special education and related services as specified in the child's individualized education program.

Revocation of Parent Consent for Placement. Based on the December 8, 2008 Congressional amendment to IDEA, the right of a parent to unilaterally remove their child from special education by putting their request in writing to the school district.

School health services and school nurse services. Health services that are designed to enable a child with a disability to receive FAPE as described in the child's IEP. School nurse services are services provided by a qualified school nurse. School health services are services that may be provided by either a qualified school nurse or other qualified person.

Serious Bodily Injury. An injury that involves (A) substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty. Accusing a student of inflicting serious bodily injury is a serious matter. Best practice suggests that careful consideration should be made to ensure the validity of the injury claim. For purposes of this rule, the definition of serious bodily injury is found in 21 U.S.C. Section 18(c).

Significant Development Delay (SDD). A child that is 2 standard deviations below the mean in one these areas: adaptive development, cognition, communication, motor skills, or emotional development; a child that is 1.5 standard deviations below the mean in at least two of these areas: adaptive development, cognition, communication, motor skills, or emotional development; initial eligibility must be established on or before the child's 7th birthday; may be used for children ages 3 through 9.

Short-term suspension. The disciplinary exclusion of a student from attending his or her assigned school for up to 10 school days. The 10 days can be consecutive or cumulative and can occur during one school year.

Social work services (in schools). Includes (i) preparing a social or developmental history on a child with a disability; (ii) group and individual counseling with the child and family; (iii) working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment at school; (iv) mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and (v) assisting in developing positive behavioral intervention strategies.

Special Education. (a) General. 1. Specially-designed instruction, at no cost to parents, to meet the unique needs of a child with a disability, including (i) instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings and (ii) instruction in physical education. 2. May also include the following if the services otherwise meet the requirements of (a) 1: (i) speech-language pathology services; (ii) travel training; (iii) and vocational education.

Specially-designed instruction. Adapting, as appropriate to the needs of an eligible child under

this part, the content, methodology, or delivery of instruction to address the unique needs of the child that result from the child's disability; and to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children

Specific Learning Disability (SLD). Primary deficit in basic psychological processes identified; underachievement in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, reading fluency, mathematical calculation, or mathematical problem solving; progress monitoring over a minimum of 12 weeks that indicates the child is not expected to make progress toward the benchmark.

Speech/Language Impairment (SI). An impairment in the areas of articulation, fluency, voice or language that adversely affects educational performance.

Speech/language pathology services. Includes: (i) identification of children with speech or language impairments; (ii) diagnosis and appraisal of specific speech or language impairments; (iii) referral for medical or other professional attention necessary for the habilitation of speech or language (iv) provision of speech and language services for habilitation or prevention of communicative impairments; and (v) counseling and guidance of parents, children, and teachers regarding speech and language impairments.

Supplementary aids and services. Aids, services, and other supports that are provided in general education classes or other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with the requirements for FAPE.

Supportive instruction. Students with disabilities receive service from personnel other than a certified teacher in the general education classroom (i.e., a paraprofessional, interpreter, or job coach).

Traditional Summer School. Summer programs designed for special and/or general education students. These programs are voluntary and optional and provide enrichment or reinforcement activities. Summer school is not required to provide a student FAPE. ESY service(s) could be provided in combination with an existing summer school program as appropriate and as designated in a student's IEP.

Transition services. A coordinated set of activities for a child with a disability that (1) is designed to be within a results oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including support employment), continuing and adult education, adult services, independent living, or community participation; (2) is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and (3) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.

Transportation. Includes travel to and from school and between schools; travel in and around school buildings; and specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

Traumatic Brain Injury (TBI). Deficits in cognitive, social, or motor skills due to acquired injury that adversely impact educational performance in cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory, perceptual and motor abilities,

physical functions, communication and information processing; medical report or other that documents a traumatic brain injury has occurred.

Visual Impairment (VI). Even with correction, a loss in visual acuity or visual field as determined by evaluation that adversely affects a child's educational performance.

Vocational education. Organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career not requiring a baccalaureate or advanced degree.

Weapon. A weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury. The definition is from 18 U.S.C. Section 930(g)(2) and is also used for the term "weapon" in Georgia's Special Education Discipline Rule.

**APPENDIX C: SAMPLE ELIGIBILITY MEETING AGENDA:**

1. Introduction of members of committee
2. Parental Rights given and explained (see Parental Rights at a Glance)
3. Statement of purpose of the meeting (i.e., determine eligibility for special education services)
4. Review rationale for referral
  - Case history
  - Summary of interventions
  - RTI data
  - Benchmark, CRCT, & other district- and state-wide test scores
5. Review other information required to determine eligibility (sequence determined by individual referral)
  - Information from the parent
  - Information from the classroom teacher
  - Information from a co-teacher (if the student has one)
  - Information, including formal reports, from staff members who may have provided intervention, observed, reviewed medical records, or evaluated the child (SLP, Autism specialist, Principal, School Psychologist, Counselor, Social Worker, etc.)
6. Review exclusionary factors
  - Attendance
  - Vision/hearing
  - Atypical educational history
  - Cultural differences or economic disadvantage
7. Summarize findings
  - Determine eligibility for services
  - Consider areas for possible placement
  - Provide explanation in summary for the reason the student is eligible for the placement chosen by the Eligibility Team
8. All members sign the form
  - For SLD, members must indicate agreement or non-agreement
  - For SLD, any member who disagrees with the decision of the team must provide an explanation in writing
9. Adjourn and dismiss, or team members may opt to move into IEP Meeting if student is eligible (IEP meeting must be held within 30 days).

## **APPENDIX D: SAMPLE IEP AGENDA**

### **For Initial, Reevaluation, and/or Annual Review Meeting**

1. Introduction of members of committee
2. IEP Team Members initial attendance form and ONLY those in attendance are listed on the front page of the IEP as being in attendance.
3. If needed, review and sign Excusal forms
4. Parental Rights given and explained (see Parental Rights at a Glance)
5. Statement of purpose of the meeting
6. Discussion of PLOP
  - Reports from the regular/current teacher
  - Parent comments - parent may be asked about concerns first at some meetings
  - Review current/recent data-Special Education Teacher
    - Progress monitoring (prefer graphed presentation or scores reported in a way that parents and team members can understand such as score of 25 with target score of 30)
    - SLO Scores
    - Georgia Milestone/EOC Tests
    - GAA Scores
    - Any other recent assessment information available
7. Address Consideration of Special Factors (complete appropriate forms & obtain signatures)
  - Behavior Intervention Plan
  - Assistive Technology\*
8. Additional items (may be optional depending upon the meeting & determined by individual needs)
  - Discuss Transition Services and Write Transition Goals
    - 8th Grade- in SOWEGA STEM Charter School begin this process in 8th grade
    - By age 16- Completed Transition Plan must be in place
  - Transfer of rights to the student\*\*\*
  - Adaptive PE
  - Special transportation
  - Redetermination
9. Discussion of Annual Goals & Short-term Objectives
10. Supplementary Aids & Services
11. Discuss Options for Services and Final Recommendations
  - Complete form: Considerations for Educationally Relevant Therapy (if appropriate)\*\*\*\*\*
12. Address Accommodations
  - Classroom
  - Testing\*\*
13. Complete Services Page
14. Parent signs Consent for Placement. Re-check signatures to make sure all committee members signed the appropriate forms.
15. Copies of Eligibility, IEP meeting notes, and IEP given to parents. If not provided at the meeting, let the parent(s) know when to expect this information and how it will be delivered (e.g., mailed or sent home with student).



## **APPENDIX E: GOIEP & THE IEP: CHECKING CONTENT**

### **General Information**

- Reason for Meeting
  - Must use the words “Initial” or “Review.”
  - Any other words typed in this area will generate an error.
- Current Meeting Date
  - Make sure the current/correct meeting date is entered.
- Implementation Date/End Date
  - If the parent doesn’t attend the meeting: Forward the implementation date 7 to 10 days.
  - Send a copy of the draft IEP to the parent within 3 days of the meeting date to provide Prior Written Notice of all decisions/services discussed in the meeting. Parents must have time to request changes in the IEP before the implementation date.
- Current Eligibility Date
  - Enter the current eligibility date (the date that the most recent eligibility or redetermination of eligibility was established). This can be found in GoIEP under eligibility or redetermination.
  - Do not use the projected 3-year reevaluation date.
- Progress Reports
  - State when or how often Progress Reports will be sent home. It is best not to use “numbers” here such as “every 9 weeks” just in case, for some reason, the schools decide to change the grading period. It is best to use “following each grading period”.
- Comments
  - Add additional notes regarding decisions made in the IEP meeting
  - Examples:
    - Reevaluation/Redetermination
    - the reason no FBA & BIP are needed for an EBD student
    - Special Transportation
    - Details about ESY services.

### **Present Level of Performance**

- Results of evaluations and assessments
  - Include information from most recent Psychological or Eligibility Report. Strengths & weaknesses should be stated verbatim from the psychological evaluation.
  - Include results from State assessments (SLO, Milestones, GHSGT, GHSWT, EOCT; Writing Assessments for 3rd, 5th and 8th grades; and GKIDS), and include the score needed to pass.
  - Add scores and baselines from progress monitoring (benchmark assessments, Dibels, MOBYMAX, STAR tests, etc.).
  - Explain what each test measures and a brief explanation of the score and what it means for the student.
  - Include the Related Services (PT and OT) assessments/summary.
- Describe Strengths

- Include statements reflect skills/knowledge the student currently possesses, which will allow him to work on grade-level standards.
- Include the following:
  - Academic areas (e.g., math problem solving)
  - Developmental areas (e.g., language, motor, cognitive, social/emotional)
  - Functional areas (e.g., self-care, social skills, daily living, communication)
- Describe Needs
  - Every identified “need” must have a corresponding goal.
  - “Needs” unrelated to the student’s disabilities are not addressed in the IEP.
  - “Needs” are barriers to the student’s success in meeting grade-level standards in the general education classroom without support. In other words in order to identify needs, think of skills that would enable the student to be successful in the classroom without support. Deficits in these skills result in “needs.”
- Parent Concerns
  - Request input from the parent prior to or during the IEP meeting.
  - Address concerns regarding the child’s academics, behavior, performance on goals, and/or future plans.
  - Communication with the parent may be through verbal or through written contacts.
- Impact of Disability
  - Information stating how the disability affects the classroom performance, involvement, and progress on grade-level standards.
  - This statement is unique for each student.
  - Present Levels are not addressed here.
  - Some specific characteristics include:
    - short-term memory problems,
    - poor organization skills,
    - auditory processing problems,
    - visual processing problems,
    - fine and gross motor deficits,
    - slow rate of information processing,
    - difficulty generalizing.

### **Special Factors**

- All areas should be addressed. If a child has a need in any of these special factors, place a checkmark in the “yes” box.
- Describe the supports and services to address each need identified as follows:
- If a student is EBD and doesn’t need an FBA & BIP, the reason for lack of the FBA/BIP should be addressed in the box below special factors.
  - If a student exhibits behaviors that interfere with his or her learning and/or that of others to a substantial degree, an FBA/BIP should be considered and developed, if needed, regardless of the student’s categorical placement.
  - If the need for assistive technology is marked “No,” include a statement indicating how needs will be met in deficit areas without AT.
    - Review/complete SOWEGA STEM Charter School AT Checklist (included in GoIEP).

### **Transition Plan**

- Should be completed for students as needed according to age.
- Goals in the transition plan should address student needs after graduation.
  - **Goals – Goals are expectations for one school year.**
- Should be measurable and specific to the students “needs” and should come directly from the “needs” in the PLOP.
  - Outcome must be something that
    - May be seen or heard.
    - Reflects what student is expected to be able to do and/or produce as a result of instruction.
  - Criteria clearly stating how well, how much or at what level the behavior is to be performed.
  - The given or condition, if necessary.
  - Method of evaluation should monitor on-going progress.
    - Evidence of progress should be tangible.
    - Observation alone without some type of data collection is not a method of evaluation.

### **Student Supports**

- Instructional Accommodations – Directly related to deficits described in the present levels. Must be stated in specific observable terms. Also state who is to develop or provide the accommodations/modifications and when the accommodations/modifications will be provided.
- Classroom Testing – Accommodations should be consistent with instructional accommodations. However, some needed instructional accommodations may not be appropriate for statewide tests.
- Supplementary Aids and Services – Provided in the general education classroom or any other education-related setting to enable student with disability to be educated with non-disabled peers.
- Supports for School Personnel – Any training for teachers or staff to be able to meet the unique needs of the student.

### **Specific Testing and Accommodations**

- Choose specific name of each test from “test bank”; then add accommodations.
- Make sure the testing is marked “standard, non-standard or conditional.”
- Accommodations specified should be available in the general education classroom on a regular basis.

### **General Education Services**

- List all special education services individually that are received in the general education classroom.
- Start date and end date for services should match the IEP dates on the front page of the IEP.
- Subjects should be added for specific service time.

### **Special Education Services**

- Individually list all special education services that are provided in the Special Education classroom.
- Match starting and ending dates for services with the IEP date on the front of the IEP.

- Add Subjects specific service time.
- Make sure that options are checked and not just the services that are decided upon.

**Related Services**

- List services individually.
- Match starting and ending dates for services with the IEP date on the front of the IEP.

**Extended School Year**

- Yes or No. Add date if you need to meet again before the end of the IEP to address the need for ESY.

**Parent Participation**

- Include all notices/contacts with parent for notification regarding the current IEP meeting. (This will be taken care of by the Special Education Secretary)
- Place a checkmark in appropriate box to show information provided to the parent.
- Using a checkmark, show how the information was sent to the parent.

**Final IEP Check**

- None of the IEP pages are missing.
- All participants at the meeting initialed the attendance sheet.
- LEA is specified.
- All required members listed on the Notice of Meeting initialed the attendance sheet and are listed on the front page of the IEP.
- For any required member who is not present, Excusal Form(s) is/are attached.
- Excusal forms, if used, are signed by the parent.
- If the student has “yes” marked to indicate a BIP was developed, BIP is developed or updated.
- Parent is sent a final of the IEP after corrections have been made. DRAFT
- IEP given in the meeting is NOT the final copy.
- For annual reviews and reevaluations, old original IEP, including Transition Plan if applicable, was reviewed correctly. (For example, if a goal was not met, the criteria the student currently performs on the goal should be indicated to show how much progress is still needed for the student to meet the goal.)
- AT Checklist and ESY form are completed (Both are included in GoIEP)

**Additional Information:**

Further training on step-by-step instructions for writing IEPs can be found at this location:

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/IEP-Webinars.aspx>

More information and modules specific to IEP components are also available on the GaDOE website under Special Education Supports and Professional Learning Resources.

**APPENDIX F: COMPONENTS OF A FUNCTIONAL BEHAVIOR ASSESSMENT (FBA)**

- FBA team members work collaboratively through the process and document the results.
- Team members use the antecedent-behavior-consequence model as the basis for behavior.
- The team develops a description/operational definition of the target/problem behavior that clearly describes what the student is doing and is stated in observable, objective, and measurable terms.
- Team members select FBA direct measurement data systems that are appropriate for the target behaviors (e.g., frequency, duration, latency, interval recording, time sampling, and permanent product recording).
- Team based decision making should include manageable strategies for sampling behavior during relevant times and contexts.
- Direct data collection team planning should include how the raw data will be converted into a standardized format (e.g., rate, percent).
- In addition to direct observation of behavior, FBA information sources can include multi-element assessments, documentation of student, teacher, and parent interviews (including student preferences), indirect data collection (checklists, questionnaires), previous interventions tried, educational impact of the behavior, and record review.
- The team's analysis of the comprehensive FBA assessments should identify patterns and result in summative information that should include:
  - time of day and settings where the behavior typically occurs
  - subject/activity when the behavior most often occurs
  - frequency/duration/intensity of the behavior
  - people present during the behavior
  - antecedents/events or conditions that immediately precede/trigger the behavior
  - consequences that maintain the problem behavior
- Through the collaborative team based decision making process, the team agrees on a hypothesis/summary statement as to the function/purpose of the target behavior.

**APPENDIX G: COMPONENTS OF A BEHAVIOR INTERVENTION PLAN (BIP)**

- Target/problem behavior, the hypothesized function of the behavior, and a summary of data collected that led to the hypothesis are included in the plan
- Behavior intervention plans are driven by the hypotheses and the FBA data collected. They are individualized for the student and include:
  - positive (preventive) strategies to avoid the target behavior (e.g., antecedent modifications) that can include instructional modifications, behavioral precursors as signals, modification of routines, opportunities for choice/control, clear expectations, pre-correction, errorless learning, etc
  - select new skills that replace problem behaviors that can be as or more effective than the problem behavior (replacement behaviors may include communication skills, social skills, self-management/monitoring skills, choice making, etc)
  - instructional methods to teach replacement behaviors that can include pre-instruction, modeling, rehearsal, social stories, incidental teaching, peer buddy, meeting sensory needs, direct instruction, verbal, physical, and/or visual prompting, etc
  - consequences that promote the learning of the replacement behavior that are based on student preferences
  - consequences that address the occurrence of the target behavior
  - the desired outcomes of the behavioral intervention plan for the student
- Action plan for the implementation of the BIP should include:
  - activities, dates, and documentation describing who is responsible for completing each task
  - materials, training, and support for the implementers of the plan
  - how data will be collected and analyzed
  - timelines for team meetings, data analysis, and monitoring the success of the BIP
- If necessary, a crisis intervention plan is developed when the safety of the student or of others is a concern.

## **APPENDIX H: WRITING GOALS**

### **General Information**

Annual goals are developed to meet the unique needs of the child identified in the present levels. The Present Levels provide the baseline information for the development of measurable annual goals. Annual goals in academic content areas may be drawn from the CCGPS but must be written in measurable form. Most often goals address supplementary instruction that is needed to build skills and thus provide access to the general curriculum. **Measurable annual goals** are statements that describe what a student can **reasonably** be expected to **accomplish within a one-year period** in the student's special education program. To accomplish this goal, the child's performance is measured against the district's standards or benchmarks for basic skill areas. Three critical components of the annual measurable goal are:

- **Conditions:** Specify the context in which progress toward the goal is measured. Conditions are dependent on the behavior being measured and involve the application of skills or knowledge. Examples:
  - “When presented with a second grade reading passage...”
  - “When given a mixed fourth-grade-level math calculation probe...”
  - “Given a story prompt and three minutes to write...”
  - **Behavior:** Clearly identifies the performance being monitored, usually reflects an action or can be directly observed and is measurable.
  - **Examples:**
    - “Sarah will read...”
    - “John will correctly solve...”
    - “Sue will write...”
  - **Criterion** identifies how much, how often, or to what standards the behavior child will perform in order to demonstrate that the goal has been mastered. The goal criterion specifies the amount of growth the child must make by the end of the annual goal period. Examples:
    - “...107 words per minute with 5 or fewer errors.”
    - “...85% or more of the problems presented.”
    - “...37 words per minute.”
- **Elementary Example:**
  - **Present Level:** Robert is a first grade student who had difficulty decoding basic sight words. According to DIBELS administered in May of his first grade year, he has an oral reading fluency of 25 words per minute.
  - **Goal:** When given a second grade-reading probe, Robert will increase his oral reading fluency to 89 words per minute.
- **Middle School Example:**
  - **Present Level:** When given a mixed 7th grade level math calculation probe, in two minutes Jeff is able to complete the problems with 38 digits correct. He does not monitor his work for accuracy and tends to run through assignments in his general education math class.
  - **Goal:** When given a mixed 7th grade math calculation probe, in two minutes Jeff will complete the problems with 68 digits correct.
- **High School Example:**
  - **Present Level:** Joe has difficulty organizing his written work so that it makes sense to the reader and conveys the information that he intends.

- When Jeff's written work is graded, for punctuation and spelling, he averages 50% accuracy.
- Goal: When given grade level writing assignments, Jeff will plan his papers using a prewriting strategy and compose and edit his papers to
- 90% accuracy for punctuation and spelling.
- Key Points
  - Baseline data for measurable goals are included in the Present Levels of Academic Achievement and Functional Performance
  - Write an IEP goal so that a teacher who does not know the child can develop appropriate instructional plans and assess the student's progress
  - Curriculum Based Measurement is frequently used to assess progress on the goals that are reported to parents
  - IEPs should contain at least one goal, the number of goals will depend on the student's identified and prioritized needs

**For more information, refer to:**

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/IEP-Webinars.aspx>

Additional resources:

[http://www.learningport.us/resource/?course\\_id=147](http://www.learningport.us/resource/?course_id=147)

<http://www.ritap.org/RTI/content/modules/Module%20SixProgressMonitoring.ppt>



## **APPENDIX I: FTE**

### **FTE: General Information**

Local school systems report student enrollment to the Georgia State DOE using FTE (Full-Time Equivalent) data. This data is based on the number of students who meet the requirements to be counted. **One important requirement is that the student must be present for at least one of the 10 days prior to the FTE Count.** The FTE count is the method the DOE uses to determine funding for particular services and programs. A primary use of funding includes teacher salaries. Therefore, accurate FTE counts are extremely important.

Georgia conducts FTE counts at the following times:

- 1st Tuesday in October
- 1st Thursday in March
- Student Records-June

Special Education codes are reviewed by the Special Education Director for each student. The information must be reviewed for the accuracy of each segment for every student served in special education.

The data is uploaded to the State on the day of the count, and then the data is used to determine the amount of funding our school system will receive from the state department.

The actual process is much more complicated than this description. For more information, please refer to:

[http://public.doe.k12.ga.us/DMGetDocument.aspx/FTE2011\\_General\\_Information\\_08\\_12\\_2010.doc?p=6CC6799F8C1371F68096ADF21740AC3BD3BAC3E00F7343F4FB252E28261728E7&Type=D](http://public.doe.k12.ga.us/DMGetDocument.aspx/FTE2011_General_Information_08_12_2010.doc?p=6CC6799F8C1371F68096ADF21740AC3BD3BAC3E00F7343F4FB252E28261728E7&Type=D)

The main thing to remember is this:

**FTE Counts are very important!!**

**Please be sure that the information reported is accurate.**

### **FTE: Program Codes**

#### General Information

- Used for reporting services to the GA DOE for funding purposes
- Used in GoIEP for IEPs

#### Specific Information

- Program codes are used to determine the weight that will be assigned to the number of FTEs earned in funding an instructional program area.
- To claim FTE funding segments, the student must be regularly scheduled for service or program instruction on the day of the count.
- Students who are not regularly scheduled for service or program instruction on the day of the count must be reported according to the program weight that indicates the actual services they receive on the FTE count day.
- School systems may not alter a student's schedule to capture a specific weight for the FTE count day.

#### Reporting Services Exceptionality FTE Codes:

- P Mild Intellectual Disability
- Q Moderate Intellectual Disability
- R Severe Intellectual Disability
- S Profound Intellectual Disability
- T Emotional and Behavioral Disorder

- T Severe Emotional Disorder
  - U Specific Learning Disability
  - V Orthopedic Impairment
  - W Hearing Impairment
  - X Deaf
  - Y Other Health Impairment
  - Z Visual Impairment
  - 1 Blind
  - 2 Deaf and Blind
  - 3 Speech-Language Impairment
  - T Autism 6
  - U Traumatic Brain Injury 7
  - U Significantly Developmentally Delayed\* 8
- \*In some cases, SDD may be reported using another FTE Code as follows depending upon the functioning of the student, for example:
- P MID
  - Q MOID

These codes must be entered manually for SDD to over-ride the “U” designation. Therefore, instead of simply checking the print-out provided by the secretary, the special education staff member reviewing the entries should correct the “U” designation when it does not reflect the student’s functioning. FTE Service Entry Forms should reflect the corrected codes. This form will be returned to the FTE Coordinator, and the FTE Coordinator will correct this information in the system data prior to uploading it to the State DOE.

#### **FTE: Levels of Funding**

- The number of segments a student is served in an area of special education and the type of disability the student has determine the level of funding for special education.
  - For example, a student receiving one to three segments of Specific Learning Disability (SLD) services will earn level III funding. If that student receives four to six segments of SLD (self-contained), the funding level changes to Level I.
  - This means that the amount of funding received is reduced, even though the student is receiving more special education services.
- Special Education Levels I through V
  - There are five levels of special education funding.
  - Each level represents a different funding weight.
  - These weights affect the amount of funds the State DOE provides to the local school system.
  - Therefore, **reporting this information correctly is important.**
  - Incorrect reporting may result in an error and sometimes, in loss of funds for the school system.

**APPENDIX J: SAMPLE MANIFESTATION DETERMINATION MEETING AGENDA**

1. Introduction of members of committee & sign form
2. Parental Rights given and explained (see Parental Rights at a Glance)
3. Statement of purpose of the meeting (i.e., manifestation determination)
  - Explain that team members plan to review the information from various sources
  - The team members have two purposes
    - Determine if the student's misbehavior was substantially related to the student's disability for which he or she is being served in special education
    - Determine if the school properly implemented the IEP and BIP
4. Review information about the misconduct
  - Information from the student
  - Information from the parent
  - Information from administrators and other staff members who have knowledge about the event
5. Review the student's special education categorical placement
  - Team members determine whether or not the misconduct engaged in by the student is or is not substantially related to the child's disability.
6. Review IEP and BIP
  - Team members determine whether or not the personnel in the school system implemented the IEP and BIP appropriately
  - Depending upon the student's behavior, a new FBA and BIP may be recommended by the team
7. If the student's behavior is not substantially related to the disability, and if the school system implemented the IEP/BIP appropriately, one of following may occur:
  - The IEP team may return the student to his/her previous placement.
8. If the student's behavior is related to the disability, OR if the school system failed to implement the IEP or the BIP, the student remains in his/her current placement and is not subject to the usual disciplinary ladder.
9. Review the findings, seek clarification if it is needed, and adjourn the meeting.
10. Manifestation Determination meetings may be highly charged emotionally for the parent, student, and sometimes the staff. Practice use of deflation techniques or be sure to have someone on the team who is able to defuse emotions in case anyone in the meeting becomes overly aroused.

**APPENDIX K: Parental Rights at a Glance**

## Parental Rights at a Glance

## Records

- Right to inspect, review, and release records

## Confidentiality of Information

- Access is restricted

## Independent Evaluation

- Right to an independent evaluation with results considered by the school

## Notice

- Right to be notified and present at all meetings

## Consent

- Consent must be given before evaluation, reevaluation, and any change in placement.

## Hearings

- If we can't agree, a third party can be called to help make a decision

## Evaluation Procedures

- Right to an appropriate evaluation by a qualified examiner

## Least Restrictive Environment

- Right to have your child in regular classes as much as is appropriate

## Surrogate Parents

- One may be assigned if needed

## Private School Placement

- This placement can be made only if the school system can't provide appropriate services

## Interim Alternative Educational Setting

- If a student has a weapon or drugs the school may place the student in another educational setting or call for suspension

## **APPENDIX L: Completing the Eligibility Report**

### **Section 1 Student Information**

Complete the child's identifying information.

### **Section 2 Case History**

This section gives an overview picture of the child.

Complete all sections for a reevaluation since information may change over time.

Hearing and vision screenings are necessary prior to administration of assessments. The screenings should be completed within a year of the evaluation.

### **Section 3 Summary of Interventions PRIOR to Referral**

This section gives the committee a quick look at the interventions and adaptation of content, methodology, and/or instructional delivery that have already occurred.

The data from these interventions will be documented in Section 4.

Initial eligibility – The committee will need to list the interventions provided for the child.

Reevaluation - The committee will need to list the specially designed instruction which includes: Adaptation of Content, Methodology (specialized program), or Instructional Delivery. It will also be important to list any additional areas of concern that have developed since the previous eligibility.

Immediate consideration of special education eligibility - The committee must review the information presented by the parents and school to determine if the intensity of the rare, unique situation warrants referral for immediate comprehensive special education evaluation and eligibility consideration.

This means there are occasional situations that are so compellingly appropriate for Special Education consideration that it would be unacceptable to delay needed services by having to go through Response to Intervention (RTI)/Student Support Team (SST) processes.

### **Section 4 Summary of Progress Monitoring Data Toward Achieving Standards**

This is the section where the committee shares the specific scientific, research or evidence based intervention(s) and provides accurate information on the progress monitoring data results for the intervention(s) implemented for an initial evaluation or the specially designed instruction for reevaluation.

- Area(s) of Difficulty

Initial evaluation - The "Area" field is where the committee will identify the area(s) of concern [such as academic (reading, mathematics, writing); behavioral; functional; or developmental]

Reevaluation -The "Area" field is where the committee will list the identified deficit areas based on the Individualized Education Program (IEP) goal(s) and additional areas of concern that have manifested since previous eligibility.

- Scientific, research, evidence based interventions

Initial eligibility – Identify (name) the specific intervention(s) implemented.

The scientific, research or evidence based intervention(s) will be implemented as designed for the appropriate period of time to show effect.

Reevaluation – Identify the specific specially designed instruction/intervention (specialized programs, methodology, or instructional delivery) implemented.

- Baseline Performance

Initial eligibility – Record baseline data for the intervention(s) implemented for Tiers 2, and 3.

This will include the date, starting data point, and performance summary of that starting point.

Reevaluation – This will include the date the specially designed instruction/intervention was implemented from the IEP, the starting data point, and a performance summary of the starting point.

- **Intervention Data**

Initial eligibility - The progress monitoring data presented will show the child's RTI (positive effect or lack of response) that demonstrates that the child is not making sufficient rate of progress to meet age or State-approved grade-level standards within a reasonable time frame. The summary will provide information on the impact of the intervention on educational performance and discuss/address the **rate of learning**. A child whose rate of learning is comparable to grade level peers cannot be determined to have a disability that impacts educational performance even though the child may be below grade level performance. However, a child whose **rate of learning** is not comparable with grade level peers may be considered a child with a disability that impacts educational performance. Trend lines or other projections for attaining grade level standards are appropriate to include in this data analysis.

**Progress Monitoring**

Reevaluation – The progress monitoring data will show present levels of academic achievement, behavioral needs and related developmental or functional needs of the child. The data will guide needs for any additional accommodation and/or modification to the special education and related services to meet the measurable annual goals set in the IEP. Because special education is included in Tier 4 there is an expectation of greater frequency of progress monitoring of child's RTI/intervention to guide decision making.

**Section 5 Results of District, State, and Benchmark assessments**

The academic assessment history is one source of information to combine with multiple sources to assist in the decision making. This section must include all district and state assessments the child has taken in the last calendar year but could include previous years if the assessment results are relevant to support the needs of the student. In addition to district and state assessments, benchmark assessments may also be included. Benchmark assessments will only be accepted as the sole support for this eligibility section if there are no results available on state and district level assessments (i.e. Kindergarten students who have not completed the GKIDS assessment, or transfer students). Include the student results along with the passing standard for the test (such as 800) to make it easier for individuals who are not directly involved in district, state and benchmark assessments to interpret results.

**Section 6 Individual student data**

**Note:** As one completes this section it may help you to determine what additional information/assessments are needed prior to eligibility team meeting. This section is a collection of assessments (formal/informal), observations, interviews, reports, and work samples completed by a multidisciplinary team. It is organized into domains to prompt the team to consider the whole child. The team is responsible for assessing the student in all areas either formally or informally. A more in depth assessment must be completed in all areas related to any suspected disabilities and in any other area deemed relevant. It is imperative when completing this form to make sure the team addresses **all** domains. If the child exhibits no concerns in a specific domain then the team needs to document the evidence available to support that no formal assessment is needed for the domain. The domain area needs to include the source providing the information and the date the decision was made:

Examples:

Social Domain: **Report/Assessment:** Classroom teacher observation; **Date:** 10/8/2009; **Results-Strengths:** Teacher reports that Johnny has many friends and works well in collaborative settings therefore no social problems noted.

Sensory Processing: **Report/Assessment:** Parent and teacher report; **Date:** 10/8/2009; **Results-Weaknesses:** Parents and teacher reports that Johnny exhibits tactile defensiveness when he eats soft foods. He refuses to eat foods that are soft and white. If he accidentally eats a soft food he will gag and throw up. Both teachers and parents report that loud noises bother Johnny. This is observed during lunch in the cafeteria, on the bus, in the gym, and when the fire alarm rings. At the beginning of the year he would hide under desk and hold his hands tightly over his ears. (Based on this example, the team has information that should guide the decision to investigate further through formal assessments.)

This section must be written from the perspective that anyone can interpret the information included in the chart.

- **Report(s)/Assessment(s) & Scores** – Give the name and measurement scale for scores. Teachers and parents need to be able to interpret what that score means. If gathered through informal assessment such as teacher observation or input, include the source.
- **Date** – This is the date the assessments (formal/informal), observations, interviews, reports, work samples, etc. were administered.
- **Results Strengths/Weaknesses** – Results are analyzed and interpreted in these sections.

#### **Section 7 Exclusionary factors**

The exclusion factors should have been discussed at length during the SST (Tier 3) process on whether the factor had an impact on the child's educational progress. Exclusionary factors must be considered in eligibility determinations.

Each factor should be considered for its impact or lack of impact on educational progress. The explanation should describe why or why not a factor has influenced educational progress. Once the factors have been addressed, the team needs to refer to the responses and refer to the eligibility criteria for each disability category

The following is guidance on addressing each exclusionary factor.

- Lack of appropriate instruction in reading, math and written expression. Need to discuss: Did the child have access to quality instruction and research-based curricula?
- Limited English Proficiency. It is very important to include an English Speakers of Other Languages (ESOL) staff member who is familiar with the child suspected of having a disability. It will be necessary to include a language profile for this child that specifically investigates the language proficiency in both the primary language and English.
- Cultural Factors. A child's culture should not be a determinant factor of a disability. An important method of obtaining pertinent cultural information is by interviewing key family members. All results obtained must be interpreted in relation to the child's dominant cultural influences.
- Environmental or economic disadvantage. A child's environment or economic disadvantage should not be a determinant factor for determination of a disability.

The committee will need to thoroughly examine family stressors that may be impacting educational progress to include homelessness, unemployment, extended illnesses, death in the family, divorce, pre-school experiences, lack of books in the home or expectations of the family for the child.

- Atypical education history. The team must discuss if the child has high levels of mobility and/or absenteeism which may have influenced the educational progress of the child.

- Visual, hearing or motor disability. The committee will need to analyze information in order to rule out as source of difficulty when determining specific disabilities.
- Mutism, tongue thrust and dialectic. Mutism, tongue thrust behavior without associated speech sound impairment, and dialectic differences cannot be a speech language disorder. The committee will need to analyze information in order to rule out as source of difficulty when determining specific disabilities.

### **Section 8 Decision making for eligibility**

The team will make a determination to continue with eligibility consideration by using the convergence of data from multiple sources to document each of the following:

- Grade level difference, such as large performance difference compared to peers and benchmark expectations in specific areas (data from State-wide testing, system level benchmarks, etc.) (**For preschool:** Differences in age appropriate skills will be used in comparison to peers)
- Rate of learning difference, such as a large difference in rate of learning compared to the trajectory toward the benchmarks when provided with high-quality interventions implemented over a significant period (CBM, progress monitoring, tiered support)
- Adverse educational impact, such as a review of the individual student qualitative and quantitative data that indicates the need for specially designed instruction.

The Committee Rationale is a summary of the specific reasons for the committee's decision. The rationale should clearly state why or why not the child has been determined in need of special education.

### **Section 9 Summary of considerations**

In this section the committee has completed the discussion and agreed that the results of the data indicate there is an adverse impact on educational performance in specific area(s). The committee will use the chart to document those areas. Keep in mind educational performance refers to functional, developmental and/or academic areas. Checks in the chart must correlate with the data and assessment results collected. The committee should list the area(s) of disabilities being considered.

The committee should use the **Eligibility Quick Reference Guide** for guidance.

### **Section 10 Eligibility determination**

Based on the review of the collection of data, assessments, observations, and interviews, the committee will determine which specific category(ies) the child meets eligibility criteria and if appropriate, the related services needed. The eligibility determination will be noted in the space available. The committee will summarize the data and information collected on the child that causes the committee to determine the specific eligibility. This explanation will document the reasons the committee made their decision.

### **Section 11 Eligibility team information**

This section includes the title, position, and name of the members present.

For Specific Learning Disability (SLD) eligibility in accordance with Federal 34 CRF 300.311(b) and State law, each eligibility team member must certify in writing whether the report reflects the member's conclusions. If it does not reflect the member's conclusion, the eligibility team member must submit a separate statement presenting the member's conclusions. A space is provided on the last page for that entry or the member may send in or attach a separate response.

This is not to be used as a vote.



## **APPENDIX M: FREQUENTLY ASKED QUESTIONS ABOUT DISCIPLINE**

### **Authority of System Personnel**

#### **What is meant by consecutive school days?**

Consecutive refers to the number of days of suspension in a row.

#### **How are cumulative days of suspension in a school year addressed?**

The Discipline Rule addresses cumulative days by referring to school days in the same school year. Systems may suspend a student with disabilities for up to 10 (cumulative) school days total in a school year without providing special education and related services unless the system would provide services to a student without disabilities who has been similarly removed.

#### **Does in-school suspension (ISS) constitute removal from school?**

Not necessarily. If the student has access to the general curriculum and receives his or her IEP services while assigned to ISS, it is not counted as out-of-school suspension.

#### **What is a free appropriate public education (FAPE) for a student who has been removed for more than 10 school days in a school year for disciplinary reasons?**

A modified concept of FAPE applies in those circumstances and consists of:

- Services which enable the student to continue to participate in the general education curriculum and
- Services which enable the student to progress toward meeting the goals set out in his or her IEP.

#### **At what point in the disciplinary process is a student required to have a behavioral intervention plan (BIP)?**

Within ten days of any decision to change the placement of a student with a disability because of a violation of the code of student conduct, the relevant members of the IEP Team must make the determination of whether the conduct was a manifestation of the student's disability. If it is determined to be a manifestation of the student's disability, a functional behavioral assessment (FBA) and a behavioral intervention plan (BIP) must be developed, reviewed, and/or modified.

#### **What is a functional behavioral assessment?**

A functional behavioral assessment (FBA) is the process of gathering information in order to determine the cause or function of a behavior prior to developing a behavior intervention plan. There are many tools and assessments that can be used for functional behavioral assessment. These should be individually selected on a case-by-case basis. Data for functional behavioral assessments should be derived from the student's school setting in order for accurate conclusions to be made. Forms for this are available on GoIEP.

#### **What is the definition of behavioral intervention plan?**

A behavioral intervention plan (BIP) is positive interventions, strategies and supports designed to address the behavior in question. A team approach that includes relevant system staff and the parent is critical to developing a successful BIP. The BIP is a fluid plan that should be modified as necessary. Forms for this are available for on GoIEP.

#### **Does a Behavior Intervention Plan (BIP) have to be based on a Functional Behavior Assessment (FBA)? Is a FBA required before a BIP can be done?**

If the IEP team has adequate information to develop a Behavior Intervention Plan, a Functional Behavior Assessment may not be required. Although not required, it would be considered to be best practice to conduct a FBA prior to the development of a BIP.

In the case of a required FBA and BIP due to discipline procedures and the determination that the behavior in question was a manifestation of the student's disability, both a FBA and a BIP

must be developed. If already completed, the FBA and BIP must be reviewed and revised as necessary.

**Do removals from the school bus count as days of out of school suspension?**

Yes, if special transportation is listed in the student's IEP, and if a student is suspended from the bus, IEP services have been interrupted. Therefore, the bus suspension/removal will be counted as out of school suspension unless the system makes provisions for alternative transportation.

**MANIFESTATION DETERMINATION**

**Who makes the manifestation determination?**

The determination is made by:

- the system;
- relevant members of the IEP Team, as determined by the system and the parent;
- and the parent.

**Systems conduct a tribunal to determine guilt or innocence when a student is accused of a serious or repeated violation of the code of conduct. Is the manifestation determination conducted before or after the tribunal?**

The manifestation determination should be conducted before the tribunal.

**What must occur if the determination is made that the behavior in question was a manifestation of the student's disability?**

The student must be returned to the placement from which the student was removed, except in the cases involving weapons, serious bodily injury or illegal drugs or controlled substances, unless the parent and the system agree to a change in placement.

If a BIP is not in place:

- IEP Team must conduct a functional behavioral assessment (FBA), unless the system had conducted one prior to the behavior; and
- implement a behavioral intervention plan (BIP).

If a BIP is already in place:

- the IEP Team must review the existing BIP; and
- the IEP Team must make changes needed in the BIP to address the behavior.

**What occurs if the determination is made that the behavior in question was not a manifestation of the student's disability?**

For disciplinary removals that would exceed 10 consecutive school days, system personnel may apply the relevant disciplinary procedures in the same manner and for the same duration as the procedures would be applied to students without disabilities, except that the student must:

- continue to receive educational services so as to enable the student to participate in the general education setting, although in another setting and to progress toward meeting IEP goals, and
- receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not reoccur.

**If the Manifestation Determination decides that student's behavior was not a manifestation of the disability and the tribunal decides that the student is to be served in an alternative educational setting, must the LSS provide transportation?**

First, the tribunal does not determine the placement, the IEP determines the placement of the student so that he or she may continue progress toward meeting the IEP goals and accessing the general education curriculum. Whether or not transportation must be required will depend on

whether specialized transportation was required in the IEP. If it was in the IEP, then it must be provided for alternative school. In other circumstances, the team must consider whether not having transportation results in removing the student from services. If so, the IEP team should consider an alternative.

### **SPECIAL CIRCUMSTANCES/DEFINITIONS**

#### **What is the definition of a dangerous weapon?**

“The term dangerous weapon means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury.” The definition as of the date of publication of this manual is from 18 U.S.C Section 930 (g)(2). This definition from the United States Code is used for the term “weapon” in Georgia’s special education Discipline Rule.

#### **What is the definition of a serious bodily injury?**

“Serious bodily injury means injury that involves (A) substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.”

Implicating a student of inflicting serious bodily injury is a serious matter. Best practice suggests that careful consideration should be made to ensure the validity of the injury claim. For the purposes of this Rule, the definition of serious bodily injury is found in the United States Code. The definition as of the date of publication of this manual is found in 21 U.S.C. Section 18(c).

#### **What is the definition of controlled substance?**

For the purposes of this Rule, the definition of controlled substance is that found in section 202(c) of the Controlled Substances Act. The definition is not included here because it is lengthy and changes frequently.

#### **When are the provisions about weapons, illegal drugs, controlled substances and serious bodily injury in effect?**

These provisions are in effect when students are:

- at school;
- on school premises; and
- at school functions.

### **NOTIFICATION**

#### **When should a parent be notified of a change of placement due to a removal because of a violation of the code of student conduct?**

The system is responsible for notifying the parent and providing procedural safeguards on the date on which the decision is made to make such a removal that constitutes a change of placement.

### **APPEALS**

#### **What decisions about discipline can a parent appeal?**

- the manifestation determination
- the selection of an interim alternative educational setting regarding the issues of weapons, illegal drugs or controlled substances, or serious bodily injury

#### **Can the system appeal any decisions related to discipline?**

Yes, the system may appeal if it believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others.

**What occurs if the parent or the system wants to appeal (see first 2 questions under “Appeals”)?**

An expedited due process hearing occurs within 20 school days of the date the hearing is requested. A determination must be made by the administrative law judge within 10 school days after the hearing.

**May the hearing officer’s decision on an expedited due process hearing be appealed?**

Yes. The parent or the system may appeal the administrative law judge’s opinion consistent with Rule 160-4-7:10 Dispute Resolution.

**PLACEMENT DURING APPEALS**

**What happens to the student’s placement when an appeal under the Discipline Rule is made?**

When the parent disagrees and appeals, the student will remain in the interim alternative educational setting (IAES) pending the hearing decision or until the expiration of the 45 school day time period if the infraction involved illegal drugs, controlled substances, weapons or serious bodily injury, unless the parent and the system agree otherwise. The student does not stay put in his or her special education placement that was in place prior to the IAES.

**PROTECTIONS FOR STUDENTS NOT YET ELIGIBLE**

**What protections are in place for a student who has not been determined to be eligible for special education and related services and who has violated the code of student conduct?**

A student may assert protections under the Discipline Rule if the system had knowledge that the student was a student with a disability.

**How is it determined that the system had knowledge that the student was a student with a disability?**

A system is deemed to have knowledge that a student was a student with a disability if any of the following occurred prior to the behavior that precipitated the disciplinary action:

- the parent expressed concern that the student was in need of special education and related services (This concern must have been expressed in writing to supervisory or administrative personnel in the system, or to a teacher of the student)
- the parent requested an evaluation of the student (consistent with Rule 160-4-7.04 Evaluation & Reevaluations)
- the teacher of the student, or other system personnel, expressed specific concerns about a pattern of behavior of the student (these concerns must have been expressed directly to the local special education director or other system supervisory personnel)

**If a student becomes involved in a disciplinary action and has been previously evaluated and determined ineligible for services, what is the system’s responsibility? In addition, if a parent requests an additional evaluation, what is the system’s responsibility?**

- The system is not deemed to have knowledge that a student is a student with a disability if the parent has refused services or the student has been evaluated and found ineligible for services.
- If a parent requests an evaluation of a student during the time in which a student is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.
- Until the evaluation is completed, the student remains in the educational placement determined by system authorities, which can include suspension or expulsion without

educational services. If the student is determined to be a student with a disability, the system must provide special education and related services.

### **REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES**

**Can law enforcement officials be informed of suspected criminal activity of a student with a disability?**

Yes. The system may report criminal acts committed by a student with a disability. Nothing in the Discipline Rule prohibits system officials from reporting criminal activity allegedly committed by a student with a disability.

**What happens when the system or other agency reports a crime committed by a student with a disability?**

Copies of the student's special education and disciplinary records, if appropriate, are sent to the agency to which the crime was reported.

### **CHANGE OF PLACEMENT BECAUSE OF DISCIPLINARY REMOVALS**

**When does a change of placement occur?**

A change of placement occurs:

- if the disciplinary removal is for more than 10 consecutive days or
- if the removal is part of a series of removals that constitutes a pattern

**What constitutes a pattern of removals?**

- the series of removals totals more than 10 school days in a school year
- the behavior is substantially similar to previous incidents that required removal and
- the length of each removal, the total amount of time the student has been removed and the proximity of the removals to one another have been considered

**How is it determined that a series of removals constitutes a change of placement?**

The system determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process hearings and judicial proceedings.

## **APPENDIX N: TESTING ACCOMMODATIONS GUIDANCE**

### **Testing Accommodations for Students with Disabilities**

#### **Oral Presentation:**

##### General Information:

There are two oral presentation accommodations available to students with disabilities in the state of Georgia. Both are allowed by the Georgia Department of Education as a means to provide equitable access during instruction and assessments for this group of students. The state of Georgia mandates that any accommodations provided to a student for a state assessment must be the provided for classroom instruction and classroom assessments. There are some accommodations that may be appropriate for instruction, but may not be appropriate for use on state assessments.

Accommodations must adhere to the following principles:

- Accommodations should enable students to participate more fully in instruction and assessments and to better demonstrate their knowledge and skills.
- Accommodations must be based upon individual student needs and not upon a category of disability, level of instruction, time spent in general classroom, or program setting.
- Accommodations must be justified and documented in the student's IEP.
- Accommodations must be aligned with and be a part of daily instruction; accommodations must not be introduced for the first time during the testing of a student.
- Accommodations should foster and facilitate independence for students, not dependence.
- Only accommodations listed as approved in Georgia's Student Assessment

Handbook may be used on state-mandated tests.

Providing students with unapproved modifications during a state-mandated assessment constitutes a test irregularity and may result in an investigation into the schools or system's testing practices, as well as invalidation of the student's score. Additionally, the Code of Ethics for Georgia Educators now includes provisions for sanctions of school or system personnel who are reported as having participated in an event deemed as a testing irregularity.

There are two possible Oral Presentation Accommodations:

- Read aloud test except for reading passages. See below for more information.
- Read aloud test including reading passages. See below for more information.

**If you have a student who does not fit the above criteria of either option one or option two and you feel that consideration should be given for this student to receive the accommodation of oral presentation, a written request for the accommodation with accompanying data supporting the request can be sent to the Director of Special Education. Contact the Director of Special Education for assistance in completing this request. All requests must be made prior to IEP meetings.**

1. Oral reading of test questions in English only by reader or assistive technology is a standard accommodation that is available for struggling readers. If the student meets the criteria and the accommodation is included on their IEP for state testing, it must also be a part of the student's **daily instructional routine for all printed material**, with the exception of reading passages.
2. Oral reading of reading passages in English only by reader or assistive technology is a conditional accommodation for non-readers. Using the most recent benchmark ORF data, the student does not decode any words. The words read correctly on the ORF passage are sight words and not words that have been decoded by the student.

This accommodation may be considered when BOTH the following conditions apply:

1. The student has a specific disability that severely limits him or her from decoding text at any level of difficulty, even after varied and repeated attempts to teach the student to do so (i.e. the student is a non-reader, not simply reading below grade level);
2. The student has access to printed materials only through a reader or other electronic format during routine instruction.

The text must be read word-for-word exactly as written. The test administrator may not provide assistance to the student regarding the meaning of words, intent of test items, or responses to test items. The test administrator may not rearrange the order of text (e.g., read the questions before reading the passage). The test administrator may read test text to a small group provided all students have the same test form number. When a small group setting is used, the passage may be read once and each test item may be read twice. Each student must have a test book and must be instructed to follow along in their test booklet as the test administrator reads the text.

If a student has this accommodation on their IEP for state testing, it must also be a part of the student's **daily instructional routine for all printed material**.

#### **IMPORTANT POINTS:**

All accommodations must be reconsidered by the IEP team on a yearly basis at the time of the annual review of the student's IEP. Decisions must be based on the most current data (ORF) for that student. When considering ORF, the IEP team must conduct an error analysis of the words the student read correctly to determine if the student is or is not decoding.

If a student has received accommodations and the most current ORF scores indicate a positive response to reading interventions provided for in the IEP, then the IEP team must apply guidelines to determine if the student continues to warrant the accommodation. If the student no longer meets the criteria, the accommodation must be removed from the IEP.

If a student receives either of these accommodations, there must be evidence in the IEP (in the present level of performance) of the reading deficit and there must be a goal or goals addressing the reading deficit. Student performance on the intervention(s) should be progress monitored and data reported in progress reports and at annual reviews.

Provision of the accommodation must be evident in all classroom instruction and classroom assessments.

#### **Additional Resources**

GAA Examiner's Manual from DOE

<http://public.doe.k12.ga.us/DMGetDocument.aspx/GAA%20Examiners%20Manual%202010-2011.pdf?p=6CC6799F8C1371F6ACE31216F3FAF832005189A95AC8450FB758820E003DD77D&Type=D>

Testing Accommodations Manual for Students with Disabilities (and ELL students)

From GaDOE

[http://www.doe.k12.ga.us/DMGetDocument.aspx/Accommodations%20SPEELL\\_2008.ppt?p=6CC6799F8C1371F631EBD2B9711577C515DF8F9C68931223DF1CB320EC751054&Type=D](http://www.doe.k12.ga.us/DMGetDocument.aspx/Accommodations%20SPEELL_2008.ppt?p=6CC6799F8C1371F631EBD2B9711577C515DF8F9C68931223DF1CB320EC751054&Type=D)

## **APPENDIX O: SPECIAL EDUCATION TEACHER JOB RESPONSIBILITIES**

The role of the Special Education Teacher encompasses a broad range of responsibilities, extending from the individual student, to the classroom, to the school as a faculty member, to the central office, and into the community at large. The responsibilities of the Special Education Teacher include:

### 1) Developing and Maintaining IEPs

- Follow procedures in Section 4 for writing IEPs
- Review IEPs on an on-going basis
- Report progress on annual goals at the end of each grading period
- Maintain a current IEP for each child on teacher's caseload

### 2) Maintaining Student Records/Reporting Student Data

- Maintain student records in a secure location.
- Report student data as requested by the Special Education Director
- Provide a Caseload Report as directed to the Special Education Director
- Completing portions of all Eligibilities (see Appendix L)

### 3) Documenting Parent/Guardian/Surrogate Contacts

- Contacts with parent(s)/guardian(s)/surrogate(s) for due process meetings should be documented in the IEP (document phone calls, home or work site visits, written notice, e-mail, etc.)
- Other contacts with parent(s)/guardian(s)/surrogate(s) should be recorded in GoIEP (note: see first bullet re: documentation in the IEP)

### 4) Evaluating Student Progress

- Uses progress monitoring to report progress on the student's IEP goals.
- Reports progress on IEP goals when Report Cards are issued (i.e., typically every 9 weeks).
- Reminder: **Progress Monitoring is a DUE PROCESS requirement.**

### 5) Completing Referrals for Reevaluation

- Teachers are responsible for gathering the needed referral information for all students reported on their Caseload Reports.
- Referral information should be reviewed and forwarded to the Special Education Director.
- Sections 1 through 5 on the Eligibility Report must be completed prior to sending in the Referral for Reevaluation. After the evaluation has been completed, additional sections will need to be completed (see Appendix L).

### 6) Attending Due Process Meetings

- Attendance is required at all IEP Meetings for students on your caseload
- IEP meetings are scheduled from the Special Education office.
- Bring appropriate paperwork to include a draft copy of the IEP and a copy of the following as appropriate (Behavior Intervention Plan, Transition Plan, Functional Behavioral Analysis).



7) Attending Special Education Meetings

- All special education teachers are expected to attend building departmental meetings and system-wide special education meetings.
- These meetings are scheduled to explain rules, regulations, local procedures, etc.
- Teachers will be notified in advance so that they can make plans to attend.

8) Improving Knowledge Base

- Teachers are expected to attend and participate in assigned workshops and training.
- Teachers are expected to apply information learned in training to the job.
- Teachers are expected to demonstrate initiative in learning new tasks.

9) Additional Expectations

- Maintain prompt and regular attendance.
- Use appropriate communication skills, both written and oral.
- Limit taking care of personal business during work hours.
- Maintain a professional appearance in dress and grooming.
- Assist in routine classroom housekeeping duties.
- Exhibit time on task and hardworking attitude.
- Exhibit flexibility and a cooperative attitude.

**APPENDIX P: Special Education Paraprofessional JOB RESPONSIBILITIES**

The role of the Special Education Paraprofessional is vital to the overall functioning of the special education program in the classroom, school, and in the school district. The responsibilities of the Special Education Professional include:

**1) Supportive of Instruction**

- Support whole group instruction
- Monitors students and redirects off-task students
- Provides individual assistance to students when needed
- Assist with individualized instruction
- Tutor individual and/or small groups of students
- Prepare student-specific materials and adapt as necessary
- Implement and reinforce teacher-developed instruction
- Implement AT interventions under direction of Special Education Teacher
- Provide acceleration or remediation of instruction
- Support implementation of accommodations

**2) Interacting with Students**

- Exhibits patience and kindness toward students.
- Models appropriate communication skills for students.
- Treats students with respect
- Disciplines students with fairness and equity, according to the Special Education teacher's guidelines.
- Assists students with toileting, feeding, and/or other physical care.

**3) Improving Knowledge Base**

- Attends and participates in assigned workshops and training.
- Applies information learned in training to the job.
- Demonstrates initiative in learning new tasks.

**4) Monitoring Students**

- Observes, records, and charts student's behavioral responses in the classroom
- Reports unusual changes in student behavior to supervising teacher.

**5) Ethics**

- Confidentiality is maintained at all times.
- Complies with all local, state, and federal regulations and policies.

**6) Additional Expectations**

- Maintains prompt and regular attendance.
- Uses appropriate communication skills, both written and oral.
- Limits taking care of personal business during work hours.
- Maintains a professional appearance in dress and grooming.
- Assists in routine classroom housekeeping duties
- Exhibits time on task and hardworking attitude.
- Exhibits flexibility and a cooperative attitude.

For a variety of reasons, **Paraprofessionals should not perform the following tasks:**

- Design or develop instruction
- Develop lesson plans
- Determine student grades
- Conduct formal assessments

