SOUTHGATE
ACADEMY

Special Education Policies and Procedures

Child Find, Child Study Team, Evaluation, IEPs, Placement and the Placement Continuum,

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Southgate Academy

Child Find Policy & Procedures

Policy

Southgate Academy Special Education Department will ensure that all children with disabilities who enroll with the charter school, including children with disabilities who are homeless or wards of the State, regardless of the severity of their disability, and who are in need of special education and related services are identified and evaluated.

Lack of Appropriate Instruction

As required in §300.306(b)(l)(i) and (ii), consistent with section 614(b)(5)(A) and (B) of the Act, a child cannot be identified as a child with a disability if the determinant factor for that determination is lack of appropriate instruction in reading or math. {34 C.F.R. Part 300, Analysis of Comments and Changes, Subpart A-General, *Federal Register,* Vol. 71, No. 156, p. 46658 (August 2006)}

34 C.F.R. § 300.111- Child Find

The IDEA and its implementing regulations require that all children with disabilities who need Special Education and related services, regardless of the severity of their disability, are identified, located, and evaluated. {20 U.S.C. §1412(a)(3); 34 C.F.R. §300.lll(a)} The federal regulations require that in discharging these "Child Find" obligations, a school must include children who are suspected of having a disability, even if they are advancing from grade to grade. {34 C.F.R. §300.111 (c)(l)} The threshold for suspecting a disability "is relatively low; inquiry is not whether the student actually qualifies, but whether the student should be referred for (an) evaluation." {Scottsdale Unified School District, Arizona State Educational Agency. 03F-1103036-ADE (SEA February 12, 2003), citing *Department of Education State of Hawaii v. Carl Rae S.,* 158 F. Supp. 2d 1190, 1195 (D. Haw. 2001)}

Individuals with Disabilities Education Act (IDEA '04) 34 CFR §300.111 Child Find

1) Southgate Academy General and Special Education Staff will identify, locate, and evaluate all children with disabilities within the boundaries of the school who are in need of special education and related services.

This must include:

a) Children who are homeless;

b) Children who are highly mobile, including migrant children;

2) Child find must also include children who are suspected of being children with a disability and are in need of special education, even though:

a) They are advancing from grade to grade or

b) They are highly mobile children, including those who are migrant children.

3) Southgate Academy Special Education Case Managers will maintain a record of children who are receiving special education and related services.

AAC R7-2-401.D Child Identification and Referral

AAC R7-2-401.D (1)

Southgate Academy Special Education Director shall establish, implement, and disseminate to its school-based personnel and all parents, within the school's students, written procedures for the identification and referral of all children with disabilities, aged birth through 21 regardless of the severity of their disability.

AAC R7-2-401.D (2)

Southgate Academy SPED Director will require all school-based staff to review the written procedures related to child identification and referral on an annual basis. SGA shall maintain documentation of staff review.

AAC R7-2-401.D (3)

Procedures for child identification and referral shall meet the requirements of the IDEA and regulations, Title 15, Chapter 7, Article 4 and these rules.

AAC R7-2-401.D (5)

Identification (screening for possible disabilities) shall be completed within 45 calendar days after:

a. Entry of each kindergarten student and any newly enrolled student without appropriate records of screening, evaluation, and progress in school; or

b. Notification to Southgate Academy by parents of concerns regarding developmental or educational progress by their child aged 3 years through 21 years.

AAC R7-2-401.D (6)

Screening procedures shall include vision and hearing status and consideration of the following areas: cognitive or academic, communication, motor, social or behavioral, and adaptive development. Screening does not include detailed individualized comprehensive evaluation procedures.

AAC R7-2-401.D (7)

For a student transferring into a school; Southgate Academy Registrar shall review enrollment data

and educational performance in the prior school. If there is a history of special education for a student not currently eligible for special education, or poor progress, the name of the student shall be submitted to the SPED Director for consideration of the need for a referral for a full and individual evaluation or other services.

AAC R7-2-401.D (8)

If a concern about a student is identified through screening procedures or through review of records, Southgate Academy SPED Director shall notify the parents of the student of the concern within 10 school days and inform them of SGA's procedures to follow-up on the student's needs.

AAC R7-2-401.D (9)

Southgate Registrar shall maintain documentation of the identification procedures utilized, the dates of entry into school or notification by parents made pursuant to subsection (D)(5), and the dates of screening. The results shall be maintained in the student's permanent records in a location designated by the administrator. In the case of a student not enrolled, the results shall be maintained in a location designated by the administrator.

AAC R7-2-401.D (10)

If the identification process indicates a possible disability, the name of the student shall be submitted to the Special Education Director for consideration of the need for a referral for a full and individual evaluation or other services. A parent or a student who has reached the age of majority may request an evaluation of the student.

AAC R7-2-401.D (11)

If, after consultation with the parent, the SPED team determines that a full and individual evaluation is not warranted, the SPED Case Manager shall provide prior written notice and procedural safeguards notice to the parent in a timely manner.

Child Study Teams (CST)

"Use of a Child Study Team as part of a regular referral process before a student would be evaluated for a special education service is not inconsistent with the IDEA, for it is a sensible policy for a school to explore options in the regular education environment before designating a child as a child with a disability. (Quoted from Art Cernosia, special education attorney, citing *A.P. Woodstock Board of Education,*572 F. Supp. 2d 221, SO IDELR 275 (US District Court, Connecticut (2008)]

Delaying Evaluation for RTI (Response to Intervention)

"It generally would not be acceptable for an LEA to wait several months to conduct an evaluation or to seek parental consent for an initial evaluation if the public agency suspects the child to be a child with a disability." [34 C.F.R. Part 300, Analysis of Comments and Changes, Sub part A-General, *Federal Register ,* Vol. 71, No. 156, p.46637 (August 2006)]

SGA Forms for Child Find *Screening Process and Results* Child Study Team Survey Form

SGA Procedures for Child Find

1. SGA SPED Department will include a section about Child Find in the Student Handbook and on its website.
2. SGA SPED Director will conduct a review of Child Find procedures with its entire staff in the fall of each school year. As part of this review, SGA will require all teachers to read and sign an annual form *(Annual Staff Review of Definitions and Expectations for Special Education)* that summarizes expectations and the duties of teachers, including information on a child find, timelines, IEP meetings, alternate assessment, ESY, compensatory services, Special Education instruction, related services, accommodations and notice requirements.
3. SGA SPED Department will maintain AZ Find Flyers in an area that is accessible and in plain view of the public.
    - On or around the folder, there will be a point of contact and phone number for a parent to referred to, if the have a question regarding concerns about child, birth – 2 or 3 – 5 years old.
    - Contact person will maintain a list of local school district names and numbers to refer parents to, for children who are not attending SGA
    - Contact person will maintain a list of names that they referred to a local school district
4. SGA site administration will screen all students newly enrolled in SGA within 45 days of their enrollment in the school.
5. If a student has more than one classroom teacher, the 45-day screening will be completed collaboratively by all the student's teachers.
6. The Principal or designee will distribute screen forms in accordance with the school's 45-Day Screen policy (See appendix A)
7. Upon enrollment, the Principal or designee will enter the due dates for all 45- day screenings on a master calendar posted in his/ her office.
8. The Principal will maintain the SGA form: *Screening Process and Results (See Appendix B).* This form summarizes the screening information on all entering kindergarten students and all new students. It includes their enrollment dates and the results of all screenings, including dates and proof of notification to parents of the results of the screenings.
9. At the end of every school year the Principal will review the *screening Process and Results* form to determine which students will be re-screened in the fall, and then set the re- screening process in place.
10. Parent letters informing them of the screening results will be prepared by the Principal and mailed to parents not later than 10 school days after the 45-day screening deadline

SGA Procedures for Following-up on Concerns Identified in the 45-day Screening and Procedures for Child Study Teams (CST)

IDEA regulations for Screening Requirements §300.302

> The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.

The following procedures will be in force when the school proposes to refer a student for a full and individual evaluation (that might include additional assessments upon parental consent). If parents request an initial evaluation to determine eligibility for Special Education, then the school will provide a PWN that either proposes or refuses to conduct the initial evaluation.

1. Upon receipt of a 45-day screening form with identified concerns, the Principal will ensure that some form of follow-up occurs (in addition to ensuring that parents are notified in writing of any concerns within the 10-day timeframe discussed above). If the Principal determines that it is necessary, a CST will be convened.
    - These meetings will take place within 10 school days after the 45-day deadline.
    - The CST will be composed of the Principal or designee, Instructional Coach, the child's classroom teacher, and others at the invitation of the Principal.
    - The CST will meet; establish additional interventions, schedule observations and mentoring, and reconvene to make a final recommendation within 20 school days of the initial CST meeting.
2. If no CST is determined necessary and another form of follow-up is determined appropriate, the Principal will document the follow-up steps to be conducted and communicate the steps to be taken with all appropriate staff so that they are aware of their responsibilities and the time frame.
    - In this instance, the Principal and appropriate staff he/she determines necessary will review the follow-up within 20 school days and then inform parents in writing of the results of any follow-up steps that were taken.)
3. Teachers will bring to the initial CST meeting all pertinent data that has been collected on interventions already tried and their effectiveness. Teachers will bring all progress monitoring and all formative assessment data to assist the CST in its task.
4. The CST will identify additional specific interventions that will be tried with the student within the next 20 school days, and it will devise data sheets as necessary to assist the classroom teacher in recording data on each of the interventions.
5. If needed, the CST will schedule a date/time for the Special Education Director or designee to observe the student in classroom to give feedback to the teacher about his/her techniques implementing the interventions. Any observations will take place within 20 school days after the initial CST meeting.
6. If requested by the teacher, the Special Education Director of designee will demonstrate techniques, including data collection, to the teacher. Any modeling sessions or demonstrations will take place within 20 school days after the initial CST meeting.
7. The CST will meet on or before the 20th day after the initial CST meeting to go over the data and decide about the student's needs to be referred for a full and individual Special Education evaluation (that may include additional assessments). The Principal will complete the CST Summary Form; notify the parents of the results of any follow-up in writing and ensure that all documents are appropriately filed.

- If the CST determines a referral to the special education evaluation process is warranted, the Special Education Director or designee will send a Prior Written Notice to the parent informing them of CST decision.
- The Special Education Director or designee will also communicate with the parent and establish a date for a Review of Existing Data meeting, the first step in the SPED Evaluation process.

8. The CST will not determine that a particular student needs and will have ongoing monitoring without specifically defining and describing what that monitoring will entail, how long it will continue, and what will be milestones of success or determinations for escalating the intervention process to a higher level of intervention or an evaluation.
9. All CST meeting discussions and decisions will be summarized by the Principal or designee on the Child Study Team Summary Form and all CST documents will be retained in the Principal's office or designated location.

Southgate Academy

Intake/Enrollment Procedure

Pertinent Regulations 34

C.F.R. §300.323(e)

IEPs for children who transfer public agencies in the same State

If a child with a disability (who had an IEP that was in effect in a previous public agency in the same State) transfers to a new public agency in the same State, and enrolls in a new school within the same school year, Southgate Academy (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child's IEP from the previous public agency), until SGA either:

(1) Adopts the child's IEP from the previous public agency; or
(2) Develops, adopts, and implements a new IEP that meets the applicable requirements in §300.320 through §300.324.

34 C.F.R. §300.323(f)

IEPs for children who transfer from another State

If a child with a disability (who had an IEP that was in effect in a previous public agency in another State) transfers to a public agency in a new State, and enrolls in a new school within the same school year, Southgate Academy (in consultation with the parents) must provide the child with FAPE (including services comparable to those describe in the child's IEP from the previous public agency), until SGA SPED Team

(1) Conducts an evaluation pursuant to 300.304 through 300.306 (if determined to

be necessary by the new public agency); and

(2) Develops, adopts, and implement a new IEP, if appropriate, that meets the applicable requirements in §§ 300.320 through 300.324.

34C.F.R. § 300.323(g)

Transmittal of Records

SGA Special Education Department must take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of Special Education or related services to the child, from the previous public agency in which the child was enrolled.

Arizona Revised Statues {ARS) § 15.828(F)

Within five school days after enrolling a transfer pupil from a private school or another school district, SGA Registrar shall request, directly from the pupil's previous school, a certified copy of the pupil's record. SGA SPED team shall exercise due diligence in obtaining the copy of the record requested.

{Notwithstanding any financial debt owed by the pupil, any school requested to forward a copy of the transferring pupil's record to the new school shall comply and forward the record within 10 school days after receipt of the request unless the record has been flagged pursuant to section 15-829).

SGA Procedures

1) If parents indicate on the enrollment form that their child has a current IEP, and has a copy, take a copy of the IEP paperwork and give it to the Special Education Director or Designee. Provide the parent with contact information for the Special Education Director or Designee.

2) If parents indicate on the enrollment form that their child has a current IEP, but does not have a copy:
    - The SPED Director will immediately send the previous school a request for records, including SPED records
      {and document that records were requested, the date of the request, the method used to request records {fax, email, US mail}, the address, and the person to whom it was sent).
        - Inform the Special Education Director that a new student who receive Special Education Services has been enrolled and provide the following information:
            - Full Name, Date of Birth, SAIS, name of previous school and district
    - The SPED Director will explain to parents the placement arrangement as it pertains to all newly enrolled students. Refer the parents to the Special Education Director or Designee to answer any questions about the process of providing services for the newly enrolled student.

3) The registrar shall immediately inform the SPED Director that a new student has enrolled. If parents provide copies of the IEP or evaluation reports, provide copies to the SPED Director.

4) Special Education Director will enter on a master calendar the IEP expiration dates, the 3 -year MET due date, and the 45-day screening deadline.

5) The Special Education Director will give an annual in-service to all office staff so that they provide correct information to parents. This training will include coaching about how to communicate, what to say, what not to say, how to steer through conflict and when to refer a parent, staff member or an issue to administration.

Southgate Academy

Policy and Procedures for Evaluation and Re-evaluation

Policy

A full and individual initial evaluation will be conducted by the public education agency before the initial provision of special education and related services to a child with a disability in accordance with 34 CFR §300.300–§300.311 of the IDEA regulations. A reevaluation of each child with a disability will be conducted by the public education agency in accordance with §300.300–§300.311 of the IDEA regulations.

IEP Team Defined

The IEP team consists of the following members: Parent, Special Education Teacher, General Education Teacher, Public Education Agency (PEA) Representative, Individual to interpret instructional implications

§300.308 Additional Group Members

1) The determination of whether a child suspected of having a specific learning disability is a child with a disability must be made by the child's parents and a team of qualified professionals that must include all members of the IEP team (see definition of IEP team). Additional team members may be invited to the meeting as the team feels appropriate (The parent has the right to invite anybody they choose, but need to provide advanced notice to the school.)

Evaluation Defined

"Evaluation" is defined as procedures that are used to determine whether a student has a disability and, if so, the nature and extent of his/her need for Special Education and related services. {34 C.F.R. §300.15}

Re-evaluation Defined

The term "re-evaluation" generally means a comprehensive evaluation which is analogous to initial evaluation under 34 C.F.R. §300.532. {See Letter to Tinsley, 26 IDELR 1076 (OSEP 1990)}

Failure to Evaluate

A school's “failure to consider an evaluation is tantamount to a denial of evaluation." {Scottsdale Unified School District, Arizona State Educational Agency. 03 F-1102025- ADE (SEA February 12, 2003)} check citation under suspected disability/child find.

Decision not to Evaluate

Even when individualized testing is contemplated, educators enjoy the discretion to evaluate, or refuse to evaluate children. The regulations that implement the IDEA do not require a school to provide an initial evaluation upon parental request. If a school has no basis for suspecting that a student might have a qualifying disability under the IDEA, it need not conduct an initial evaluation. {Pasatiempo v. Aizawa.103 F. 3d 796 {9th Cir. 1996)}

Request for Evaluation

It is not incumbent on those outside the school to be so versed in the regulations that implement the IDEA to use the exact vocabulary or to provide legal citations to justify their request. "A request for assessment is implied when a parent informs a school that a child may have special needs." {Robertson County School System v. King. 99 F3d 1139 (6th Cir. 1996)}

Evaluation Requirements

Implicit in the regulations that implement the IDEA is a requirement that evaluation or re-evaluation result s must be accurate. Assessment tolls must provide "relevant information that directly assists persons in determining the educational needs a (a) child." {34 C.F.R. §300.304(c)(7)}

Assessments are required to be "in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally." {Id. At Subsection (c)(l)(iii)}

An evaluation must be "sufficiently comprehensive to identify all of the child's Special Education and related service needs." {Id. At Subsection (c)(6)}

A further requirement is that students must be evaluated in all areas of suspected disability, "including health, vision, hearing, social and emotional status, general intelligence, academic preference, communicative status, and motor abilities." {34 C.F.R. §300.304(c)(4)}

When a parent suspects a disability and requests an evaluation, the school must notify the parents of its response and the means by which the parents can challenge it (PWN and PSN). [Pasatiempo v.Aizawa. 103 F. 3d 796 (9th Cir.1996)]

Parent Copy of Evaluation Report

"Upon completion of the administration of assessments and other evaluation measures the public agency provides a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent." [34 C.F.R. §300.306(a)(2)] No timeline is specified, leaving this to State and local discretion. [34 C.F.R. Part 300, Analysis of Comments and Changes, Subpart A-General, Federal Register, Vol. 71, No. 156, p. 46645 (August 2006)]

Timing of Initial Evaluations

The court found that a district's obligations under child find regulations required it to conduct an initial evaluation as soon as it had reason to suspect that a child had a disability. [Scott v, District of Columbia, 03-1672 DAR (D.D.C. 2006)]

Timing of Re-evaluations

Because a student's educational needs can change over time, the regulations that implement the IDEA require that a student be reevaluated every three years unless the parent and the school

agree that such a reevaluation is unnecessary. [34 C.F.R. §300.303(b)(2)] A reevaluation can occur more frequently, but not more than once a year, unless the parent and the school agree otherwise. [34 C.F.R. §300.303(6)(1)]

"A reevaluation must be done when a student improves significantly and may no longer need special education, when little or no progress is being made, or when a parent or teacher requests a reevaluation." [AZ-TAS Evaluation and Eligibility: Processes and Procedures from Referral to Determination of Eligibility, ADE/ESS Publication, Revised July 2009, pg. 13]

If Re-evaluation is not Necessary

If a reevaluation is unnecessary, even the first step of reviewing existing data is not required. However, the PEA should ensure that any decision not to reevaluate is mutual. The PEA should give the parent a prior written notice of the agreement and/or obtain a signed, dated agreement not to reevaluate the child. Evidence of this agreement should be retained in the child's special education file. [AZ-TAS Evaluation and Eligibility: Processes and Procedures from Referral to Determination of Eligibility, ADE/ESS Publication, Revised July 2009, pg. 13]

Parent Request for Evaluation - Trigger of 60-day Timeline

The regulations are clear that when a school proposes to conduct an initial evaluation to determine eligibility for special education instruction and services, it must secure informed parental consent before conducting the evaluation. [34 C.F.R. §300.300 (a)(l)]

60-day Timeline for Conducting an Evaluation

The regulations that implement the IDEA grant schools a maximum of 60 days to complete an evaluation or reevaluation, with a few specific exceptions (unless a parent fails or refuses to produce the child for the evaluation, or if the child enrolls in another district after the 60-day evaluation period has begun). [34 C.F.R. §300.301(d)(1)-(2)] However, federal regulations grant states the right to develop their own time frames.

When the 60-day Timeline Begins and Ends

Arizona law provides that the 60-day evaluation period "shall commence with the date that the written parental consent was received by the public education agency and shall conclude with the date of the MET determination of eligibility." [A.AC. R7-2-401(E)(3)]

Extending the 60-day Timeline

The 60-day evaluation period may be extended for an additional 30 days (for initial evaluations only), provided it is in the best interest of the child, and the parent and PEA agree in writing to such an extension. Neither the 60-day evaluation period nor any extension shall cause a re-evaluation to exceed the timelines for a re-evaluation within three years of the previous evaluation. [A.A.C. R7-401 (E) (5)]

Evaluations during the Summer

The 60-day timeframe refers to 60 calendar days and would include school breaks. [34 C.F.R. Part 300, Analysis of Comments and Changes, Subpart A-General, Federal Register, Vol. 71, No. 156, p. 46659 (August 2006)]

Review of Existing Data

The first step of the MET process obligates a school to "review existing evaluation da ta on the child, including information provided by the parents, current classroom-based or local assessments ... and observations by teachers and related service providers." [34 C.F.R. §300.305(a)(1)(i)-(iii)] When a school convenes a MET and is looking at the existing data, the evaluation process has already actually begun, and the completion of the evaluation

process requires an eligibility determination. The regulations that implement the IDEA state that "[a]s part of an initial evaluation . . . the IEP Team, and other qualified professionals, as appropriate, must review existing evaluation data on the child ... [and] identify what additional data, if any, are needed to determine whether the child is a child with a disability." [Id. at (a)(l) - (2)]

Consent for Evaluation

The regulations that implement the IDEA require schools to "obtain informed parental consent ... from the parent of the child before conducting the evaluation." [34 C.F.R. §300.300(a)(1)(i)] Consent means that the parent has been fully informed of all information relevant to the evaluation, that the parent understands, and that the parent agrees in writing to the evaluation. [34 C.F.R. §300.9(a)-(b)]
No consent is required for a review of existing data. (34 C.F.R. §300.300(d) (l)]

Parent Refuses to Grant Consent for a Re -evaluation

The federal regulations speak to this issue 3 4 C.F. R. §300.300(c) - if the parent refuses to consent to a reevaluation, the school may but is not require d to pursue the reevaluation by requesting mediation or a due process hearing. The school can only move forward absent consent if the parent fails to res pond to a request for consent to reevaluate, but this requires adhering to the provisions of §300.300(a)(3) - mediation or due process.

See IDEA regulations for Parental Consent §300.300

(a) Parental Consent for Initial Evaluations
(b) Parental Consent for Services
(c) Parental Consent for Re-evaluations
(d) Other Consent Requirements

AAC R7 - 2 - 401.F Parental Consent

1) The Special Education Case Manager shall obtain informed written consent from the parent of the child with a disability before the initial provision of special education and related services to the child.

2) If the parent of a child fails to respond to a request for, or refuses to consent to, the initial provision of special education and related services, SGA SPED Department may not use mediation or due process procedures in order to obtain agreement or a ruling that the services may be provided to the child.

3) If the parent of the child refuses to consent to the initial provision of special education and related services, or the parent fails to respond to a request to provide consent for the initial provision of special education and related services, SGA SPED Department

a) Will not be considered to be in violation of the requirement to make available FAPE to the child because of the failure to provide the child with the special education and related services for which the parent refuses to or fails to provide consent, and

b) Is not required to convene an IEP team meeting or develop an IEP in accordance with these rules.

4) If, at any time after the initial provision of special education and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services,

the SPED Director

a) May not continue to provide special education and related services to the child, but shall provide prior written notice before ceasing the provision of special education and related services;

b) May not use the mediation procedures or the due process procedures in order to obtain agreement or a ruling that the services may be provided to the child;

c) Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and

d) Is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education and related services.

5) If a parent revokes consent in writing for the child's receipt of special education services after the child is initially provided special education and related services, SGA SPED Team is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

See IDEA regulations for Initial Evaluations §300.301

(a) General Requirements
(b) Request for Initial Evaluations
(c) Procedures for Initial Evaluations

§300.301 Initial Evaluations

1) Consistent with consent requirements of §300.300, either a parent of a child or the SPED IEP Team may initiate a request for an initial evaluation to determine if a child is a child with a disability.
2) The initial evaluation must:
   a) Be completed within 60 days of receiving parental consent for the evaluation, unless:
      i) The parents and the SGA SPED case manager agree that it is in the best interest of the child to extend the timeline to complete the evaluation for an additional 30-days;
      ii) The child enrolls at the Southgate Academy from another public education agency after the parent has provided consent and before the determination of eligibility by the other agency (In that event, the agency will ensure prompt completion of the evaluation); or
      iii) The parent of a child with a disability repeatedly fails or refuses to produce the child for the evaluation.
   b) Consist of procedures to determine if the child is a child with a disability and to determine the educational needs of the child.

§300.303 Reevaluations

1) Southgate SPED Department will conduct a reevaluation of a child with a disability if:
    a) The IEP Team determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation, or
    b) If the child's parents or teacher requests a reevaluation, except that
    c) SGA SPED Team will not conduct a reevaluation more than once a year unless the parent and team agree otherwise.
2) SGA SPED Team will conduct a reevaluation at least once every 3 years, unless the parent and the IEP agree that a reevaluation is unnecessary.

See IDEA regulations for Evaluation Procedures §300.304

(a) Notice
(b) Conduct of Evaluations
(c) Other Evaluation Procedures

§300.304 Evaluation Procedures

1) The SPED Case Manager will provide prior written notice to the parents of a child who has or who is suspected of having a disability that describes the evaluation procedures that the team proposes to conduct.

2) In conducting an evaluation or reevaluation, the SGA Special Education Team will:
    a) Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent in order to determine:
        i) Whether the child is a child with a disability; and
        ii) If the child is a child with a disability, information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities).
    b) Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
    c) Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
3) Southgate SPED Team will ensure that evaluation materials and strategies:
    a) Are selected and administered so as not to be discriminatory on a racial or cultural basis;
    b) Are administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so;
    c) Are used for the purposes for which the assessment(s) or measure(s) are valid and reliable;
    d) Are administered by trained and knowledgeable personnel;
    e) Are administered in accordance with the instructions provided by the assessment publisher;

f) Are selected and administered so as to ensure that if administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure rather than reflecting the child's impairments (unless those skills are the factors being measured).

g) Assess the child in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, adaptive behavior, communicative status, and motor abilities; and

h) Are sufficiently comprehensive to identify all of the child's special education and related service(s) needs, whether or not those needs are commonly associated with the child's disability.

i) Provide relevant information that directly assists in determining the educational needs of the child.

4) Evaluations of children who transfer to or from another public education agency in the same school year are coordinated with the prior and subsequent schools, in order to expedite the completion of a full evaluation.

See IDEA regulations for Additional Requirements for Evaluations and Re- evaluations §300.305

(a) Review of Existing Data
(b) Conduct of the Review
(c) Source of Data
(d) Requirements if Additional Data are not Needed
(e) Evaluations before a change in eligibility (including exiting from SPED)

§300.305 Additional Evaluation Requirements

1) As part of an initial evaluation (if appropriate), and as part of any reevaluation, the IEP team and other qualified professionals, as appropriate, will:

a) Review existing evaluation data on the child including:

i) Evaluations and information provided by the parents;

ii) Current classroom-based, local, and statewide assessments, and classroom-based observations; and

iii) Observations by teachers and related services providers.

b) On the basis of that review and input from the child's parents, identify what additional data, if any, are needed to determine:

i) Whether the child is or continues to be a child with a disability and if so, the educational needs of the child;

ii) The present levels of academic achievement and related developmental needs of the child; and

iii) Whether the child needs special education and related services to enable the child to meet measurable annual IEP goals and to participate, as appropriate, in the general education curriculum.

c) The IEP team may conduct the review without a meeting.

2) If additional data are needed, the public education agency will administer the assessments required to obtain the additional data.

3) If additional data are not needed to determine whether the child

continues to be a child with a disability and to determine the child's educational needs, the public education agency will notify the parents of:

a) The determination and the reasons for the determination; and
b) The right of the parents to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs.

4) The public education agency will evaluate a child before determining that the child is no longer a child with a disability except when the termination is due to graduation with a regular high school diploma or the child's reaching age 22.

5) When the child's eligibility terminates because of graduation or reaching age 22, the agency will provide a summary of the child's academic achievement and functional performance that includes recommendations on how to assist the child in meeting the child's postsecondary goals.

See IDEA regulation for Determination of Eligibility §300.306

(a) General Requirements
(b) Special Rule for Eligibility Determination
(c) Procedures for Determining Eligibility and Educational Need

§300.306 Determination of Eligibility

1) Upon completion of the evaluation process, the public education agency will ensure that:

a) A group of qualified professionals and the parent of the child determine:

i) If the child is a child with a disability under the Individuals with Disabilities Education Act and the Arizona State Statutes; and

ii) If so, the educational needs of the child.

b) The parents are provided, at no cost, a copy of the evaluation report and eligibility determination.

2) A child will not be determined to be a child with a disability if the primary factor for the determination is:

a) Lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the ESEA as such section was in effect on the day before the date of enactment of Every Student Succeeds Act (December 9, 2015));

b) Lack of appropriate instruction in math; or
c) Limited English proficiency.

3) The eligibility determination, including education needs, will be based on all of the information sources used in the evaluation process, and if the child is deemed eligible and in need of special education and related services, an IEP will be developed in accordance with §300.320 through §300.324.

See IDEA regulations for Procedures for Identifying Children with SLD *§300.307*

§300.308 - Additional Group Members
§300.309 - Determining the Existence of a SLD
§300.310 - Observation Requirements to Determine SLD
§300.311 - Documentation Requirements for SLD Eligibility Determination

Procedure for Identifying Children with Specific Learning Disabilities

Option 2:

1) Southgate Academy SPED Department will establish a criteria for determining whether a child has a specific learning disability through the identification of a severe discrepancy between intellectual ability and achievement in conformity with IDEA Regulations §§300.307– 300.311.
   a) Southgate Academy SPED Department has defined "severe discrepancy" as follows:
      - 15 pts, or 1.5 standard deviations between ability level and academic achievement
      - Will allow for adjustment of the level of deviation as the child's ability level increases or decreases
        - Example: Intellectual Ability level is 115, discrepancy may be increased to 20 points or 2.0 standard deviations; or, Intellectual Ability level is 85, discrepancy may be decreased to 10 points or 1.0 standard deviations

§300.309 Determining the Existence of a Specific Learning Disability

1) A child may be determined to have a specific learning disability if:

   a) The child does not achieve adequately for the child's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or meet State– approved grade-level standards:

      i) Oral expression

      ii) Listening comprehension

      iii) Written expression

      iv) Basic reading skill

      v) Reading fluency skills

      vi) Reading comprehension

      vii) Mathematics calculation

      viii) Mathematics problem solving

   b) The approved grade-level standards in one or more of the areas in (1)(a) when using a

process based on the child's response to scientific, research-based intervention; or

c) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State– approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments.

2) The findings of this section are not primarily the result of:

a) A visual, hearing, or motor disability;
b) Intellectual disability;
c) Emotional disturbance;
d) Cultural factors;
e) Environmental or economic disadvantage; or
f) Limited English proficiency.

3) The IEP Team must ensure that the underachievement is not due to a lack of appropriate instruction in reading or math and must consider:

a) Data that demonstrate that prior to, or as part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and

b) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents

4) The SGA SPED Department must promptly request parent consent to evaluate if, prior to referral, the child has not made adequate progress after an appropriate period of time when provided instruction described in (3)(a) and (b).

§300.311 Specific Documentation for the Eligibility Determination

1) For a child suspected of having a specific learning disability, the eligibility determination must contain a statement of:

a) Whether the child has a specific learning disability;

b) The basis for making the determination, including an assurance the determination was made in accordance with the Individuals with Disabilities Education Act;

c) The relevant behavior, if any, noted during the observation and the relationship of that behavior to the child's academic functioning;

d) The educationally relevant medical findings, if any;

e) Whether the child does not achieve adequately for his/her age or to meet State-approved grade-level standards consistent with (1)(a); and does not make sufficient progress to meet age or State-approved grade-level standards consistent with (1)(b); or

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f) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State- approved grade-level standards. or intellectual development consistent with (1)(c).

g) The determination of the IEP Team concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency of the child's achievement level.

2) Each IEP Team member must certify in writing whether the report reflects the member's conclusion. If it does not, the group member must submit a separate statement presenting the member's conclusions.

a) In other words, each team member must indicate that they agree or disagree with the findings of the team

b) If a team member disagrees with the findings, that team member must submit, in writing, the details of why they disagree with the findings and submit that to become part of the document

§300.310 Observation

1) Southgate Academy SPED Case Manager must ensure that the child is observed in his/her learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty.

AAC R7-2-401.E Evaluation/Reevaluation

1) Southgate Academy SPED Department shall establish, implement, and make available to school- based personnel and parents within its area of responsibility written procedures for the initial full and individual evaluation of students suspected of having a disability, and for the reevaluation of students previously identified as being eligible for special education.

2) Procedures for the initial full and individual evaluation of children suspected of having a disability and for the reevaluation of students with disabilities shall meet the requirements of IDEA and its regulations, state statutes, and State Board of Education rules.

3) The initial evaluation of a child being considered for special education, or the reevaluation per a parental request of a student already receiving special education services, shall be conducted within 60 calendar days from the public education agency's receipt of the parent's informed written consent and shall conclude with the date of the multidisciplinary evaluation team (MET) determination of eligibility.

4) If the parent requests the evaluation, Southgate Academy SPED Department must, within a reasonable amount of time not to exceed 15 school days from the date it receives a parent's written request for an evaluation, either begin the evaluation by reviewing existing data or provide prior written notice refusing to conduct the requested evaluation. The 60- day evaluation period shall commence upon the receipt of the parent's informed written consent.

5) The 60-day evaluation period may be extended for an additional 30 days, provided it is in the best interest of the child and the parent and SGA IEP Team agree in writing to such an extension. Neither the 60-day evaluation period nor any extension shall cause a reevaluation to exceed the timelines for a reevaluation within three years of the previous evaluation.

6) Southgate Academy IEP Team may accept current information about the student from another state, public agency, public education agency, or through an independent educational evaluation. In such instances, the multidisciplinary evaluation team shall be responsible for reviewing and approving or supplementing an evaluation to meet the requirements identified in subsections (E)(1) through (7).

7) For the following disabilities, the full and individual initial evaluation shall include:

a) Emotional disability: verification of a disorder by a qualified professional.

b) Hearing impairment:

i) An audiological evaluation by a qualified professional, and

ii) An evaluation of communication/language proficiency.

c) Other health impairment: verification of a health impairment by a qualified professional.

d) Specific learning disability: a determination of whether the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development that meets the public education agency criteria through one of the following methods:

i) A discrepancy between achievement and ability (see definition of severe discrepancy listed above);

e) Orthopedic impairment: verification of the physical disability by a qualified professional.

f) Speech/language impairment: an evaluation by a qualified professional.

g) For students whose speech impairments appear to be limited to articulation, voice, or fluency problems, the written evaluation may be limited to:

i) An audiometric screening within the past calendar year,

ii) A review of academic history and classroom functioning,

iii) An assessment of the speech problem by a speech therapist, or

iv) An assessment of the student's functional communication skills.

h) Traumatic brain injury: verification of the injury by a qualified professional.

i) Visual impairment: verification of a visual impairment by a qualified professional.

8) The Special Education Department shall develop a list, subject to review and approval of the State Board of Education, of qualified professionals eligible to conduct the appropriate evaluations prescribed in subsection (E)(7). (See Appendix C for list of qualified personnel)

9) The multidisciplinary evaluation team shall determine, in accordance with the IDEA and regulations, whether the requirements of subsections (E)(7(a) through (i) are required for a student's reevaluation.

§300.502 Independent Educational Evaluation

1) The parents of a child with a disability have the right to obtain an independent educational evaluation of their child. Southgate Academy SPED Director must provide parents, upon request for an Independent Educational Evaluation: a) Information about where an Independent Educational Evaluation may be obtained; and b) SGA's criteria applicable for Independent Educational Evaluations. SGA's criteria for the Independent Educational Evaluation must be the same as the criteria SGA uses when it conducts an evaluation, to the extent consistent with the parent's right to an evaluation.

2) A parent has the right to an Independent Educational Evaluation at public expense if the parent disagrees with an evaluation obtained by Southgate Academy IEP Team. If a parent requests an Independent Educational Evaluation at public expense, Southgate Academy SPED team must, without unnecessary delay, either:

a) File for a due process hearing to show that its evaluation is appropriate; or

b) Ensure that an Independent Educational Evaluation is provided at public expense, unless SGA demonstrates in a hearing that the evaluation obtained by the parent did not meet the school's criteria.

3) If a due process hearing decision is that SGA's evaluation is appropriate, the parent still has the right to an Independent Educational Evaluation, but not at public expense.

4) If a parent requests an Independent Educational Evaluation, Southgate Academy IEP team may ask for the parent's reasons for the objections but may not require the parent to provide an explanation and may not unreasonably delay either providing the Independent Educational Evaluation at public expense or filing a request for due process to defend its evaluation.

5) A parent is entitled to only one Independent Educational Evaluation at public expense each time Southgate Academy IEP Team conducts an evaluation with which the parent disagrees.

6) The results of any Independent Educational Evaluation that is obtained by or provided to Southgate Academy IEP Team:

a) Must be considered by the SGA IEP Team if it meets their criteria in any decision with respect to the provision of FAPE to the child; and

b) May be presented by any party as evidence in a due process hearing.

7) If a hearing officer requests an Independent Educational Evaluation as part of a due process hearing, the cost of the evaluation must be at public expense.

Individualized Education Program (IEP) Policy & Procedure

POLICY

Southgate Academy SPED Department shall ensure that an IEP is developed and implemented for each eligible child served by SGA and for each eligible child placed in or referred to a facility by SGA in accordance with §§300.320–300.325 of the IDEA regulations.

DEFINITION OF AN INDIVIDUALIZED EDUCATION PLAN (IEP)

(§300.320)

The IDEA defines an IEP as a written statement for each student with a disability that is developed, reviewed, and revised in accordance with the specific requirements set forth in the IDEA and its implementing regulations.

PROCEDURES

§300.320 Contents of the IEP

1. The contents of each IEP will include a statement of:

a) The child's present levels of academic achievement and functional performance, including:

i) How the child's disability affects the child's involvement and progress in the general education curriculum; or

ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;

b) Measurable annual goals, including academic and functional goals designed to:

i) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and

ii) Meet each of the child's other educational needs that result from the child's disability;

iii) For children with disabilities who take alternate assessments aligned to alternate achievement standards (MSAA and AIMS A), a description of benchmarks or short-term objectives;

c) How the child's progress toward meeting the IEP goals will be measured and when periodic reports on the child's progress toward the goals will be provided;

d) The special education and related services to be provided to the child, the supplementary aids and services to be provided to the child or on behalf of the child,

e) and the program modifications or supports for school personnel that will be provided to enable the child:

i) To advance appropriately toward attaining the annual goals; and

ii) To be involved in and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities with other children with disabilities and nondisabled children.

f) The extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and other nonacademic activities;

g)Any individual accommodations that are needed to measure the academic achievement and functional performance of the child on State and district-wide assessments;

h) If the IEP team determines that the child must take an alternate assessment instead of a particular regular State or district-wide assessment of student achievement, a statement of why:

i) the child cannot participate in the regular assessment; and

ii) the particular alternate assessment selected is appropriate for the child;

i) The projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of those services and modifications.

j) Beginning not later than the first IEP to be in effect when the child turns 16 (or younger if determined appropriate by the IEP team) and updated annually, the IEP will also include a statement of:

i) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills;
ii) Transition services (including courses of study) needed to assist the child in reaching those goals.

k) Beginning not later than one year before a student reaches the age of 18, the IEP will include a statement that the parents and the student have been informed of the rights under Part B, if any, that will transfer to the student on reaching the age of 18.

§300.321 The IEP Team

The IEP team for each child with a disability will include:

a) The parents of the child;

b) Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);

c) Not less than one special education teacher of the child, or where appropriate, not less than one

special education provider of the child;

d) An SGA Special Education representative who:

i) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;

ii) Is knowledgeable about the general education curriculum;

iii) Is knowledgeable about the availability of resources of the public education agency; and

iv) Is authorized to make decisions regarding the implementation of services agreed upon by the IEP team

v) May be an SGA team member described in (b) through (f) if the above criteria are met.

e) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in (b) through (f).

f) At the discretion of the parent or Southgate Academy, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and

g) Whenever appropriate, the child with a disability.

i) A child of any age if the purpose of the meeting is to consider postsecondary goals and transition services needed to assist the child in reaching the IEP goals.

ii) If the student does not attend the IEP meeting, Southgate Academy will take other steps to ensure that the student's preferences and interests are considered.

h) To the extent appropriate and with consent of the parents or the adult child, Southgate Academy will invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

2) A member of the IEP team described in (1)(a) through (1)(e) is not required to attend the IEP meeting if the parent and the school agree in writing prior to the meeting that attendance is not necessary because the member's area of curriculum or related services is not being modified or discussed in the meeting.

3) A member of the IEP team described in (1)(a) through (1)(e) may be excused from attending the IEP meeting in whole or part when the meeting involves a modification to or discussion of the member's area of the curriculum or related services if the parent and Southgate Academy consent to the excusal, at least 24 hours in advance in writing, and the member submits to the IEP team, in writing, input into the development of the IEP prior to the meeting.

§300.322 Parent Participation

1) Southgate Academy SPED Case Manager will take steps to ensure the parents of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate by:

a) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
b) Scheduling the meeting at a mutually agreed upon time and place.

2) The meeting notice will:

a) Indicate the purpose, time, and location of the meeting and who will be in attendance; and
b) Inform the parents of the provisions relating to the participation of other individuals who have knowledge or special expertise about the child

3) Beginning not later than the first IEP to be in effect when the child turns 16, the notice will also:

a) Indicate that a purpose of the meeting will be the consideration of postsecondary goals and transition services;

b) Indicate that SGA SPED Case Manager will invite the student; and

c) Identify any other agency that will be invited to send a representative

4) If neither parent can attend, Southgate Academy SPED Case Manager will use other methods to ensure parent participation, including individual or conference telephone calls.

5) A meeting may be conducted without a parent in attendance if Southgate Academy SPED Diector is unable to convince the parents that they should attend. In this case, SGA SPED Case manager will maintain a record of its attempts to arrange a mutually agreed on time and place, such as:

a) Detailed records of telephone calls made or attempted and the results of those calls;

b) Copies of correspondence sent to the parents and any responses received; and

c) Detailed records of visits made to the parent's home or place of employment and the results of those visits.

d) The parents decline to participate in the IEP meeting

6) Southgate Academy SPED Administrator will take whatever action is necessary to help the parent understand the proceedings at the IEP meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

7) Southgate Academy SPED Case Manager will give the parent a copy of the child's IEP at no cost to the parent.

34 C.F.R. § 300.30 IDEA Definition of a Parent

1) (a)Parent means—

(1) A biological or adoptive parent of a child;

(2) A foster parent, unless State law, regulations, or contractual obligations with a State or local entity prohibit a foster parent from acting as a parent;

(3) A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not the 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 in accordance with §300.519 or section 639(a)(5) of the Act.

2) (b) (1) Except as provided in paragraph (b)(2) of this section, the biological or adoptive parent, when attempting to act as the parent under this part and when more than one party is qualified under paragraph (a) of this section to act as a parent, must be presumed to be the parent for purposes of this section unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.

3) If a judicial decree or order identifies a specific person or persons under paragraphs (a)(1) through (4) of this section 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" for purposes of this section.

§300.519 Surrogate Parents

1) Southgate Academy SPED Director will ensure that the rights of a child are protected by assigning an individual to act as a surrogate for the parents when:

a) No parent [as defined above] can be identified;
b) After reasonable efforts are made, no parent can be located;
c) The child is a ward of the State (with no foster parent); or
d) The child is an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Assistance Act;
e) [The child resides in a group home (with no foster parent)]

2) Southgate Academy SPED Administrator will have a method for determining when a surrogate parent is needed and for making surrogate parent assignments.

3) Southgate Academy SPED Administrator will ensure that a person selected as a surrogate parent:

a) Is not an employee of the State, SGA, or any other agency that is involved in the education or care of the child;
b) Has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and
c) Has knowledge and skills that ensure adequate representation of the child.

4) In the case of an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents until a surrogate parent can be appointed that meets all the requirements of this section.

SGA SPED Department Procedures for identifying a Surrogate Parent

1) When the need for a Surrogate Parent arises, Southgate Academy SPED Director will take the following steps

   a. SGA SPED Administrator will access the most current list of active Surrogate Parents through the ADE Connect Surrogate function

      i. SPED Director may also contact the Surrogate Program Coordinator by phone or email

   b. Using the list found on the ADE Connect site, SPED Director or designee will contact potential surrogates and identify an individual who agrees to serve as the surrogate parent

      i. Once an individual has been identified, an application will be completed and sent to the ADE Parent Program Coordinator

      ii. ADE coordinator will provide a Notice of Appointment once the surrogate parent has been identified and found eligible

§300.323 When IEPs Must Be in Effect

1) At the beginning of each school year, Southgate Academy SPED Teacher must have in effect for each child with a disability in its jurisdiction, an IEP as defined in §300.320.

2) The SPED Teacher will ensure that:

a) A meeting to develop an IEP for an eligible child is conducted within 30 days of a determination of eligibility for special education and related services.

b) As soon as possible following the development of the IEP, the services indicated in the IEP are made available to the child.

c) An IEP will be in effect at the beginning of each school year.

- If the SPED Teacher does not have a full copy of the IEP from the child's previous school, they will take every step to ensure that the student receives all services that a student with similar needs has, while they prepare to complete a new IEP

3) The SPED teacher will ensure that each child's IEP is accessible to each regular education teacher, special education teacher, related service provider, and any other service provider who is responsible for implementing the IEP.

a) Each teacher and related service provider will be informed of his or her specific responsibilities in implementing the IEP; and

b) The specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

4) For a child with an IEP who transfers into Southgate Academy from another public education agency in Arizona, SGA, in consultation with the parents, will provide a free appropriate public education (including services comparable to the services described in the existing IEP) until SGA:

a) Reviews and adopts the child's IEP from the previous public education agency or

b) Develops, adopts, and implements a new IEP.

5) For a child with an IEP who transfers into Southgate Academy from another state, SGA, in consultation with the parents, will provide a free appropriate public education (including services comparable to the services described in the existing IEP) until SGA:

a) Conducts an evaluation for eligibility for special education in Arizona or determines that such an evaluation is unnecessary; and

b) Develops, adopts, and implements a new IEP, if appropriate.

6) To facilitate the transition of a child enrolling from another public education agency, either from within or from outside of Arizona, Southgate Academy will take reasonable steps to promptly obtain the child's education records, including all records pertaining to special education, from the previous public education agency in which the child was enrolled.

7) When a records request is received from another public agency, from either within or outside of Arizona, SGA registrar will promptly respond to the request

a) Not to exceed 10 School days

§300.324 Development, Review, and Revision of an IEP

1) In developing each child's IEP, the IEP team will consider:

a) The strengths of the child and the concerns of the parents for enhancing the education of their child;

b) The results of the initial or most recent evaluation of the child; and

c) The academic, developmental, and functional strengths and needs of the child

d) Which specific specially designed instruction the child requires in order to have the same access to the general education curriculum as his non-disabled peers

e) Specific goals to measure the student's progress in the general education curriculum

2) In consideration of special factors, the IEP team must:

a) In the case of a child whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior;

b) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;

c) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille) that instruction in Braille or the use of Braille is not appropriate for the child;

d) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communication with peers and professional personnel in the child's language and communication mode, academic levels and full range of needs, including opportunities for direct instruction in the child's language and communication mode;

e) Consider whether the child requires assistive technology devices and services.

3) The regular education teacher of a child with a disability, as a member of the IEP team, must, to the extent appropriate, participate in the development, review, and revision of the child's IEP, including the determination of:

a) Appropriate positive behavioral interventions and strategies for the child; and

b) Supplementary aids and services, program modifications, and/or supports for school personnel that will be provided for the child, consistent with §300.320(a)(4).

4) In making changes to the IEP after the annual IEP meeting, the parent and SGA may agree to amend the IEP without a meeting to make those changes and instead, develop a written document to amend or modify the child's current IEP. Southgate Academy must:

a) Inform all members of the child's IEP team of those changes and

b) provide the parents with a revised copy of the IEP.

5) To the extent possible, the SPED Team will encourage the consolidation of evaluation, reevaluation, and IEP meetings for a child.

6) The SPED Director will ensure that the IEP team reviews the child's IEP periodically, but not less than annually, to determine if goals are being achieved and revises the IEP, when appropriate, to address:

a) Any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate;

b) The results of any reevaluation;

c) Information about the child provided to, or by, the parents;

d) The child's anticipated needs, or other matters.

7) If a participating agency other than Southgate Academy fails to provide the transition services in an IEP, SGA must reconvene the IEP team to identify alternative strategies to meet the child's transition outcomes.

§300.325 Private School Placements by Southgate Academy SPED Department

1) Before the SGA SPED Team places a child with a disability in a private school or facility, the IEP Team must initiate and conduct a meeting to develop an IEP for the child and ensure that a representative of the private school or facility attends the meeting in person or by conference call.

2) Subsequent IEP reviews may be initiated and conducted by the private school at the discretion of the SGA SPED Team. However, SGA SPED Team must ensure that:

a) The parents and the SPED representative are involved in any decisions about the child's IEP; and

b) They agree to any proposed changes in the IEP before those changes are implemented.

3) SGA SPED Team remains responsible for ensuring FAPE to a child placed by the IEP team in a private school or facility.

§300.327 Educational Placements

Southgate Academy SPED Director must ensure that the parents of a child with a disability are members of any group that makes decisions on the educational placement of their child.

AAC R7-2-401.G Individualized Education Program (IEP)

1) Southgate Academy SPED Director shall establish, implement, and make available to its school- based personnel and parents written procedures for the development, implementation, review, and revision of IEPs.

2) Procedures for IEPs shall meet the requirements of the IDEA and its regulations, the state statutes, and the State Board of Education rules.

3) Procedures shall include the incorporation of Arizona academic standards as adopted by the State Board of Education into the development of each IEP and address grade-level expectations and grade-level content instruction.

4) Each IEP of a student with a disability shall be developed in accordance with IDEA and its regulations, state statutes, and State Board of Education rules. If appropriate to meet the needs of a student and to ensure access to the general curriculum, an IEP team may include specially designed instruction in the IEP that may be delivered in a variety of educational settings by a general education teacher or other certificated personnel provided that certificated special education personnel are involved in the planning, progress monitoring, and when appropriate, the delivery of the specially designed instruction.

5) Each student with a disability who has an IEP shall participate in the state assessment system. Students with disabilities can test with or without accommodations or modifications as indicated in the student's IEP. Students who are determined to have a significant cognitive disability based on the established eligibility criteria will be assessed with the state's alternate assessments as determined by the IEP team.

6) A meeting of the IEP team shall be conducted to review and revise each student's IEP at least annually, or more frequently if the student's progress substantially deviates from what was anticipated. The public education agency shall provide written notice of the meeting to the parents of the student to ensure that parents have the opportunity to participate in the meeting. After the annual review, the public education agency and parent may agree not to convene an IEP team meeting for the purposes of making changes, and instead may develop a written document to amend or modify the student's current IEP.

7) A parent or Southgate Academy team member may request in writing a review of the IEP and shall identify the basis for requesting review. Such review shall take place within 45 school days of the receipt of the request at a mutually agreed upon date and time.

300.106 Extended School Year Services (ESY)

1) Southgate Academy Special Education Department will make extended school year services available as necessary to provide FAPE to children with disabilities.

a) ESY services will be provided only if a child's IEP team determines, in accordance with §300.320 – §300.324, that the services are necessary for the provision of FAPE.

b) Services will not be:

i) Limited to a particular category of disability; or

ii) Unilaterally limited to the type, amount, or duration of services.

2) The ESY services that are provided to a child with a disability will:

a) Be provided beyond the normal school year of the agency;

b) Be provided in accordance with the child's IEP;

c) Be provided at no cost to the parents of the child; and

d) Meet the standards of the State.

§300.520 Transfer of Parental Rights at Age of Majority

1) When a child with a disability reaches age 18, unless that child has been determined to be incompetent:

a) Southgate Academy SPED Case Manager will provide any notice required by the IDEA regulations to both the child and the parents; and

b) All rights accorded to parents under Part B of the Act transfer to the child.

2) When the rights are transferred, Southgate Academy SPED Case Manager will provide notice to the child and parent of the transfer of rights.

§300.503 Prior Notice by the Public Education Agency; Content of Notice

1) Prior Written Notice must be given to the parents of a child with a disability prior to any services being initiated and when the team:

a) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or

b) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.

2) The notice must include:

a) A description of the action proposed or refused by the agency;

b) An explanation of why the agency proposes or refuses to take the action;

c) Description of any options the agency considered

d) Reasons those considerations were rejected

e) A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action;

f) A description of any other factors that are relevant to the agency's proposal or refusal:

g) A statement that the parents of a child with a disability have protection under the procedural safeguards and how a copy of a description of the procedural safeguards can be obtained;

- This shall include a specific person or position and contact number from the school

h) Sources for parents to contact to obtain assistance in understanding the provisions of this part;

3) The notice must be written in language understandable to the general public and provided in the native language or other mode of communication used by the parent.

4) If the native language or other mode of communication used by the parent is not a written language, Southgate Academy SPED Case Manager must ensure:

a) The notice is translated orally or by other means to the parent in his or her native language or other mode of communication;

b) That the parent understands the content of the notice;

c) That there is written evidence of these requirements.

Procedural Safeguards

POLICY

Southgate Academy SPED Department will establish, maintain, and implement procedural safeguards that meet the requirements of §§300.500 through 300.536 of the IDEA regulations.

PROCEDURES

§300.501 Opportunity to Examine Records; Parent Participation in Meetings

1) Southgate Academy SPED Director will ensure that the parents of a child with a disability shall be given an opportunity to inspect and review all education records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child.

2) Southgate Academy SPED Director will ensure that the parents of a child with a disability shall:

a) Be given an opportunity to participate in meetings with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child.

b) Be provided notice consistent with §300.322 to ensure they have the opportunity to participate in meetings.

c) Be members of any group that makes decisions on the educational placement of their child.

3) If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, Southgate Academy SPED Case Manager must use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing.

4) A placement decision may be made by a group without the involvement of the parent, if Southgate Academy IEP Team is unable to obtain the parent's participation and has maintained a record of its attempts to ensure their involvement.

Free Appropriate Public Education (FAPE)

Policy

A free appropriate public education (FAPE) will be available to all children within the area of responsibility of Southgate Academy, including children with disabilities who have been suspended or expelled from school as provided for in §300.530(d) of the IDEA regulations.

PROCEDURES

§300.306 Determination of Eligibility, §300.308 Additional Group Member

All public education agencies will make the determination that a child is eligible for special education and related services on an individual basis by a properly constituted team.

§300.101 Free Appropriate Public Education

Southgate Academy Administration will:

Refer any children who are suspected of having a disability to the appropriate unified district or elementary district for evaluation and, if appropriate, for services.

1) For School - Aged Children (5 to 21) Southgate Academy SPED Department will make FAPE available to any child who needs special education and related services, even though the child has not failed or been retained in a course or grade and is advancing from grade to grade.

2) For children aged Birth – 2.9 years old, Southgate Academy SPED Department will refer parents to the Arizona Early Intervention Program and maintain a list of names of families who were referred.

3) For Children aged 3 – 5 years old, Southgate Academy SPED Department will refer parents to their local school district and will maintain a list of names of families who were referred and where they were referred to.

ARS 15 - 764.B Powers of the School District Governing Board or County School Superintendent

The special education programs and services established pursuant to this section and section 15 - 765 shall be conducted only in a school facility which houses regular education classes or in other facilities approved by the division of special education.

§300.105 Assistive Technology

1) Southgate Academy IEP Team will ensure that assistive technology devices or services or both will be available to a child with a disability, if required, as a part of:

a) Special education,

b) Related services, and

c) Supplementary aids and services.

2) On a case-by-case basis, Southgate Academy SPED Director will ensure the use of school purchased assistive technology devices in a child's home or other setting if the child's IEP team determines that the child needs access to those devices in order to receive FAPE.

§300.107 Nonacademic Services

1) Southgate Academy administration will afford children with disabilities an equal opportunity for participation in nonacademic and extracurricular services and activities including, as determined appropriate and necessary by the child's IEP team, the provision of supplementary aids and services.

2) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by Southgate Academy referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by SGA and assistance in making outside employment available.

§300.108 Physical Education

1) Southgate Academy administration will make regular physical education services available to children with disabilities to the same extent that the school provides those services to children without disabilities, unless:

a) The child needs specially designed physical education as prescribed in the child's IEP.

2) If special physical education is prescribed in a child's IEP, Southgate Academy SPED Department will provide for those services, either directly or through other public or private programs.

§300.110 Program Options

1) Southgate Academy SPED Department will ensure that children with disabilities have available to them the variety of educational programs and services that are available to non-disabled children, including art, music, industrial arts, consumer and homemaking education, and vocational education.

§300.113 Routine Checking of Hearing Aids and External Components of Surgically Implanted Medical Devices

1) Southgate Academy IEP Team will ensure that the hearing aids worn in school by children with hearing impairments are functioning properly; and

2) The external components of surgically implanted medical devices (e.g., cochlear implants) are functioning properly, except that SGA will not be responsible for any post – surgical maintenance, programming, or replacement of any component, external or internal, of the medical device.

§300.154 Methods of Ensuring Services

1) Southgate Academy SPED Department may use the Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for services required under IDEA, as permitted under the public benefits or insurance program, except that SGA:

a) May not require parents to sign up for or enroll in public benefits or insurance programs to receive FAPE;

b) May not require parents to incur out - of - pocket expenses such as payment of a deductible or co - pay for services required by IDEA, but may pay the cost that parents otherwise would be required to pay;

c) May not use a child's public benefit if that use would:

i) Decrease lifetime benefits;

ii) Result in the family paying for non-school services that would otherwise be paid for by public benefits;

iii) Increase premiums or lead to discontinuation of benefits; or

iv) Risk loss of eligibility.

2) Southgate Academy IEP Team must notify parents that their refusal to allow access to their public benefits does not relieve the school of its responsibility to provide all required IDEA services.

3) Southgate Academy IEP Team must obtain a one - time written consent from the parent, after providing written notification and before accessing the child's or the parent's public benefits for the first time. The consent must specify:

a) The personally identifiable information that may be disclosed;

b) The purpose of the disclosure; and

c) The agency to which the disclosure may be made.

4) Southgate Academy SPED Case Manager must provide a written notification to the child's parents before accessing the child's or parent's public benefits or insurance for the first time and prior to obtaining the one - time parental consent and annually thereafter.

Least Restrictive Environment (LRE) Policy & Procedures

POLICY

Children with disabilities, including children in public or private institutions or other care facilities, will be educated to the maximum extent appropriate with children who are not disabled in accordance with §§300.114 – 300.117 of the IDEA regulations.

PROCEDURES

§300.114 LRE Requirements

Southgate Academy Administration will ensure that special classes, separate schooling, or other removals of children with disabilities from the regular educational environment occur only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

1) Continuum of Services Defined:
    a. The amount of time that a student who receives special education spends with his/her non-disabled peers
        i. (A) – Inside the general education class 80% or more of the day
        ii. (B) – Inside the general education class for not more than 79% and no less than 40% of the day
        iii. (C) – Inside the general education class less than 40% of the day
        iv. (D) – Public or Private Separate Day School for greater than 50% of the school day
2) The decision to place the student who receives special education is determined by the IEP team and is based on the needs of the student

§300.115 Continuum of Alternative Placements

1) Southgate Academy SPED Department will make available a continuum of alternative placements to meet the needs of children with disabilities for special education and related services.

2) The alternative placements will include:
    a) Instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions;

b) Supplementary services, such as a resource room or itinerant instruction, to be provided in conjunction with regular class placement.

§300.116 Placements

1) The placement decision for each child will be:

a) Made by the IEP team and that are knowledgeable about the child, about the meaning of the evaluation data, and about the placement options;

b) In conformity with the LRE provisions of the IDEA regulations;

c) Determined at least annually;

d) Based on the child's IEP; and

e) As close as possible to the child's home.

2) Unless the IEP of a child requires some other arrangement, the child will be educated in the school that he or she would attend if not disabled.

3) In selecting the LRE, consideration will be given to any potential harmful effect on the child or on the quality of services that she or he needs.

4) A child with a disability will not be removed from age - appropriate regular classrooms solely because of needed modifications in the general education curriculum.

§300.117 Nonacademic Settings

1) In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and other nonacademic activities, Southgate Academy SPED Director must ensure that each child with a disability participates with non-disabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child.

2) Southgate Academy SPED Case Manager will ensure that the supplementary aids and services determined by the IEP team to be appropriate and necessary are provided to allow the child to participate in nonacademic settings.

AAC R7 - 2 - 401.H Least Restrictive Environment

1) Southgate Academy SPED Director shall establish, implement, and make available to its school - based personnel and parents, written procedures to ensure the delivery of special education services in the least restrictive environment as identified by IDEA and its regulations, the state statutes, and the State Board of Education rules.

2) A continuum of services and support for students with disabilities shall be available through Southgate Academy SPED Department.

§300.507 Filing a Due Process Complaint

1) A parent or Southgate Academy representative may file a request for a due process hearing relating to the identification, evaluation, or educational placement of a child with a disability.

2) The request for a due process hearing must allege a violation that occurred not more than two years before the date the parent or Southgate Academy knew or should have known about the alleged violation.

3) Southgate Academy must inform the parent of any free or low cost legal and other relevant services available in the area upon parent request.

§300.508 Due Process Complaint (Hearing)

1) Southgate Academy will have procedures that require either party, or the attorney representing a party, to provide to the other party a confidential due process complaint.

2) The party filing the notice for a hearing must forward a copy of the request to the State. 3) The due process hearing complaint must include the following in order for the complaint to be heard:

a) The name of the child;
b) The residential address of the child;
c) The school of attendance;
d) A description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem; and
e) A proposed resolution of the problem to the extent known and available to the party at the time.

3) The due process hearing complaint must include the following in order for the complaint to be heard:

a) The name of the child;
b) The residential address of the child;
c) The school of attendance;
d) A description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem; and
e) A proposed resolution of the problem to the extent known and available to the party at the time.

4) The due process complaint will be deemed sufficient unless the party receiving the complaint notifies the hearing officer and the other party in writing, within 15 days of receipt of the complaint, that it believes the complaint does not meet the content requirements.

5) Within five days of receipt of notice, the hearing officer must determine whether the complaint meets the requirements and notify the parties, in writing, of that determination.

6) A party may amend its due process complaint only if:

- The other party consents in writing and is given an opportunity to resolve the complaint through the resolution process; or
- The hearing officer grants permission, but in no case is it amended later than five days before the due process hearing begins.
-

7) If a party files an amended complaint, the relevant timelines begin again.

8) If Southgate Academy has not sent a Prior Written Notice to the parent regarding the subject matter contained in the due process complaint, it must do so within 10 days of receiving the complaint.

9)Within 10 days of receiving the complaint, the receiving party will send to the other party a response that specifically addresses the issues raised in the due process complaint.

§300.510 Resolution Process

1) Within 15 days of receiving the notice of the parent's due process complaint and prior to the initiation of a due process hearing, Southgate Academy SPED Director must convene a meeting with the parent and the relevant members of the IEP team who have specific knowledge of the facts identified in the complaint that:

a) Includes a representative of SGA who has agency decision-making authority;

b) May not include an attorney of Southgate Academy unless the parent is accompanied by an attorney.

2) The purpose of the meeting is for the parent of the child to discuss the due process complaint and the factual basis of the complaint, so SGA has the opportunity to resolve the dispute.

3) The resolution meeting need not be held if:

a) The parent and Southgate Academy agree in writing to waive the meeting; or

b) The parent and Southgate Academy agree to use the mediation process.

4) The parent and Southgate Academy determine the relevant IEP team members to attend the meeting.

5) If Southgate Academy has not resolved the complaint to the satisfaction of the parent within 30 days of the receipt of the complaint, the due process hearing may occur. The timeline for issuing a final decision begins at the end of this 30-day period.

6) The failure of the parent to participate in the resolution meeting that has not been mutually agreed to be waived will delay the timelines for the resolution process and due process hearing until the meeting is held.

7) If Southgate Academy is unable to obtain the participation of the parent after reasonable efforts have been made and documented, SGA may, at the end of the 30-day period, request that the hearing officer dismiss the parent's due process complaint.

8) If Southgate Academy fails to hold the resolution meeting within 15 days of receiving the complaint or fails to participate in the meeting, the parent may request that the hearing officer begin the hearing timeline.

9) The 45-day timeline for the due process hearing starts the day after:
- a) Both parties agree in writing to waive the resolution meeting; OR
- b) After either the mediation or resolution meeting starts but before the end of the 30-day resolution period, the parties agree in writing that no agreement is possible; OR
- c) If both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later, one party withdraws from the mediation process.

10) If a resolution is reached at the meeting, the parties must execute a legally binding agreement that is:
- a) Signed by both the parent and Southgate Academy representative who has authority to legally bind the agency; and
- b) Enforceable in any state court of competent jurisdiction or in a district court of the United States.

11) Either party may void the agreement within 3 business days of the agreement's execution.

§300.518 Child's Status during Proceedings

1) The child involved in the due process hearing complaint must remain in his or her current educational placement:
- a) Unless a discipline appeal has been filed as provided in §300.533;
- b) During the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing under §300.507; or
- c) Unless Southgate Academy and parents of the child agree otherwise.

2) If the complaint involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in Southgate Academy until the completion of all the proceedings.

Appendix A

What Circumstances Require a Prior Written Notice?

Events Requiring a Prior Written Notice	YES	NO
Identification		
Screening		X
Teacher Assistance Team (TAT)		X
Intervention strategies		X
Referral for initial evaluation	X	
Evaluation		
Collection of new data for initial evaluation and reevaluation	X	
Evaluation of progress on the annual goals		X
Administration of statewide or schoolwide assessments		X
Independent education evaluation		X
Determination of eligibility upon completion of an initial evaluation or reevaluation	X	
Eligibility issues	X	
Refusal to conduct an evaluation	X	
Educational Placement		
Initial educational placement into special education	X	
Relocation of the special education program		X
Any change in educational placement	X	
Termination of special education and related services	X	
Transfer of student to another school or district		X
Graduation with a regular diploma	X	
Disciplinary removal for more than 10 consecutive school days	X	
Disciplinary removal for not more than 10 school days		X
A series of disciplinary removals that constitute a pattern of removals	X	
Disciplinary removal to an IAES for not more than 45 school days	X	
Provision of FAPE		
Deletion or addition of a related service	X	
Change in annual goals on an existing IEP	X	
Increase or decrease in special education services or related services	X	
Change in how a student will participate in statewide and districtwide assessments	X	
Review and revision of the IEP	X	
Increase or decrease to supplementary aids and services or supports to school personnel	X	
Refusal to increase or decrease a related service	X	
Consideration of ESY if done at a separate meeting	X	

Appendix B

IEP Excusal Form

Student _____

***A required member of a student's IEP team is not required to attend an IEP meeting, in whole or in part,* if the parent and the school *agree, in writing, that the attendance of the member is not* necessary because that person's area of the curriculum or related services is *not being modified* or discussed in the meeting. [paraphrased from IDEA regulation §300.321 (e) (1)1**

*A required member of a student's IEP team may be excused from attending an IEP meeting, in whole or in part, when the meeting **does** involve a modification to or discussion of the member's area of the curriculum or related services, if the parent, in writing, and the public agency **consent** to the excusal and the member submits , in writing to the parent and the IEP team, input into the development of the IEP prior to the meeting. [paraphrased from IDEA regulation §300.321 (e) (2)1*

Changes can be made to an IEP **after** the annual IEP meeting, the parent and school may agree not to reconvene the IEP team to make changes, provided the parties develop a written document to amend or modify the current IEP and share the revisions with the IEP team. [paraphrased from IDEA regulation §300.324(a) (4)]

The parent and school agree that the following required IEP team member can be excused from the IEP meeting, in whole or in part, because his/ her area of the curriculum or related services is **not** being modified or discussed at the meeting.

Name of required IEP team member: _____

Parent Signature indicates agreement: _____

The parent consents to the excusal of a required IEP team member, in whole or in part, because the member, whose area will be discussed or modified at the IEP meeting, provided to the parent in advanced of the meeting a written statement with input for the development of the IEP.

Name of required of the IEP team member: _____

Parent signature indicates consent: _____ **(parent signature indicates consent to the excusal and acknowledgment that the required member provided a written statement before the IEP meeting.**

The parent and school agree that no IEP meeting is necessary to make changes to the current IEP. (this option is not available in lieu of the annual IEP meeting and can only be used for an IEP addendum).

Appendix C



Present Level of Academic and Functional Performance in the Gen Education Classroom

Please fill out this information in detail. Examples are listed at the end of the document. This information needs to be specific as to what you as the general education teacher are seeing in the classroom on a daily basis. This document should be returned to the Special Education Department within 24 hours of receiving it. If an academic section does not apply to you, please indicate that.

Teacher Name: Student Name: Date:

Reading Skills
Detail Specific Reading Strengths:
Detail Specific Reading Needs for Improvement:
List any current accommodations you are providing or any other information you think is important:
Writing Skills
Detail Specific Writing Strengths:
Detail Specific Writing Needs for Improvement:

List any current accommodations you are providing or any other information you think is important:
Math Skills
Detail Specific Math Strengths:
Detail Special Math Needs for Improvement:
List any current accommodations you are providing or any other information you think is important:

Please fill out this information with specific detail as to what you are seeing the general education classroom. Please list current grades, missing assignments, and attendance in your classroom.

Teacher Reports: Current Classroom-Based Data: (record information shared by the child's teachers, observations related to classroom achievement, such as reported quarterly grades, portfolio information, anecdotal records, or assessment and performance information from early intervention programs for children birth to 3) (Suggestions: use course titles to identify reports, 'science teacher reports... math teacher reports... social studies teacher reports...'):
Summary of Work Habits: including Transition/Vocational when appropriate: (Possible areas to address: class participation, organization, time management, homework management, study skills, learning style, test-taking skills, note taking, keyboarding; address independence and ability to ask for assistance with learning, ability to work with peers, take directions from teacher, ability to complete assigned task, dependability, For Post-Secondary Transition address: job training, employment/work experiences, post-secondary interest, career exploration, career interest):

PLAAFP Example Information:

READING

[Student Name] is reading at 6th grade level. He has good fluency and will try to decode words that he does not know. [Student First Name] will stop and ask questions if he is working one on one when he does not understand what he is reading. [Student First Name] will readily discuss the text orally.

[Student First Name] will sometimes not understand the questions given about the text. If he is able to discuss it he will write his answers on paper pencil assignments. [Student First Name] does not ask for whole class activities unless called upon.

Recommendations: Speech to text and a graphic organizer

WRITING

[Student First Name] is able to write in complete sentences. He will use capital and punctuation as needed. [Student First Name] will use words he knows how to spell or can get from the text. [Student First Name]'s sentences make sense but are not always grammatically correct.

[Student First Name] needs to improve in his self-confidence. [Student First Name] is afraid of being wrong. This will sometimes keep him from moving forward on his assignments. Also, if he thinks he has missed something he will also freeze until he knows what he has missed.

Recommendations: Speech to text and a graphic organizer

MATH

[Student First Name] is working with his general education peers in math. [Student First Name] has difficulty with multiplication and division facts but he is able to follow the procedure when using a multiplication table. [Student First Name] is able to talk about his strategies and procedure to the class.

[Student First Name] needs to be more independent to get a multiplication chart quickly to keep up with the pace of the classroom.

Recommendations: Notes and an anchor chart

Current Classroom-Based Data:

Teacher reports that [Student First Name] is fully capable to doing his work. What [Student First Name] needs is more time to do his work, especially writing. Teacher reports that he works slowly not because he does understand what he needs to do but that he works slowly. [Student First Name] needs to have a timekeeper to help him organize what he needs to get done and how much he has to do it in. [Student First Name] is beginning to advocate for himself letting his teachers know that he will be needing more time to complete his assignment.

State and District Assessments:

District Assessment - Renaissance Star (Dec. 2023)
Reading Comprehension – Score of 518 out of 600 (At/Above Benchmark)
CBM Reading – Score of 97 words per minute using grade level text. Benchmark is 225 words per minute (Urgent Intervention)
Reading Zone od Proximal Development (ZPD) – 6.3 (grade/months)
CBM Math - Multiplication to 100 – Score of 16 out of 50 (Intervention)
Math Enterprise – Score of 888 out of 1200 (Urgent Intervention)

Appendix D

Southgate Academy

Child Study Team (CST) Summary Form

Student Name: _____ D.O.B. _____ Grade: _____

Members of Student's CST: _____ _____

_____ _____ _____

Dates of CST Meetings: _____ _____

Number of Student Absences: _____ Number of Student Tardies: _____

A. Name and describe additional specific interventions to be attempted:

Specific Intervention	Dates of Review	Describe Effectiveness	Continued or Discontinued

A. Describe and attach any data collection forms devised by the CST.

B. Identify observers, observation dates, and any specific task the observer will have when he/ she visits the classroom.

C. Describe in detail any monitoring of the student that will take place, including what the monitoring will entail, how long it will continue, who will be responsible, what data will be collected and in what format, and what the determinations of success or failure will be.

D. Final recommendation(s) of the CST, including whether an evaluation was recommended. State whether the recommendation was unanimous; if not, then indicate the parties that disagreed and the reasons for the disagreement. Attach a copy of the PWN proposing or refusing an evaluation.

E. Summarize the important points regarding the student's progress, performance or behavior that were discussed at the CST meeting