

SUGAR VALLEY RURAL CHARTER SCHOOL

POLICY NUMBER: 113
SECTION: PROGRAMS
TITLE: **SPECIAL EDUCATION**
DATE ADOPTED: NOVEMBER 1998
DATE LAST REVISED: NOVEMBER 2008

SPECIAL EDUCATION

PURPOSE

Every exceptional student attending The Sugar Valley Rural Charter School shall be offered an educational program that meets his / her individual needs and is suited to his / her unique abilities. Such a program of special education shall be designed to comply with Special Education law and the best interests of the students and other pupils, and integrate programs of special education within the regular instructional programs of the Sugar Valley Rural Charter School.

Exceptional children to be served by the special education program shall include those school age children, as defined, by law, who so deviate from the average in physical, mental, emotional, or social characteristics that they require special educational programs, facilities or services and shall include all school aged persons.

AUTHORITY

The Board will determine which facilities for the instruction of exceptional children shall be furnished by the Sugar Valley Rural Charter School.

In order to maintain a more comprehensive program for special education, the Board, CEO, Special Education Director and staff will participate in special education program offerings of the Central Intermediate Unit #10.

GUIDELINES

The administration is directed to recommend annually to the Board the employment and retention of such staff, and the provision of such facilities, as may be necessary and feasible to provide for the needs of the exceptional children of the Sugar Valley Rural Charter School.

The program to which each exceptional child is assigned shall be that which best assures his / her success in learning and offers him / her at the least restrictive environment in accordance with State regulations.

The Board directs that all procedures for the implementation of a program of special education be so designed as to guard the privacy of the student and family.

No exceptional student who is so classified shall be denied, because of handicap, participation in curricular, intramural or interscholastic activities or any of the services offered or recognitions rendered regularly to the students of Sugar Valley Rural Charter School.

All services, e.g. Vo-Tech, art, physical education, music, etc which are extended to the general population of students shall be provided for the exceptional pupil where feasible.

The administration shall develop procedure for the continuing evaluation of the effectiveness of the school's plan for the exceptional student and shall periodically report to the Board the criteria by which such evaluations are made and the results of such an evaluation.

COMPLIANCE WUTH STATE AND FEDERAL LAWS

Special education procedures at Sugar Valley Rural Charter School ensure the FAPE is available to a child with a disability in compliance with the IDEA – 97 and Section 504 of the Rehabilitation Act of 1973 and as they have been interpreted by the State of Pennsylvania under Charter 14 and 15 of the State Educational Code.

Enrollment – Non Discrimination of Special Education students

SVRCS does not discriminate students with disabilities. Such students are assured equal opportunity to participate in the school program and extracurricular activities to the maximum extent appropriate. It is the policy of the school to provide a free and appropriate public education to each student with disabilities, regardless of the nature or severity of the disability. SVRCS is an equal opportunity educational institution and will not discriminate in the basis of race, color, national origin, sex, disability, age, or religion.

Support Service Student Records

As the parent of the child you have a number of rights regarding the confidentiality of your child's records; for example, the right to inspect and review any education records related to your child that are collected, maintained, or used by the school. This includes instructional materials. The school will comply with a request for you to review the records without unnecessary delay and before any meeting regarding planning for your child's special education program (called an IEP meeting), before a hearing should you and your school disagree about how to educate your child who needs special education, and in no case, take more than 30 days to furnish you the opportunity to inspect and review your child's records.

Handling of Student Records

When a student enrolls, we immediately notify the student's former district so that all available school records will be sent and payment responsibilities are handled appropriately. If an SVRCS student transfers to another school, SVRCS forwards all educational records, including the most recent IEP within 10 days after being notified in writing, signed by the parent, from the student's new school. All records are maintained according to the school's confidentiality policy.

Notice of Special Education Services and Programs

Child Find

Each school, along with other public agencies in the Commonwealth, must establish and implement procedures to identify, locate and evaluate all children who need special education programs and services because of the child's disability. This notice is to help find these children, to offer assistance to parents, and to describe the parents' rights with regard to confidentiality of information that will be obtained during this process.

Identification Activity

Child find refers to activities undertaken by public education agencies to identify, locate, and evaluate children residing in the State, including children attending private schools, who are suspected of having disabilities, regardless of the severity of their disability, and determine the child's need for special education and related services. The purpose is to locate these children so that a free appropriate public education (FAPE) can be made available. The types of disabilities that, if found, may cause a child to need services are: autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment due to chronic or acute health problems, specific learning disabilities, speech or language impairment, traumatic brain injury and visual impairment including blindness. In the case of a child that is of preschool age, developmental delay.

Each school district is required to annually provide notice describing the *identification* activities and the procedures followed to ensure confidentiality of *personally identifiable information*. This notice is intended to meet this requirement.

Each school, in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974 and other applicable federal and state laws, protects the confidentiality of *personally identifiable information* regarding students that are identified as children with disabilities and eligible for special education services and protected handicapped students. The school protects the personally identifiable information by one school official being responsible for ensuring the confidentiality of the records; training being provided to all persons using the information, and maintaining for public inspection a current list of employees' names and positions who may have access to the information. The school will inform you when this information is no longer needed to provide educational services to your child and will destroy the information at the request of the parent, except general information such as your child's name, address, phone number, grades, attendance record, classes attended, and grade level completed may be maintained without time limitation

Student's with Existing IEPs

When a student enrolls at SVRCS with an IEP, the administration and Special Education department staff will meet with the family to determine how the school will implement the existing IEP or if a new plan should be developed.

Special Education Referral Process

The school administers a wide variety of programs for exceptional student. A person who is suspected to have a disability or who is thought to be gifted is referred for a multidisciplinary evaluation. Parents and /or the classroom teacher may submit a request, in writing for an evaluation. No evaluations may take place without the parent's written permission. The school district will evaluate the child without cost to the parents.

The Identification, Evaluation and Placement Process – The Education of Exceptional children

Public Law 101-476, The Individuals with Disabilities Education Act, set forth the following minimum procedures that must be followed in the identification, evaluation, and educational placement of exceptional children.

Step One: A child is recognized by the school personnel and/or parents as possible being exceptional and in need of special education.

Step Two: At the elementary level (k-6) the Instructional Support Team (IST) convenes. Instructional modifications within the regular classroom are implemented to ascertain if the problem can be corrected within the regular education environment. IF it cannot, then the IST team recommends a multidisciplinary evaluation. At the secondary level (7 – 12) the referral is made to the school psychologist to begin a multidisciplinary evaluation.

Step Three: An evaluation to specifically determine the child exceptionality, educational strengths, weaknesses and needs is scheduled by the school with prior knowledge and written approval by the parents. If agreement to evaluate is not achieved, either the school system or parents may initiate the procedural safeguards system. The evaluation procedures and materials must be selected and administered so as to not be racially or culturally discriminatory.

Step Four: A meeting between the parents, school personnel, and if appropriate the child is scheduled to discuss the results of the Comprehensive Evaluation Report (CER). Signatures are required indication agreement or disagreement with the report. Those disagreeing are encouraged to write a dissenting opinion.

Step Five: From this meeting of others that follow, the child's Individualized Educational Program (IEP) will be developed, written, and agreed to by the school, parents, and the child where appropriate. The IEP team determines the appropriate educational placement.

Step Six; When an IEP is agreed to by the parents and the school, then the parents are issued a Notice of Recommended Educational Placement (NOREP) to sign. The education to be provided to the child will be in conformity with the IEP. If for any reason the school and parents cannot agree on the appropriateness of the IEP, either may initiate the procedural safeguard system.

Step 7: At least annually, each child's IEP and his / her school performance in relation to it will be reviewed for the purpose of specifying the future educational program for the student.

Step 8: At least every three years, a multidisciplinary reevaluation is conducted to review a child's program and eligibility for special education. If student is diagnosed with Mental Retardation a re evaluation is every two years.

Educational Surrogate Parent

SVRCS shall ensure that an educational surrogate parent may be appointed when necessary to protect the rights of students with disabilities. An educational surrogate parent shall be appointed when the student's parent(s) is/are unknown; when the whereabouts of the parent(s) is/are unknown; when after reasonable efforts, the student's parent(s) cannot be located: or when the student is a ward of the state. The educational surrogate parent may represent the student in all matters relating to the identification, evaluation, educational placement, and provisions of a free and appropriate public education. Any person assigned, as an educational surrogate parent shall not be an employee of a public or private agency involved in the education or care of the student,

or have any interest that conflicts with the student. The educational surrogate parent should possess the knowledge and skills necessary to adequately represent the student.

Assistive Technology

SVRCS is committed to providing appropriate assistive technology to students with disabilities. The school is also committed to training teachers, paraprofessionals, and students on how to most effectively use assistive technology. The need for assistive technology must be determined on a case-by-case basis. If the IEP team determines that a particular assistive technology item is required for the student to be provided a reasonable educational benefit from his/her education program, the technology must be provided to implement the IEP. In some cases, this may include the placement of school-purchased assistive technology devices in other settings as required by the child's IEP. A student may need assistive technology in multiple environments in order to receive a free and appropriate public education (FAPE). Assistive technology refers to the need for the use of devices and services to increase, maintain, or improve functional capabilities of students with disabilities. An "assistive technology device" refers to any item, piece of equipment (e.g. laptop computers, special audio-visual equipment, special wheel chairs or desk, and/or other capital items for use by students and/or staff), or product system that is used to increase, maintain, or improve functional capabilities of students with disabilities. Students having special needs but not requiring a formal IEP according to law, which may include, but are not limited to Section 504 students, migrant students, homeless students, students living with poverty, and English Language Learners, will also be considered for assistive technology devices and/or services on a case-by-case basis.

Alternative Assessment of Students

SVRCS supports the right of full and equal educational opportunity for all students. Instructional accommodations and alternative testing programs may be necessary and will be utilized in order for qualified students with disabilities to participate in instructional programs. Such accommodations, should allow equivalent opportunity for qualified students to demonstrate their acquired knowledge and competence. Faculty are responsible for the educational activities of the institution, including the assessment of student learning in their courses and are required to work with students to identify and provide reasonable accommodations for assessment. Support Services will inform faculty in a timely manner of their need for such accommodations identified in students IEP's. Alternative response formats may need to be arranged, including (but not limited to) oral, large-print, computer-generated tests, multiple choice, limited matching, decreased number of problems, extended test time, and separate or small group testing environment.

Secondary Transition Services

Transition services are a coordinated set of activities for secondary students with disabilities, designed to achieve specific outcomes, which promote movement from school to post-school activities. SVRCS will work with students, families and related services to coordinate appropriate services for students with disabilities who are leaving secondary education and entering adulthood. These efforts are critical to enable students to achieve maximum success in post-school activities consisting of integrated employment (including supported employment), post-secondary education, independent living, and community participation. The coordinated set of activities is based on the

individual student's needs, taking into account the student's preferences, potential, abilities and interests. These activities include instruction, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation

Extended School Year

Extended School Year is any individualized instructional program, which is extended beyond the regular school year for handicapped students who are enrolled in a school district's special education programs. ESY must be considered, for all students with disabilities, by the IEP team. If eligibility is predicated on regression/recoupment criteria, documented and/or predicted regression/recoupment must be considered. Whether a student is to receive ESY is an IEP team decision; and the length, nature, and type of ESY services must be determined on an individual basis by the IEP team.

Behavioral Support Obligations

Behavioral intervention plans include a variety of techniques to develop and maintain skills that will enhance an individual student's opportunity for learning and self-fulfillment. Potential causes of behavior problems, such as physical and medical conditions, environmental factors, staffing and program concerns, shall be reviewed and addressed by the IEP or administrative team prior to the development of a behavior intervention plan. For each eligible student who exhibits behavior problems, which interfere with the student's ability to learn, including students identified as emotionally disturbed, the IEP shall include provisions for a program of behavior management. The plan will be review with all staff involved with the student and the parents for final approval before implementing the plan.

Limited English Proficiency Program and Students Placement

ESL (English as a second language) services will be provided for students who qualify and are in need. Translations of policies and procedures outlined in this book will be provided in a reasonable time to qualifying parents. Reasonable accommodations and modifications to classroom instruction will be provided to students depending on their individual needs.

Alternative Education Placement

Sugar Valley Rural Charter School places special education students in alternative educations settings only through the Individual Education Plan process. The IEP team meets and assesses the student's IEP and makes a determination for placement to ensure student success. Reviews occur each quarter, when the IEP team or the alternative education staff requests the need for one or within the IEP process. The IEP is comprised of the parent of the student's regular education teachers, the special education teacher, a school administrator, and the school psychologist. The team will use input from the alternative education staff that may be working with the student being assessed.

SVRCS contracts with alternative education entities within a 60 mile radius. No minimum or maximum time is identified because the student's placement is dependent upon the IEP team's determination of progress.

References: 1372 22 1311 School Code 1371 et seq. Pa Code 13.1 et. Seq. (Title 22)