

# SPECIAL EDUCATION PLAN FOR CHILDREN WITH DISABILITIES

EDUCATION AGENCY NAME: Pike County Board of Education

By submitting this plan, the signatures of the education officials signed below ensure that special education services will be provided in accordance with federal and state laws and regulations and will be consistent with the individualized needs of children with disabilities. This document is subject to the *Freedom of Information Act*.

Dr. Mark Head  
Special Education Coordinator

\_\_\_\_\_  
Date

Dr. Mark Bazzell  
Superintendent/Director

\_\_\_\_\_  
Date

APPROVED:

\_\_\_\_\_  
State Superintendent of Education      Date

# **CHAPTER 1**

## **FULL EDUCATIONAL OPPORTUNITY GOAL**

- I. The Pike County School System provides appropriate educational opportunities to children with disabilities ages 3 to 21.
- II. The Pike County School System ensures that a free appropriate public education, consistent with the standards established by this plan and by state and federal regulations, is being provided to all children with disabilities ages 3 to 21.
- III. Timetable for accomplishing the full educational opportunity goal for children ages birth to 21.
  - A. The Alabama Department of Rehabilitation Services provides full educational opportunities for children with disabilities ages birth through 2.
  - B. The Pike County School System provides full educational opportunities for children with disabilities ages 3 to 21.
- IV. The Pike County School System ensures its commitment to implement 34 CFR §300.101; 34 CFR §300.109 and 34 CFR §300.201; AAC 290-8-9-.01(1).

## **CHAPTER 2**

### **CHILD IDENTIFICATION**

- I. The Pike County School System ensures that all children residing within the jurisdiction of the public education agency, birth to 21, regardless of the severity of their disability and who need special education and related services, are identified, located, and evaluated. Child Find applies to children who attend private schools, including children attending religious schools within the public education agency's jurisdiction, highly mobile children with disabilities (i.e., migrant and homeless children), and children who are suspected of having a disability and are in need of special education even though they are advancing from grade to grade. Child Find also includes a practical method of determining that eligible children with disabilities are receiving needed special education and related services. Child Find activities will be conducted on a continuous basis as described below:
  - A. Procedure used to identify and locate children in Child Find.
    1. The Pike County School System's process for on-going public notice of the services available utilizing:
      - Radio and television announcements.
      - Articles/notices in local newspapers.
      - Posters posted in local schools and at the central office.
      - Website ([www.pikecountyschools.com](http://www.pikecountyschools.com)).
      - Notifications sent to local daycare\preschools
    2. The Pike County School System contracts with individuals and agencies that provide services to children with disabilities such as:
      - Children's Rehabilitation Services.
      - Department of Human Resources.
      - Department of Mental Health.
      - Headstart.
      - Department of Public Health.
      - Medical personnel.
      - Day Care Centers.
      - Speech and hearing centers.
      - Preschool programs.
      - Private schools.

The Pike County School System will maintain a list of preschool (0-3 years of age) children who have been identified as having a disability. The Pike County School System will begin the multidisciplinary evaluation process for any child thirty (30) months of age that is suspected of needing IDEA-B services in order to ensure that if the child is eligible for services, those services will be provided on his/her third birthday. If the child's third birthday falls within the summer months, the IEP team

will determine when special education services begin. For children who are transitioning from Part C to Part B preschool programs, the Pike County School System will make FAPE available to each eligible child residing in their jurisdiction no later than the child's third birthday and have an IEP in effect for the child by that date. The Pike County School System will participate in a transition planning conference arranged by the EI service provider in order to experience a smooth and effective transition to preschool programs.

- B. Procedure used to determine which children with disabilities, ages 3-21, within the public education agency's jurisdiction are currently receiving needed special education and related services.

The Pike County School System utilizes the SETS/WEB tracking process to ensure compliance with timelines for referral to IEP development. Whenever an initial evaluation is completed, data is entered for the next 3 year re-evaluation through the utilization of SETS/WEB. The school psychometrist, special education teachers, special education secretary and the special education coordinator utilize the electronic student information system to ensure timelines are met. Through the different processes of SETS/WEB, the special education coordinator can ensure full compliance with initial and reevaluation timelines as required by state and federal regulations.

- C. Procedure used to determine which children with disabilities housed in jails/detention centers/boot camps within your jurisdiction that were eligible to receive special education services from the public education agency.

- The Pike County School System has no jails/detention centers/boot camps within its jurisdiction.

- D. Procedure for meeting yearly with representatives of private schools regarding special education services to be provided to eligible children with disabilities who have been placed by their parents in a private school.

The Pike County School System has one private school within its jurisdiction. An annual meeting is scheduled in the spring of the year. In the Spring of each year, a letter is sent to the director of the private school to offer services for special needs students in Speech, physical and occupational services. If the student qualifies or becomes eligible, an IEP meeting is held at the private school. The special education coordinator, director of the private school, and appropriate teachers are invited to the meeting. The Pike County School System will follow-up with telephone calls/conferences to invited participants who did not attend.

- E. Procedure for ensuring participation in the transition conference for children with disabilities who participated in early intervention programs.

The Bright Beginnings Program, which is the Early Intervention Agency for the Pike County School System, contacts the lead pre-school teacher and the Special Education Director to enter the data into SETS/WEB to ensure tracking the referral through the eligibility process and IEP timelines are adhered to. In the event, referrals are not received in a timely manner, the Special Education coordinator will meet with the director of Bright Beginnings with guidance from the SDE to ensure compliance with the timeline for transition from early intervention to preschool services.

- II. Name, title, address, and telephone number of the person responsible for the Child Find activities.

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- III. Procedure to ensure that a tracking system is in place to ensure that identification, evaluation, eligibility, and Individualized Education Plan (IEP) development are completed within the time frames allowed by state and federal regulations.

The Pike County School System utilizes the SETS/WEB tracking system. As evaluations are completed, data is entered into SETS/WEB to project the next deadline. The special education coordinator and the school psychometrist will monitor timelines utilizing SETS/WEB to ensure timeline compliance. The school psychometrist will be on-site at each Pike County school on a rotational basis working hand-in-hand with the special education case managers on initial evaluations. Re-evaluation timelines will be monitored through the use of SETS/WEB. The school psychometrist's duties include periodically printing reports to check timelines on upcoming evaluations, evaluation of students, monitoring student folders to ensure all data is collected according to the Alabama Administrative Code, and interpreting the collected data appropriately for the IEP team. Annual training will be provided to teachers on the procedures to ensure timelines are met. The special education coordinator and the school psychometrist will intervene as needed to ensure teachers abide by state and federal regulations.

- IV. The Pike County School System ensures its commitment to implement the *Alabama Administrative Code* (AAC) 290-8-9-.01 and 34 CFR §300.111; 34 CFR §300.124; 34CFR§300.101-102; 34 CFR§300.130-131, and 34 CFR §300.201.

- V. The Pike County School System ensures its commitment to implement the AAC 290-8-9-.10(7) and 34 CFR §300. 130-144.

## **CHAPTER 3**

### **EVALUATION**

- I. Procedure used to evaluate children for special education services including vision and hearing screening.

The Pike County School System will provide evaluations for any referred or identified child, birth to twenty-one, who may need special education and related services, utilizing qualified personnel and appropriate assessment instruments as outlined by state standards.

- The Pike County School System uses the Goodlite, Snellen and Belltone for vision and hearing screening
- For identified children, ages 0-2, who did not participate in Early Intervention services and identified children, ages 0-2, who are transitioning from Part C to Part B preschool programs, the Pike County School System will make FAPE available to each eligible child residing in their jurisdiction no later than the child's third birthday and have an IEP in effect for the child by that date. If the child's third birthday occurs during the summer months, the child's IEP Team will determine when special education services will begin. The Pike County School System will participate in a transition planning conference arranged by the EI service provider in order to experience a smooth and effective transition to preschool programs. A parent of a child or the Pike County School System may initiate a request for an initial evaluation to determine if the child is a child with a disability. For a parent who makes a verbal referral because he or she is unable to complete a written referral, the Pike County School System will obtain information from the parent and complete the written referral.
- Before a child is referred for special education evaluation or concurrently during the evaluation process, intervention strategies must be implemented in the general education program and monitored by the Positive Support Team (PST) for an appropriate period of time (a minimum of eight weeks), and be determined unsuccessful. This rule may be waived for a child who has severe problems that require immediate attention, for three- and four-year olds, or for five-year olds who have not been in kindergarten, for children with articulation, voice, or fluency problems only, for children with a medical diagnosis of traumatic brain injury, and/or for a child who has been referred by his or her parents. Once a request for initial evaluation is received, parents will be provided a *Notice of Proposed Meeting/Consent for Agency Participation* regarding request

for an evaluation and provide parents with a copy of the *Special Education Rights*. The IEP Team will convene to review the *Referral for Evaluation* and existing data and request, and determine the need for evaluation. A *Notice and Consent for Initial Evaluation* will be obtained from parents. Initial evaluations will be conducted within 60 calendar days from the date the Pike County School System receives the signed copy of the *Notice and Consent for Initial Evaluation*.

- A reevaluation must be conducted if the IEP Team determines that the education or related services needs, including improved academic achievement and functional performance of the child warrant a reevaluation, or if the child's parent or teacher requests a reevaluation. The Pike County School System will maintain written documentation of the IEP Team's decision regarding reevaluation and a copy will be given to the parent. Reevaluations shall not occur more than once a year, unless the parent and the public agency agree otherwise, and must occur at least once every three years, unless the parent and the public agency agree that a reevaluation is unnecessary. If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the educational needs of the child, the Pike County School System will provide written notice to the child's parents of that determination; and the reasons for the determination; and the right of the parents to request an assessment to determine continued eligibility. The Pike County School System will not be required to conduct an assessment to determine continued eligibility, unless requested to do so by the child's parents. The Pike County School System will obtain parental consent prior to obtaining additional evaluation data as part of the reevaluation of a child with a disability. If *Notice and Consent for Reevaluation* is obtained or two attempts have been documented to obtain consent and the parent has not responded, the evaluative components will begin.
- The Pike County School System will contract and/or arrange for evaluations needed by the children which are not available within the Pike County School System.
- The Pike County School System will work with other agencies in the area that serve children with disabilities to share evaluation information (State Crippled Children Service, Headstart, East Central Mental Health, Department of Human Resources, etc.) The Pike County School System considers all outside evaluations including those done by other agencies or arranged by parents.



- II. List the persons and/or agencies that can provide independent educational evaluations.
- Robert Hudson, Contracted Psychometrist, Troy, AL 36081 670-0872
  - Dr. Fernelle Warren, Clinical Psychologist, Troy, AL, 808-1919
  - Beverly Raley, Contracted Psychometrist, Ozark, AL, 774-3109
  - Kay Donaldson, Contracted Psychometrist, Opp, AL, 493-6077
  - Carol Barr, Contracted Psychometrist, Troy, AL, 566-1850
- III. The Pike County School System ensures its commitment to implement the AAC 290-8-9-.02 and 34 CFR §300.121-122; 34 CFR §300.131; 34 CFR §300.201; 34 CFR §300.300-301; and 34 CFR §300.303-305.
- IV. The Pike County School System ensures its commitment to implement the AAC 290-8-9-.03 and 34 CFR §300.8; 34 CFR §300.15; 34 CFR §300.201; 34 CFR §300.301; and 34 CFR §300.303-305.

## **CHAPTER 4**

### **ELIGIBILITY**

- I. Procedures used in determining a student eligible for special education.
  - An IEP team, composed of the required members as listed in the Alabama Administrative Code, will be utilized to determine eligibility of special education children.
  - The school psychometrist or special education teacher will send a *Notice of Proposed Meeting/Consent for Agency Participation* within a time frame that allows parents time to respond and reschedule if necessary. If parents do not respond to the first notice, another attempt will be made and documented. However, if parents do not respond regarding consent for transition agency representatives to attend, the transition agency representatives will not be invited. Other relevant participants will be invited and appropriate notices sent in a timely manner.
  - Annual training is conducted by the special education coordinator and/or other appropriate personnel on the required assessments as described in the Alabama Administrative Code. Handouts of Compliance Verification Forms for each of the disabilities areas are distributed accordingly. All special education teachers as well as the school psychometrist are required to attend. Sign in/out forms will be utilized, agendas and handouts provided. In addition, the school psychometrist and the Special Education Coordinator attend all State meetings referring to assessments, which must be used by the Pike County School System, which might include Fall Leadership Conference, Mega Conference, AASP, etc.
- II. The Pike County School System ensures its commitment to implement the AAC 290-8-9-.03-.04 and 34 CFR §300.8; 34 CFR §300.201; and 34 CFR §300.306-308.

## **CHAPTER 5**

### **INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

- I. Procedure utilized in developing IEPs.
- Upon determining that the student is eligible to receive special education, a *Notice and Consent for the Provision of Special Education Services* may be obtained at this point or must be obtained prior to the provision of special education services. A meeting to develop the IEP will be conducted within 30 calendar days from the date of eligibility determination. All test data, work samples, regular education teachers input, parental input, special education teacher input, is considered. In addition for high school students taking vocational courses, a vocational teacher is also present for input. Strengths and weaknesses of the students are considered. A standards-based IEP is then developed.
  - If a child will be denied FAPE due to an interruption in educational services, extended school year services will be made available to the child. These services will be provided only if a child's IEP Team determines, on an individual basis, that the services are necessary for the provision of FAPE to the child.
  - The Pike County School System ensures that children with disabilities who have been placed in or referred to private schools or facilities by the Pike County School System are provided special education and related services in accordance with the child's IEP and at no cost to the parent. Children with disabilities placed by the Pike County School System will be provided an education that meets the standards that apply to education provided by the SEA and LEA's (including the requirements of these rules and Part B of the IDEA, except provisions related to highly qualified and personnel qualifications); and provided all of the rights of a child with a disability who is served by the Pike County School System. Before the Pike County School System places a child with a disability in, or refers a child to a private school or facility, the Pike County School System will initiate and conduct a meeting to develop an IEP for the child. The Pike County School System will ensure that a representative of the private school or facility attends the meeting. If the representative cannot attend, the Pike County School System will use other methods to ensure participation by the private school, including individual or conference telephone calls. After a child with a disability enters a private school or facility, any meetings to review and revise the child's IEP may be initiated and conducted by the private school or facility, at the discretion of the Pike County School System. If the private school or facility initiates and

conducts an IEP meeting, the Pike County School System will ensure that the parents and an agency representative are involved in any decision about the child's IEP and agree to any proposed changes in the program before those changes are implemented. The Pike County School System will ensure that an IEP is developed and implemented for each child with a disability who is enrolled in a private school and receives special education and related services. Even if a private school or facility implements a child's IEP, the responsibility for compliance with these rules remains with the Pike County School System and the SEA.

- Annual training is conducted by the special education coordinator or other appropriate personnel on IEP development/writing. The training includes how to complete IEP Team Notices, write standards-based IEP goals, benchmarks (when appropriate), address transition needs, complete the "Alabama Student Assessment Forms" and write defensible LRE justifications. All special education teachers are required to attend. Sign in/out forms will be utilized, agendas and handouts provided.
- Annual training is also provided on LRE determination, LRE Continuum and service options. To the maximum extent appropriate, children with disabilities are educated with children who are nondisabled. Special classes, separate schools, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular education classes cannot be achieved satisfactorily. Pike County School System's continuum of alternative placements includes instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions. Elementary students with disabilities will be served only with other elementary school-aged students and secondary students with disabilities will be served only with other secondary school-aged students.

## II. Procedure utilized for ensuring parental involvement in IEP meetings.

- Pike County School System will schedule IEP meetings at a mutually agreed upon time and place. Written notification of the IEP meeting will be provided early enough to ensure that the parents will have an opportunity to attend the meeting. A meeting will be conducted without a parent in attendance only after at least two documented attempts to involve the parents have been unsuccessful. If the parent is unable to attend the meeting, alternative means of participation (such as video or phone conferences) may be utilized. Major amendments to the IEP will not be permissible without conducting a meeting with an IEP Team. However, minor amendments may be made without the full IEP Team's involvement. The special education teacher, LEA representative and

parents are the minimum participants required. A copy of the revised IEP will be given to the parent upon completion.

III. Procedure utilized for ensuring parental involvement in IEP development.

- The Pike County School System values the involvement of parents in the education of their child. The Pike County School System will implement strategies to ensure that parents of student's with IEP's are actively involved with the development of those IEP's. These strategies may include but are not limited to the following: Proper usage of *Notice of Proposed Meeting* with at least 2 attempts. Telephone calls and/or e-mail notification to remind parents of scheduled IEP meetings. Written notification of the IEP meeting early enough to ensure that they will have an opportunity to attend and scheduling the meeting at a mutually agreed upon time and place.
- When conducting IEP Team meetings, the parents of a child with a disability and a public agency may agree to use alternative means of meeting participation, such as video conferences and telephone conference calls. Parent input surveys are given to ensure parental involvement.
- Parents will be provided written information concerning IEP development, in addition, parents will be informed about special education services and of the rights given to them under IDEA.
- The Pike County School System will take whatever action is necessary to insure that the parent understands the proceedings at the IEP meeting, including and arranging for an interpreter for parents with deafness or whose native language is other than English.

IV. Procedure to ensure that hearing aids used by children with disabilities are functioning properly.

The special education teacher and/or speech language pathologist will be responsible for ensuring that hearing aids and external components of cochlear implants used by children with disabilities are functioning properly. Hearing aids and external components of cochlear implants will be checked at least weekly, unless a problem is detected. The special education teacher and/or speech language pathologist will report any problem to the school nurse. The special education teacher and/or speech language pathologist, in collaboration with the school nurse, will ensure problems are corrected in a timely manner.

V. Procedures to ensure transition services for secondary students are addressed.

Through a multidisciplinary approach, the Pike County School System provides transition services to secondary students with disabilities.

- The transition activities begin as early as deemed appropriate and necessary by the IEP Team, but no later than the student's sixteenth birthday. The following resources are utilized to ensure needed transition services are in place to assist the student and the family in reaching post-school transition goals.
- The IEP Team is responsible for determining appropriate courses for the secondary student. In order to prepare the student for determining attainable goals the needed courses must be pursued. The IEP Team follows the guidelines provided by the Alabama State Department of Education, Courses of Study, and other individualized information. Also, the IEP Team reviews assessments, both formal and informal to determine the student's schedule. The information reviewed includes, but is not limited to, 7<sup>th</sup> and 8<sup>th</sup> grade Career/Tech course participation; career interest inventory results; informal interviews with students and teachers, parents; and the student's most recent eligibility results.
- **Guidance counselors** participate in IEP Team meetings for secondary students in order to gather important information about the student. This information will be used to assist the guidance counselor and the student as they pursue some career exploration. The guidance counselors attend professional development activities that will enable them to better advise the student with disabilities about post-school options. The guidance counselors ensure that the students with disabilities participate in career fairs, Job Shadowing, and other planned activities that support students and parents in making decisions about post-graduation activities.
- **Members of the special education faculty** at each school, the school psychometrist, and the special education coordinator attend regular SDE trainings to receive updates and training regarding transition services. Summer independent study professional development activities include transition updates and planning.
- **General education teachers** are active IEP Team members, who are included to implement appropriate, effective accommodations and modifications designed to bring about success for the disabled student as he/she participates in the chosen curriculum. The high school case managers monitor the implementation and effectiveness of these accommodations and modifications.

- **Vocational rehabilitation** counselors participate in the transition planning and activities for secondary students with disabilities. They administer a vocational interest inventories and career assessment(s) to each student with a disability in the transition process. The vocational rehabilitation counselors are a valuable asset for the students and the parents as they connect the families with outside resources and opportunities that will enable the students to achieve transition goals. Job training, job coaching, job placement, transportation assistance, counseling, and agency coordination are just a few of the important services provided by vocational rehabilitation.
- **Military recruiters** provide information to high school special education case managers and guidance counselors. They will administer the ASVAB to interested students and follow up with pertinent information regarding opportunities in the armed services.
- **Community resources** such as business owners, chamber of commerce representatives, and Family Services representatives are valued sources of information and opportunities.
- **Career Technical** faculty members participate in the IEP Team meetings to assist in planning the student's successful experience in the career/tech program. They support the transition process through providing courses that improve the student's skills in everyday life situations. Also, all students are administered the KUDER Inventory. The career/tech faculty supports students pursuing regular high school diplomas with career information and opportunities to support transition goal attainment. Further, the students pursuing the certificate of completion are provided valuable practical experiences in career/tech classes that help them to make progress toward transition goals.
- **Local community college representatives** are available to high school special education case managers and guidance counselors to provide information regarding post-secondary opportunities for students with disabilities. They invite students with disabilities to college days and career fairs to make them aware of services and activities available for them after high school.

As these varied and essential resources work together to support the IEP Team's efforts to develop and implement transition services, the student with disabilities has more opportunities to reach post-school transition goals. The high school special education case manager has the primary responsibility for coordinating the activities involving these various sources. With the support of the administrators, the high school special education case managers are provided the valuable resources of time and funds to make the goals become reality for the students and their families.

- The first step in successful transition planning involves the gathering of important and pertinent information about the student. This information comes from a variety of sources. The high school special education case manager gathers the information from the student, the family, the teachers knowledgeable about the student, and other valuable sources. The high school special education case manager uses the Transition Planning Assessment in Preparing for Life as a springboard for further activities. The information gleaned from this assessment directs the high school special education case manager in the individualized activities that will enable the IEP Team to make the most appropriate decisions for the student.
- Further, the career/tech faculty provides information vital for transition planning. Also, the KUDER assessment provides the career/tech teacher with important information that can be used to plan the student's activities and learning opportunities. This information is presented at the IEP Team meeting for use in the transition planning.
- In addition, the school's guidance counselor conducts a series of activities that will lead to a better understanding of the student's choices and goals. Through personal interviews, large and small group activities, the guidance counselor gathers information that is shared with the IEP Team as transition decisions are made.
- Also, the vocational rehabilitation counselor and/or job coach provides pertinent information for the IEP Team's transition planning activities. The counselor and/or job coach will gather current data and plan further assessments as needed for the individual student. Sometimes the counselor and/or job coach will recommend updated educational assessments and at other times will gather important information from the family to complete the student's profile. With this information, the counselor and/or job coach will plan the activities needed to pursue the goals that are chosen for the student.
- Finally, and perhaps most important, the student provides information for the IEP Team to consider as transition planning occurs. The case manager has invested time and effort into developing a relationship with the student and the family so that decisions are made in a trusting and encouraging atmosphere. The student can easily and readily share his/her thoughts and ideas and dreams about what goals should be chosen.

The high school special education case manager will gather this information into a meaningful and appropriate profile that will lead the IEP Team's discussion and planning for transition services that will lead the student toward success.



The Pike County School System implements procedures to ensure that information explaining the various diploma/exit options and the requirements for each option is distributed to parents of eighth grade students.

- At each school in the Pike County School System, eighth grade planning meetings are scheduled in the spring of the student's eighth grade year. Flyers, announcements, and letters announce the meetings to students and their parents. The meetings are scheduled for after school hours in order to accommodate parents' work schedules and to encourage participation. The students with disabilities attend the general meetings along with their nondisabled peers. In addition, an IEP Team meeting is held to individualize the information for the student with disabilities.
- Guidance counselors and high school special education case managers plan these meetings collaboratively to ensure the appropriate information is gathered for the students as a group as well as for each student individually.
- Guidance counselors, administrators, general education teachers, high school special education case managers, and district level administrators attend these meetings. The parents and students have access to a variety of resources at the meetings. Questions and concerns will be immediately addressed. Prior to the meetings district level planning meetings are held to review required procedures with guidance counselors and high school special education case managers.
- At the meetings a variety of information is disseminated and reviewed. Brochures explaining the course offerings are distributed; charts describing the exit options are reviewed; career information is available for the participants.
- The attendance at the group meeting is documented with sign in sheets and the team meeting is tracked through the IEP process. Follow up meetings may be scheduled to address individual concerns as well as present new information as it becomes available.
- At the IEP Team meeting the high school special education case manager reviews the information presented at the large group meeting in order to clarify any concerns. The high school special education case manager provides a copy of Preparing for Life and the Pike County School System's Curriculum Guide to the student and family. These documents show the requirements for each option as well as contain important contact information for the family.
- The high school special education case manager follows up with the parents regarding this important information at subsequent school

meetings and IEP Team meetings. The parent is provided information and resources to address any concerns that arise.

The Pike County School System implements procedures to ensure that IEP Teams consider the highest, most appropriate diploma/exit option for each student and annually review this decision.

- The IEP Team determines the most appropriate schedule for the student. The team members receive literature provided by the Alabama State Department of Education and the Pike County School System. Upon reviewing this information the team determines the most appropriate option for the student based on individual needs, abilities, and assessments.
- The high school special education case manager consistently monitors the student's progress, making adjustments as needed in schedules, accommodations, and parent/school communication to support the student's success in the desired placement.
- Data is gathered and reviewed for making the decisions regarding courses. General education teachers, guidance counselors, and vocational rehabilitation counselors contribute to the information used in making the decision.
- Inservice opportunities are provided for IEP Team members involved in this decision-making process. Individual, team-based, system-wide, regional, and state-wide opportunities are available for providing the IEP Team members with the knowledge needed to make the appropriate decisions for the students.

The following guidelines and activities are conducted to ensure that once the decision is made by the IEP Team to ensure the appropriate LRE is implemented for the secondary student with disabilities in a way to support success:

- Highly qualified core curriculum teachers teach core classes. The students with disabilities receive all instruction for the four core classes in the general education classroom with the high school special education case manager serving in a consultative, co-teaching role.
- Certified career/tech teachers teach Career/tech classes. The secondary students with disabilities participate in the career/tech classes in the general education environment.
- The high school special education case managers serve in a co-teaching model with the general education teachers of the secondary students with

disabilities, providing assistance with implementing appropriate accommodations and modifications as outlined in the student's IEP.

- Guidance counselors work with the Pike County vocational rehabilitation counselors and the high school special education staff to maintain the least restrictive environment that is most appropriate for the student.
- Inservice opportunities are provided for the faculty and staff regarding transition and the SDE requirements. As the updates are incorporated into the program, the faculty and staff make plans to implement the changes in ways that will impact the students positively. For example, tutoring, remediation, and the Pike County School System's alternative school are available to the students to support their efforts in the LRE determined appropriate by the IEP Team.

VI. The Pike County School System ensures its commitment to implement the AAC 290-8-9-.05 - .07 and 34 CFR §300.5-.6; 34 CFR §300.34; 34 CFR §300.101-102; 34 CFR §300.104-108; 34 CFR §300.110; 34 CFR §300.114-118, 34 CFR §300.201; 34 CFR §300.320-325; and 34 CFR §300.327-328.

## **CHAPTER 6**

### **PROCEDURAL SAFEGUARDS**

- I. Confidentiality procedure for:
  - A. Access to Records
    - Parents may inspect/review all educational records relating to identification, evaluation, and educational placement of the child and the provision of FAPE to the child that are collected, maintained, or used by the Pike County School System. This will be done without necessary delay (not more than 45 days after request is made), and before any meeting regarding an IEP or before a due process hearing, or resolution session is conducted.
    - Upon request, parents will be provided copies of their child's records.
    - Upon reasonable request, parents will be given explanation/interpretation of their child's records.
    - Parents may have a representative inspect/review their child's records.
    - The Pike County School System will presume that parents have authority to inspect/review their child's records, unless the Pike County School System is advised that authority has been removed under state laws governing such matters as guardianship, separation, and divorce.
    - A record of all persons will be kept on all persons who are given access to the educational records of a child (other than parents and authorized employees of the Pike County School System). Documentation will include name of the person given access, date of access, and purpose of access.
  - B. Records on More Than One Student
    - Parents may review/inspect only the information regarding their child. If the information on their child cannot be isolated for review, the Pike County School System will inform the parent regarding that portion of the information that pertains to their child.

- C. List of Types and Locations of Information
- Upon request, parents will be provided with a list of the types and locations of educational records collected, maintained, or used by the Pike County School System.
- D. Fees for Copying
- Upon request, parents will be provided with a copy of their child's records free of charge annually. Thereafter, parents will be charged at a rate of \$0.10 per copy.
- E. Disclosure Procedures Pertaining to Special Education Records
- The Pike County School System will maintain for public inspection, a current list of the names and positions of those employees within the agency who have access to personally identifiable information.
  - Parental consent will be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies.
  - Parental consent, or the consent of an eligible child who has reached the age of majority (age 19), must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.
  - If a child is enrolled, or is going to be enrolled in a private school that is not located in the LEA of the parent's residence, parental consent must be obtained before any personally identifiable information about the child is released between officials in the LEA where the private school is located and officials in the LEA of the parent's residence.
  - Parental consent is not required before personally identifiable information is released to:
    1. Officials of participating agencies for the purpose of meeting a requirement of Part B of the IDEA. However, the child's parents or eligible child who has reached the age of majority (age 19) must be given prior notice of the transfer of records as required by the *Family Educational Rights and Privacy Act* (FERPA).
    2. Authorized state or federal officials in conjunction with monitoring or enforcement of legal requirements that relate to the special education program.
    3. Law enforcement and judicial authorities to the extent permitted by FERPA when the child with a disability has committed a crime.

F. Transfer of Records

- To facilitate the transition for a child who has transferred from one public agency to another in the same state or from another state, once enrolled into the Pike County School System, the Pike County School System will 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, pursuant to FERPA; and once a child withdraws from a Pike County School, the Pike County School System will take reasonable steps to promptly respond to such request from the new public agency in which the child enrolls.
- Parental consent is not required as a condition for a transfer of special education records from one public agency to another. However, the Pike County School System will provide notice to the child's parents or the student who has reached age 18, as required by FERPA.

G. Amendment of Records at Parent's Request

- A parent who believes that the information in the educational records collected, maintained, or used are inaccurate or misleading or violate the privacy or other rights of the child may request that the Pike County School System amend the information. The Pike County School System will decide on the matter within a reasonable period of time from the receipt of request.
- If the Pike County School System decides not to amend the information in accordance with the request, written notice will be provided to the parent. The notice will advise the parent of the right to a local hearing before the Pike County School System.

H. Opportunity for a Hearing

- The Pike County School System will, on request, provide an opportunity for a hearing to challenge information in educational records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

I. Result of Hearing

- If, as a result of the hearing, the Pike County School System decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the Pike County School System will amend the information accordingly and inform the parent in writing.
- If, as a result of the hearing, the Pike County School System decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the Pike County School System will inform the parent of their right to place in the records a statement commenting on the information or setting forth reasons for disagreeing with the decision. Any explanation placed in the records will be maintained as part of the records as long as the records or contested portion of the records is maintained by Pike County School System.
- If the records of the child or the contested portion are disclosed by the Pike County School System to any party, the explanation must also be disclosed to the party.
- The hearing will be conducted according to the procedures set forth in FERPA.

J. Hearing Procedures

- The hearing will be conducted according to the procedures set forth in FERPA.

K. Consent

- Informed written consent will be obtained prior to initial evaluation; prior to the initial provision of special education and related services; and prior to any reevaluation that requires additional data to be obtained. Consent for initial evaluation will not be construed as consent for the initial provision of services. If the parent of the child with a disability refuses or fails to respond to a request to provide consent for initial evaluation or a reevaluation that requires evaluation of the child, the Pike County School System may, but is not required to pursue consent by using mediation and/or due process procedures. The Pike County School System will not be in violation of its obligation under Child Find requirements if it declines to pursue an initial evaluation or reevaluation.
- The Pike County School System will make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to

the child. 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 such consent, the Pike County School System will not use mediation or due process procedures in order to obtain agreement or a ruling that services may be provided to the child. Furthermore, the Pike County School System will not be in violation of the requirement to make available FAPE to the child for the failure to provide the child with the special education and related services for which consent is requested. An IEP meeting will not be convened, nor will an IEP be developed for the child for special education and related services for which consent was requested.

- The Pike County School System will not use a parent's refusal of informed written consent to deny the parent or child any other service, benefit, or activity of the Pike County School System, except as described in the above paragraphs.
- If a parent of a child who is home schooled or placed in a private school by the parents at their own expense does not provide consent for the initial evaluation or the reevaluation, or the parent fails to respond to provide consent, the Pike County School System may not use the consent to override procedures of mediation or due process and the Pike County School System is not required to consider the child as eligible for services under these rules.
- To meet the reasonable efforts requirement regarding consent for initial evaluation, reevaluation and initial provision of services, the Pike County School System will document its attempts to obtain parental consent using the procedures under these rules.
- Informed written consent is not required:
  1. For reevaluation, if the Pike County School System can demonstrate that it has made at least 2 attempts to obtain that consent and the child's parents has failed to respond.
  2. Before reviewing existing evaluation data as part of an evaluation or reevaluation or administering a test or other evaluation that is administered to all children. Unless, before administration of that test or evaluation, consent is required of parents of all children.
  3. For the type of evaluations listed on the IEP to evaluate the mastery of annual goal(s).
  4. For initial evaluations only, if the child is a ward of the State and is not residing with the child's parent,



the Pike County School System is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if despite reasonable efforts to do so, the Pike County School System cannot discover the whereabouts of the parent of the child; the rights of the parents of the child have been terminated in accordance with State law; or the rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

L. Destruction of Information

- The Pike County School System will retain a copy of the educational records containing personally identifiable information for a period of five years after the termination of the special education program for which they were used.
- The information must be destroyed at the request of the parents. However, a permanent education record that contains the child's name, address, telephone number, his or her grades, record of attendance for special education services, classes attended, grade level completed, and year completed may be maintained without time limitation.
- At the end of the five-year retention period, the Pike County School System will inform the parents (by way of newspaper announcements) when personally identifiable information collected, maintained, or used is no longer needed.
- Information will either be burned or shredded so as confidentiality of the information is maintained.

M. Disciplinary Information

- The Pike County School System may include in the records of a child with a disability a statement of any current or previous disciplinary action that has been taken against the child and transmit the statement to the same extent that the disciplinary information is included in, and transmitted with, the student records of nondisabled children.
- The statement may include a description of any behavior engaged in by the child that required disciplinary action, a description of the disciplinary action taken, and any other information that is relevant to the safety of the child and other individuals involved with the child.

- If the child transfers from one school to another, the transmission of any of the child's records will include the child's current IEP and any statement of current or previous disciplinary action that has been taken against the child to the same extent that disciplinary information is transmitted with the records of nondisabled children.

N. Rights for Children

- The Pike County School System will afford to the child, rights of privacy similar to those afforded to parents regarding records taking into consideration the age of the child and type and severity of the disability. Although the rights of parents under the IDEA transfer to the student at the age of majority (age 19), the rights of parents regarding educational records under FERPA transfer to the student at age 18.

O. Parental Notice and Consent

- The Pike County School System will provide notice to parents and obtain consent prior to specific actions (see K. consent)

P. Written notice will be given to parents a reasonable time before the Pike County School System proposes or refused to initiate or change the identification, evaluation, educational placement, or the

II. Name, title, address, and telephone number of the person responsible for ensuring the confidentiality of all personally identifiable information.

Dr. Mark Head  
 Pike County Special Education Coordinator  
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 334-566-1850

III. List of types and locations of educational records maintained and collected.

The Pike County School System will ensure that the educational records of all children referred for evaluation and/or identified as disabled will be maintained in a limited access location that will ensure confidentiality. A complete set of records for each eligible student with disabilities is maintained in the special education teacher's room in a locking file cabinet.

IV. Procedure for:

A. Identification of children in need of a surrogate parent.

The special education teacher of the student in question will investigate to determine if there is a need for a surrogate parent. The criteria for a student in need of a surrogate parent are:

1. that the parent/guardian cannot be identified and located or;
2. that the student is a ward of the State and the parent/guardian cannot be identified and located.

If the teacher believes the student is in need of a surrogate parent, a *Request to Appoint a Surrogate Parent* form will be completed and sent to the special education coordinator. The special education coordinator will further the need for a surrogate parent and either appoint, rescind, or determine the student not eligible for a surrogate parent. Appropriate forms will be completed and returned to the student's special education teacher.

B. Appointment of a surrogate parent.

- The Pike County School System will ensure that the person selected as a surrogate parent:
  1. is not an employee of the SEA, LEA, or any other agency that is involved in the education or care of the child;
  2. has no personal or professional interest that conflicts with the interest of the child he/she represents; and
  3. has knowledge and skills that ensure adequate representation of the child.
  4. is assigned not more than 30 days from the date the Pike County School System determines the need for a surrogate parent.
- In the case of an unaccompanied homeless youth as defined in section 725(6) of the *McKinney-Vento Homeless Assistance Act* [42 U.S.C. 11434a (6)], a temporary surrogate parent may be appointed without regard to any of the above provisions until a surrogate parent can be appointed that meets the criteria for selection of a surrogate parent.
- In the case of a child who is a ward of the State, a surrogate may alternatively be appointed by the judge overseeing the child's case, provided that the surrogate meets the criteria.

C. Training surrogate parents.

The Pike County Special Education Coordinator will ensure that surrogate parent(s) are trained at the beginning of each school year. Training will include (minimum requirements):

1. roles and responsibilities of a surrogate parent,
2. the special education process,

3. special education students and parents rights, and
4. confidentiality.

D. Rescission of a surrogate parent.

Rescission will occur when:

- A surrogate parent sends written notice (*Surrogate Parent Rescission Request*) of their resignation;
- A surrogate parent has been unable or unwilling to perform assigned responsibilities; or
- A student no longer requires a surrogate parent.

The Special Education Coordinator will send a *Letter of Rescission* to the surrogate parent.

E. Tracking the requirements of AAC 290-8-9-.8(1) (h) (Internal Monitoring of Surrogate Parent Services).

The Special Education Coordinator will maintain a *Surrogate Parent Tracking Log* which will include the student name, social security number, disability, custody status, date of request, date surrogate request was received, date and action, surrogate's name or reason for denial, date surrogate trained, and rescission date and reason.

V. Procedure for maintaining records that demonstrate that complaint resolution, mediation agreements, and due process hearing decisions are implemented.

- Once the remedy has been decided, the information will be provided to appropriate personnel. The special education teacher in coordination with school principal will ensure decisions are implemented.
- The special education coordinator in conjunction with the superintendent will monitor the entire process, as well as ensuring that documentation is submitted to the State Department of Education.

VI. The Pike County School System ensures its commitment to implement the AAC 290-8-9-.08 and 34 CFR §300.9; 34 CFR §300.32; 34 CFR §300.121; 34 CFR §300.123; 34 CFR §300.150-153; 34 CFR §300.201; 34 CFR §300.229; 34 CFR §300.300; 34 CFR §300.500-504; 34 CFR §300.530-536; 34 CFR §300.610-627; and 34 CFR Part 99 (*Family Educational Rights and Privacy Act*).

## **CHAPTER 7**

### **SYSTEM OF PERSONNEL DEVELOPMENT**

- I. Qualified Personnel.
  - A. This agency ensures that qualified personnel will be provided to implement special education services.
  - B. Procedure to recruit and retain qualified personnel.
    - When an opening occurs, it is posted in all Pike County Schools, central office, and on the system website, as well as the SDE website. When time permits, it is also submitted to the local newspaper. Applicants may apply online through the Teach in Alabama link on both websites. Administrators review the physical applications and/or review them online to determine who will be interviewed for the position.
    - Colleges are contacted to locate qualified personnel when positions need to be filled. The Pike County School System also utilizes the services of a recruiting officer who attends career fairs as well as visits colleges to recruit qualified personnel.
    - The Pike County School System ensures a safe school environment, provides administrative support, establishes positive school climate, ensures high levels of academic achievement, provides needed resources, collaborates among teachers, provides strong professional development in hopes of retaining qualified personnel and provides mentoring for all new teachers.
- II. Procedures to fully inform teachers and administrators of their responsibilities for implementing least restrictive environment requirements.
  - The Pike County School System ensures that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. Provisions will be made for supplementary aids and services in conjunction with placement in the regular education class placement. The continuum of alternative placements will include instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions. During the IEP development and any amendment process, the IEP team will review the most appropriate LRE for individual students based on the student's needs.

- Annual training is also provided on LRE determination, LRE Continuum and service options. To the maximum extent appropriate, children with disabilities are educated with children who are nondisabled. Special classes, separate schools, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular education classes cannot be achieved satisfactorily. The Pike County School System's continuum of alternative placements includes instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions. Elementary students with disabilities will be served only with other elementary school-aged students and secondary students with disabilities will be served only with other secondary school-aged students.

III. Procedures to fully inform general educators and administrators of the special education process.

Annual training is conducted by the special education coordinator or other appropriate personnel on IEP development/writing. The training includes how to complete IEP Team Notices, write standards-based IEP goals, benchmarks (when appropriate), address transition needs, complete the "Alabama Student Assessment Forms" and write defensible LRE justifications. All special education teachers are required to attend. Sign in/out forms will be utilized, agendas and handouts provided.

IV. The Pike County School System ensures its commitment to implement the AAC 290-8-9-.01-.07; and 34 CFR §300.119; 34 CFR §300.119.156, and 34 CFR §300.704(iv) (4).

## **CHAPTER 8**

### **DISCIPLINARY PROCEDURES**

- I. Procedures for the suspension and expulsion of children with disabilities.

The Pike County School System ensures that it will abide by Alabama Administrative Code r. 290-8-9-.9. Also, the Pike County School System will monitor the discipline of disabled students through the Student Incident Report (SIR) and follow the discipline charts from the State Department of Education dated July 13, 1999. Implementation of proper procedures will be monitored at the school level by the local school principal.

- II. The Pike County School System ensures its commitment to implement the AAC 290-8-9-.09 and 34 CFR §300. 520 and 34 CFR §300.530-537.

## **CHAPTER 9**

### **FINANCIAL REQUIREMENTS**

- I. The Pike County School System will use funds provided under Part B only for costs that exceed the amount computed under 34 CFR §300.184 and that are directly attributable to the education of children with disabilities.
- II. The Pike County School System will use funds provided under Part B to supplement and, to the extent practicable, increase the level of state and local funds expended for the education of children with disabilities, but in no case to supplant those state and local funds.
- III. The Pike County School System will not use Part B funds for services for children with disabilities unless state and/or local funds are first used to provide services to those children that, taken as a whole, are at least comparable to services provided to other children with disabilities.
- IV. The Pike County School System will describe how it will use Part B funds by completing the annual budget application data requirement and submitting it to the Alabama Department of Education for approval prior to the receipt of funds.
- V. The Pike County School System ensures its commitment to implement 34 CFR §76.650-662 and 34 CFR §300.16; 34 CFR §300.200; 34 CFR §300.202; 34 CFR §300.220; 34 CFR §300.224; 34 CFR §300.226, and 34 CFR §300.228.
- VI. The Pike County School System will use funds under Part B of this Act to carryout schoolwide programs under Section 1114 of the *Elementary Secondary Education Act (ESEA)*, not to exceed the amount received by the public education agency under Part B of this Act for that fiscal year. 34 CFR §300.206.



## **CHAPTER 10**

### **ADMINISTRATION**

- I. The Pike County School System ensures its commitment to utilize any required state forms.
- II. The Pike County School System ensures that it will provide information necessary to enable the Alabama Department of Education to carryout its duties under Part B of the Act, including with respect to 34 CFR §300.157, information relating to the performance of children with disabilities participating in programs carried out under part B of the Act. 34 CFR §300.211.
- III. The Pike County School System ensures that it will maintain records that verify the correctness of information submitted. 34 CFR §76.772; 730; 731.
- IV. The Pike County School System ensures that it will afford the Alabama Department of Education access to records that verify correctness of information. 34 CFR §76.772; 730; 731; 740.
- V. The Pike County School System ensures that it will implement the *Alabama State Plan for Special Education*, the AAC, and all state and federal laws and regulations applicable to children with disabilities.
- VI. The Pike County School System ensures it will provide instructional materials in accessible format to blind persons or other persons with print disabilities. 34 CFR §300.210 (2) (3).
- VII. The Pike County School System ensures it will make available to parents of children with disabilities and to the general public all documents related to the eligibility of this agency under Part B of the Act. 34 CFR §300.212.
- VIII. The Pike County School System ensures it will implement Section 1308 of the ESEA to ensure linkage of records pertaining to migratory children with disabilities for the purpose of electronically exchanging, among the states, health and educational information regarding those children. 34 CFR §300.213.
- IX. The Pike County School System ensures that children attending charter schools that are public schools of the public agency, will serve those children with disabilities in the same manner as the public education serves children with disabilities in its other schools. 34 CFR §300.209.

