Leadership Public School

Special Education Processes and Procedures

IDEA and ADA Section 504

As their own Local Educational Agency, all LPS schools are supported and serviced by the El Dorado County Office of Education – Charter SELPA. The school's special education information system SEIS, is also provided and supported through the EDCOE. All processes and procedures are established through the EDCOE and the SELPA provides technical support in the way of Program Specialist assigned to regional areas.

Child Find

Leadership Public Schools complies fully with 20 U.S.C. Section 1412(a)(3) and Education Code Sections 56300, 56301, and 56040, in our efforts to search for, assess, identify, and serve any pupils with disabilities who are eligible for special education instruction and related services. In our efforts to systematically identify students, the following procedures are implemented:

**Step One - Screening/Identification:** All students, including students with special needs may apply for admission to LPS. All students, regardless of their status related to disabilities, shall be entered in the public random drawing pursuant to the admission portions of the charter. When a student is accepted during the public random drawing/lottery or during an open enrollment period, the parent/guardian shall be provided enrollment forms. All LPS enrollment forms contain a section for parents to indicate if their child has ever had a referral for Student Study Team (SST); any previous assessments for the purposes of identifying their student for special education; a current or expired IEP; or a 504 Accommodation Plan. When an enrollment form is received indicating anything related to one of the above items, the parent is contacted by the special education department staff of LPS to procure additional information, and copies of all related documents. When a student with an active IEP applies, a copy of his/her IEP is requested from the former school to enable services to begin immediately upon his/her enrollment (Interim Placement), and a 30-day review is scheduled to transfer their IEP to the required the SELPA special education forms, and insure the goals and objectives remain appropriate for our independent study program (see section “Interim Placement and IEP Development" for in-depth explanation).
It is not unusual for an incoming student to omit information about their pervious Special Education/504 classification or to not provide copies of their current IEP or 504 Plan. The entire office and administrative staff has been trained on what to look for when reviewing a student’s incoming records. Even if an IEP or 504 Plan is not included in the student’s incoming records, staff is trained to review report cards and previous class schedules for indications of previous special education history or possible accommodations for Section 504.

Step Two – Identifying Needs: Students who have not had any previous special education intervention, but are identified as academically at risk or there is evidence of a 504 plan, are entered into the school counselor’s watch list for further action.

Students who are identified as a student with a disability are immediately referred to the Resource Specialist Department and the name forwarded to the Director of Special Education.

Step Three - Implementation of Services: The school’s academic Intervention Team made up of the Dean of Students, the School Counselor, the Intervention Specialist and a Classroom Teacher Representative review and monitor the progress of the students identified. Freshmen students who are identified as needing academic support may be scheduled into Math and/or English intervention classes, Read 180 or DynEd. (English Language Support).

Students who are found to have an active IEP or 504 Plan are referred to the school’s Resource Specialist or School counselor for further processing and the implementation of the IEP or 504 Plan.

Step Four – Process Monitor and Review: Quarterly, the Director of Special Education and Student Services along with the Assistant to the Director, meet with school staff to review the process and to assess the effectiveness of the Child Find Process.

*LPS annually notifies each parent via school newsletter about Child Find policies, and provides contact information to various school departments if the parent believes their child is entitled to receive special education services; are interested in having their child assessed to determine their eligibility to receive special education services; or are entitled to receive accommodations under Section 504 of the Rehabilitation Act.*
General Education Program Accommodations and Modifications:

For many students with disabilities, the key to success in the classroom lies in having appropriate accommodations, and modifications made to the instruction setting, classroom materials, the actual instruction, local and state evaluations and to the manner of student response. Any and all accommodations and modifications to a students academic program can only be made through the IEP process. The academic implications of all accommodations and especially modifications must be clearly identified and explained in the IEP to the students and parents or guardians.

In the case of a 504 Plan, when a student enters the school with a current 504 Plan or one is developed subsequent to their enrollment, all general education teachers of that student will be informed of the accommodations contained in the plan and are directed to implement all necessary accommodations. If a student enters with an expired 504 Plan, that student's file is review and his/her academic progress is monitored for possible intervention.

Referral Process (including Student Study Team model):

LPS employs a pre-referral intervention process (RTI) before referring to Special Education. This pre-referral intervention is designed to identify, develop, and implement alternative education strategies for students who have recognized problems in the classroom before the student is referred to special education. Pre-referral intervention is typically conducted by the Student Study Team, which is made up of general education staff members and may include the school counselor, academic dean, intervention specialist and a general education teacher. The response to intervention model includes tiered evidence-based or practice-based intervention strategies aligned with individual student needs and frequent monitoring of progress to make results-based academic or behavioral decisions.

If, after interventions in the general education classroom, the student continues to experience difficulty, school personnel may refer the child for a special education evaluation. Referrals for determination of eligibility for special education services may be initiated by: School personnel including members of the Student Study Team, the student themselves, the student’s parents or legal guardian, or any other person involved in the education of the student.
The official referral begins the formal process of determining eligibility for special education services. Once a referral is provided, the school must obtain consent from the parent(s) or legal guardian(s) to begin the evaluation phase of the referral process.

Students referred for special education services receive a nondiscriminatory multi-factored evaluation. The law requires LPS to complete the evaluation within 60 days of the referral date. The evaluation is to be conducted by a multidisciplinary team that will consist of individuals who can bring different perspectives and expertise to the evaluation.

Some examples of team members include but are not limited to: A School Psychologist, Special Education Teacher, General Education Teacher, Related Services Provider, Parents or Legal Guardians, Medical Doctors.

**Assessment Process for Special Education:**

The evaluation must be comprehensive and use evaluation tools and strategies that are technically sound and accepted. Most students receive a battery of formal evaluations that measure:

- Intelligence
- Achievement
- Behavioral
- Disability-specific issues
- Medical

However, informal observations and documentation of the student’s past work should also be used during the eligibility determination meetings. Assessments may not be biased in regard to race, culture, language, or disability. The materials and procedures must be administered in the language and form most likely to provide accurate information on what the child knows and can do.

**Development of an appropriate IEP:**

{All LPS Schools will use the IEP provided by the EDCOE Charter SELPA included in SEIS}

The Individualized Education Program (IEP) is a *legal contract between the parents and the school* that describes the special education services to be provided by the LEA which is the charter school. The IEP include:

- A student profile that provides background information about the student.
The profile will include strengths and weaknesses of the student, information regarding performance in the classroom and on formal assessments, and the reason he or she is receiving special education services.

- IEP initiation and duration dates: the goals expressly stated in an IEP begin on the date, stated in the IEP meeting, and are in effect until the date stated in the IEP. These IEP goals are reviewed, monitored and updated based on student progress. For most students, IEP goals are in place for one academic year.

- A statement of “special instructional factors” (such as the need for assistive technology, braille, or transition services). If the student requires any of the special instructional factors, they should be addressed in the IEP.

- A Transition Plan
- A statement of special transportation needs;
- A statement of opportunities to participate in nonacademic and extracurricular activities with their non-disabled peers
- A statement of the frequency and method of reports of goal attainment for parents or guardians.

- Present Levels of Academic Achievement and Functional Performance
- Goal pages are included and focus on specific areas that need special education services (such as reading, math, etc.).
- An offer of a Free and Appropriate Public Education (FAPE), which outlines the frequency and durations of services. Services provided by LPS on campus include:

1. Resource Specialist Services
2. Designated Instruction and Services (e.g. Speech and Language therapy, Adaptive Physical Education, Occupational/Physical therapy, Counseling services.

*If determined by the IEP team that LPS cannot provide direct services on campus, placement in a nonpublic school/agency (NPS/NPA) or residential facility may be considered.

**IEP Compliance Procedures**

The Assistant to the Director of Student Services is responsible for monitoring all timelines associated with the IEP process as well as with Section 504. There are no specific timelines required under Section 504
but LPS will utilize similar timelines for identification and implementation as used for IDEA. Once a week, the Assistant to the Director will review all IEP due dates in SEIS and notify each case manager of any pending Annual or Three Year Evaluations. In the case of Section 504, the individual site 504 coordinators are responsible for monitoring timelines for the Section 504 Plan process.

All Special Education teachers receive quarterly professional development, which includes instruction on Transition Plans, Writing Compliant IEPs, compliance procedures and timelines. Each school site undergoes a self review biannually and participates in a State of California led “Special Education Self Review (SESR) every three years. In addition, each year, each LPS school site has 5 random files selected for review and recommendations are provided for areas of improvement.

**Individual Transition Plan (ITP)**

The Individual Transition Plan must be completed in time to be in effect when the student reaches 16 years of age or sooner if appropriate or will reach 16 years of age before the next annual review.

1. **Student was invited:** The student is to be invited on the meeting notification form. When the student is invited mark YES on the transition page. Keep the documentation of the meeting notification in the student’s file.
2. **Agency was invited:** When appropriate support agencies need to be invited on the meeting notification, with the parent/guardian/students permission. If an agency is invited mark YES, when it is “not appropriate” mark N/A. You should never need to mark NO. Keep the documentation of the meeting notification in the student’s file.
3. **How the Student Participated in the Process:** Describe how the student participated in the process by choosing the best answer. Note: IEP teams may choose more than one option.
4. **Age-appropriate transition assessments/instruments were used:** Age-appropriate transition assessments/instruments are to be used and drive the ITP portion of the IEP. When used mark YES. The next step is to record the transition assessment information/results used to identify the student’s preferences and interests for transition planning as they relate to his/her post-secondary goals. Assessment needs to be comprehensive NOT JUST Vocational. This information serves as
Present Levels for the transition section of the IEP. The post-secondary goals are what the student plans on doing upon graduation/completing school. The gap between the results of the transition assessment and the student’s interests is the basis for the post-secondary goals. Describe what the student is interested in and wants to pursue in areas of education, career and living based on the information you get from the transition assessments. Be sure this is documented on Form 1A.

5. Student’s Postsecondary Goals: The team must include measurable postsecondary goals in Training or Education, Employment and if appropriate, Independent Living. Document what the student plans on doing upon exiting school (post-secondary goals) in each of these areas.

EXAMPLES

Education/Training:

- Upon completion of school, I will join the Army.
- Upon completion of school, I will enroll in the local Community College.
- Upon completion of school, I will learn independent living skills from the Regional Center.

Employment:

- Upon completion of school, I will work as a mechanic.
- Upon completion of school, I will work as a teacher.
- Upon completion of school, I will work at the Opportunity Center.
- Upon completion of school, I will work in competitive employment.
- Upon completion of school, I will work in supported employment.

Due Process:

Due process for students in special education or with a 504 Plan is a procedure to use when there is a disagreement between the parents and the education agency regarding assessment, identification, or placement of a student. In a Due Process Hearing, the Administrative Law Judge will make a decision on substantive grounds based on a determination of whether the student received a free and appropriate public education and/or whether a procedural violation occurred.

All requests for a due process hearing for Special Education must be in writing to the Office of Administrative Hearings (OAH) Special Education Unit, 2349 Gateway Oaks, Suite 200, Sacramento, CA. Due
Process request for Section 504 need to filed with the Office of Civil Rights (OCR). Complaints with OCR should be filed by using the email address: ocr@ed.gov or by using the OCR website: http://www.ed.gov/about/offices/list/ocr/complaintintro.html.

**State Complaints:**

Within special education, a State Complaint is one of several procedural safeguards available under IDEA to resolve disputes between parents of children with disabilities and the school systems responsible for educating those children. The complaint resolution process tends to be less intimidating than a due process hearing and is an alternative to it.

All complaints must be made in writing to the State Educational Agency (SEA) within one year of the alleged violation (unless it is an on-going issue) and include specific information about the alleged violation.

The State of California has established procedures for addressing and resolving complaints.