



BOARD POLICY ON SPECIAL EDUCATION AND PROCEDURES

The special education services at **John Adams Academies, Inc.** ("JAA") shall be implemented with the mission and vision of JAA as its core focus – to Restore America's Heritage by Developing Servant Leaders®. JAA believes that all children, including children with disabilities have the ability to progress and develop into servant leaders, are scholars, and should have the opportunity to learn and develop as servant leaders in a safe and nurturing environment. Scholar services should strive to help all scholars look beyond labels and see their potential as servant leaders. JAA shall ensure that no qualified person with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any programs or activities that are integral components of JAA's basic education program, including nonacademic and extracurricular services and activities.

JAA shall provide special education instruction and related services to scholars enrolled in JAA in accordance with the Individuals with Disabilities Education Act ("IDEA"), Education Code requirements, and applicable policies and practices of the **EDCOE Charter SELPA** ("SELPA").

Specifically, JAA shall, unless it has developed its own policies or procedures, follow SELPA procedures and utilize its forms in seeking out, identifying, and evaluating scholars who may qualify for special education programs and services, responding to record requests and parent complaints, and maintaining the confidentiality of scholar records.

JAA agrees to promptly respond to all SELPA inquiries, comply with reasonable SELPA directives, and allow the SELPA access to JAA scholars, staff, facilities, equipment and records as required or imposed by law. JAA understands that it shall represent itself at all SELPA meetings.

Staffing

JAA will be responsible for hiring, training, and/or contracting with the staff necessary to provide special education services to its scholars. JAA shall ensure that all special education staff hired or contracted by JAA are qualified to provide services in accordance with all applicable laws and regulations.

Staffing is subject to change at the discretion of JAA in order to meet the unique needs of

the scholars enrolled.

These staff members, in collaboration with the site administration of JAA, will be the primary representatives tasked with assuring that all aspects of the IEP are properly implemented. JAA is prepared to contract with staff including low incidence or other highly qualified staff needed to implement an IEP.

All teaching staff at JAA will also be involved in assuring that all IEPs are properly implemented.

Professional Development for Staff

JAA administrators, general and special education teaching staff, as well as other appropriate faculty and staff members will attend professional development and/or training meetings necessary to comply with state and federal special education laws, including training sponsored by the SELPA.

JAA shall seek professional development opportunities for its staff through potential trainings facilitated by entities, such as SELPA, colleges and universities, and private companies or agencies to ensure compliance with state and federal special education laws as well as implementation of best practices for scholars with disabilities.

Identification and Referral

JAA understands its responsibility to ensure that all individuals with disabilities who need special education and related services are identified, located, and evaluated, regardless of the severity of the disability. As such, JAA shall implement child-find policies and procedures to ensure the timely identification and referral of scholars who have or may have exceptional needs that qualify them to receive special education services, and that no procedures or practices result in delaying or denying this identification.

A parent or JAA staff may refer to the Principal, in writing, a scholar who is suspected of having special needs and show potential signs of needing special education and related services. A scholar shall be assessed for special education and related services only after the resources and interventions of the regular education program have been considered, and where appropriate, utilized. No assessment or evaluation will be used for admission purposes.

Assessments & Initial IEP Meeting

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEA, as provided in 20 USC § 1414. JAA will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible scholars in accordance with applicable law. JAA shall obtain parent consent to assess scholars.

When an initial assessment is needed, an assessment plan is sent home to parents, including notification of the parents' rights. If the assessment has been requested by a parent JAA has 15 days to respond to the request. Once the assessment plan is received and signed, the testing will begin and an IEP meeting will be held within sixty (60) days of receiving the plan.

The IEP Team, for an initial assessment, will include the parent, an administrator, general education teachers, the special education teacher, assessors and the scholar (when appropriate). An interpreter can also be provided at the parent's request.

JAA shall be solely responsible for conducting special education assessments. The Principal or designee (e.g., Director of Special Education, School Psychologist) will be responsible for gathering all pertinent information and arranging for assessments to be conducted in all areas of suspected disability.

Information gathered will be used as tools to determine the scholar's disability, eligibility for services, and determining the nature and extent of required services. The types of assessments that may be used for determining eligibility for specialized instruction and services will include, but not be limited to individual testing; teacher observations; interviews, review of school records, reports, and work samples; and parent input.

JAA will comply with the following assessment guidelines and other applicable requirements:

- Parents of any scholar referred for assessment must give their written consent for JAA to administer the assessment;
- The assessment will be completed and an IEP meeting held within sixty (60) days of receipt of the parent's written consent for assessment;
- The scholar must be evaluated in all areas related to his/her suspected disability;
- Assessments must be conducted by a person with knowledge of the scholar's suspected disability, and administered by trained and knowledgeable personnel and in accordance with any instructions provided by the producer of the assessments;
- Individually administered tests of intellectual or emotional functioning must be administered by a credentialed school psychologist/staff member;
- Assessments will be selected and administered so as not to be racially, culturally, or sexually discriminatory;
- Assessments will be delivered in the scholar's primary language, and a qualified interpreter will be provided if needed;
- Assessment tools must be used for purposes for which the assessments or measures are valid and reliable;
- Assessments will be adapted as necessary for scholars with impaired sensory,

- physical or speaking skills; and
- A multidisciplinary team will be assembled to assess the scholar, including a teacher knowledgeable in the disability.

Upon completion of the assessment, an IEP team will be assembled to review the results of the assessment and determine the scholar's eligibility for special education.

JAA will be responsible for scheduling, coordinating, and facilitating the IEP meeting. Educators qualified to interpret test results will present the assessment data at the IEP meeting. Parents will be provided with written notice of the IEP meeting, and the meeting will be held at a mutually agreeable time.

IEP Meetings

JAA shall arrange and provide notice of the necessary IEP meetings. IEP Team membership shall be in compliance with state and federal laws; as such JAA shall ensure that the following individuals are in attendance at IEP meetings:

- The parent of the scholar for whom the IEP was developed;
- The scholar, if appropriate;
- The Principal, Dean or administrative designee;
- At least one special education teacher;
- A General Education teacher who is familiar with the curriculum appropriate to that scholar, if the scholar is, or may be, participating in the general education environment;
- A SELPA Special Education Representative, if appropriate;
- If the scholar was recently assessed, the individual who conducted the assessment or who is qualified to interpret the assessment results; and
- Others familiar with the scholar may be invited as needed (e.g., speech therapist, psychologist, resource specialist, and behavior specialist).

JAA shall view the parent as a key stakeholder in these meetings and will make every effort to accommodate the parent's schedule and needs so that he/she will be able to participate effectively on the IEP Team.

If a parent cannot attend the IEP meeting, the school will ensure his/her participation using other methods, such as conferencing by telephone. JAA will provide an interpreter if necessary to ensure that all parents understand and can participate in the IEP process.

IEP meetings will be held according to the following schedule:

- Yearly to review the scholar's progress and make any necessary changes;
- Every three years to review the results of a mandatory comprehensive reevaluation of the scholar's progress;
- After the scholar has received a formal assessment or reassessment;
- When a parent or teacher feels that the scholar has demonstrated significant

educational growth or a lack of anticipated progress (consistent with state and federal laws, IEP meetings will be held within thirty (30) days of a parent's request);

- When an Individual Transition Plan (ITP) is required at the appropriate age; and
- When JAA seeks to suspend or remove the scholar for a period of ten (10) days or more for the same behavior, in order to determine if the scholar's misconduct was a manifestation of his/her disability.

IEP Review

The IEP team will formally review the scholar's IEP at least once a year to determine how the IEP is meeting his/her needs. In accordance with IDEA regulations, the IEP team will also conduct a formal review of the IEP once every three years, in which the scholar is reassessed and the IEP is reviewed as part of an overall comprehensive reevaluation of the scholar's progress.

JAA shall be responsible for conducting IEP reviews and determining necessary supports, services, placements, in accordance with applicable policies and all laws. Unless otherwise specified on the scholar's IEP, parents will be informed two (2) times a year (which is the same frequency as progress is reported to all scholars and parents) of the scholar's progress toward meeting annual goals and whether the scholar is expected to meet his/her annual goals. This will serve to document the method by which the scholar's progress toward achieving the annual goal is measured, the scholar's progress during the relevant period, the extent to which it is anticipated the scholar will achieve the annual goal prior to the next annual review, and as needed, the reasons the scholar did not meet the goal.

If a parent or faculty member feels the scholar's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to JAA. Once the request is received, JAA will have thirty (30) days, not including school vacations greater than five (5) days, to hold the IEP meeting.

IEP Development

JAA understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP Team, pursuant to the IEP process. All eligible scholars under the IDEA will have an IEP which meets all applicable legal requirements and is reasonably calculated to confer educational benefit in the least restrictive environment ("LRE"). Programs, services and placements shall be provided to all eligible JAA scholars in accordance with the policies, procedures and requirements of applicable State and Federal laws.

Services provided to scholars can include speech and language, assistive technology, adapted physical education, occupational therapy, physical therapy, counseling, deaf

and hard of hearing, specialized academic instruction, etc., as identified in the IEP.

The scholar's IEP shall be reasonably calculated to enable the child to make progress appropriate in light of his/her circumstances and will include the following:

- A statement of the scholar's present levels of academic achievement and functional performance;
- The rationale for placement decisions, including cogent and responsive explanations for the recommendations;
- The services the scholar will receive and the means for delivering those services;
- A description of when services will begin, how often the scholar will receive them, who will provide them, and where they will be delivered;
- Measurable annual goals and short-term objectives focusing on the scholar's current level of performance and appropriately ambitious for his/her circumstances; the goals and objectives will also be linguistically appropriate, as per EC § 56345(b);
- A description of how the scholar's progress toward meeting the annual goals will be measured and monitored and when reports will be provided;
- Accommodations or modifications necessary to measure the academic achievement and functional performance of the scholar on state and district assessments; and
- For scholars sixteen (16) years of age and older, measurable postsecondary goals related to training, education, employment and independent living skills, along with transition services needed to assist the scholar in reaching those goals.

IEP Implementation

JAA shall be responsible for all school site implementation of the IEP, including all curriculum, classroom materials, classroom modifications, and assistive technology. As part of this responsibility, parents shall be provided with timely reports on the scholar's progress as provided in the scholar's IEP at least as frequently as report cards are provided to non-special education scholars. JAA shall also provide all home-school coordination and information exchange.

Our special education model provides its scholars with FAPE within a LRE. A scholar receiving special education services will have his/her IEP reviewed in an IEP meeting at least once a year to determine how well it is meeting the scholar's needs; however, an IEP meeting can be called prior by the parent or JAA. In addition, every three years, scholar progress will be reassessed and the IEP reviewed in accordance with applicable law.

Prior to, or upon the placement of the individual with exceptional needs within the classroom setting, school site leaders and special education staff ensure that the general education teachers, classroom aides, related service providers, shall be knowledgeable

of the content of the IEP. A copy of each IEP shall be maintained at the school site. All IEPs shall be maintained in accordance with state and federal student record confidentiality laws. If a parent or teacher has concerns that the educational needs of scholars already enrolled in special education are not being met, either the parent or the teacher may request a reassessment or an IEP meeting to review the IEP anytime during the school year.

Non-discrimination

It is understood and agreed that all scholars will have access to JAA and no scholar shall be denied admission nor counseled out of JAA due to the nature, extent, or severity of his/her disability or due to the scholar's request for, or actual need for, special education services.

Procedural Safeguards, Dispute Resolutions, and Complaints

Parents of scholars with IEPs (1) must give written consent for the evaluation and placement of their scholar; (2) will be included in the decision-making process when change in placement is under consideration; and (3) will be invited, along with teachers, to all meetings to develop their scholar's IEP.

Any concerns or disagreements raised by parents will be acknowledged by JAA within five (5) days, after which a meeting between the parent and JAA will be scheduled to seek resolution of the disagreement. If a disagreement or concern persists, parents or JAA have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their scholar.

JAA will provide the parent with all notices of procedural safeguards as well as with information on the procedure to initiate both formal and informal dispute resolutions, upon initial referral for evaluation of their scholar for special education services; each notification of an IEP meeting; registration of a complaint or a request for a mediation or due process hearing; and upon parent request.

JAA acknowledges its responsibility to resolve disputes or defend due process complaints arising as a result of JAA's alleged failure to provide FAPE to scholars enrolled in JAA.

JAA may also initiate a due process hearing or request for mediation with respect to a scholar enrolled in JAA if it determines such action is legally necessary or advisable.

Parents also have the right to file a complaint with the California Department of Education if they believe that JAA has violated federal or state laws or regulations governing special education. JAA shall receive any concerns raised by parents regarding related services and rights. JAA's designated representative shall investigate as necessary, respond to, and address a parent's concern or complaint.

Reporting

JAA, in collaboration with SELPA and authorizers where appropriate, will collect and maintain the following information on disabled scholars as required by IDEA:

- A calculation of all school-age scholars with disabilities being provided special education services by age, grade, category of disability and the number of scholars with disabilities who are English Language Learners;
- The number of scholars provided with test modifications and the types and the number of scholars exempted from Statewide assessments;
- The settings in which scholars with disabilities receive their services, specifically including the portion of the school day they receive services with non-disabled peers and time away from the regular classroom;
- The number of scholars with disabilities suspended “in-school” and out of school, organized by disability and length of suspensions; and
- The basis of exit from JAA of scholars with disabilities (i.e., attainment of diploma and type, declassified, moved, etc.).

All necessary procedures and practices to ensure confidentiality and accurate/timely reporting will be the responsibility of the Principal, who will also ensure that a central file with all special education evaluation material and IEP’s is maintained and that this file is locked and confidential, in accordance with IDEA guidelines. The Principal or designee will oversee access to these records, and will be responsible for ensuring that all providers responsible for the implementation of a scholar’s IEP will have access to a copy of the IEP and will be informed of their specific responsibilities in implementing the IEP.

Interim and Initial Placements of New JAA Scholars

JAA shall comply with EC § 56325 with regard to scholars transferring into JAA within the academic school year. In accordance with EC § 56325(a)(1), for scholars with a current IEP who enroll in JAA from another school within the State, but outside of the SELPA within the same academic year, JAA shall provide the scholar with FAPE, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time JAA shall either adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state laws.

In accordance with EC § 56325(a)(2), in the case of an individual with exceptional needs who has an existing IEP and transfers into JAA from a school-operated program under the same SELPA as JAA within the same academic year, JAA shall continue, without delay, to provide services comparable to those described in the previously approved IEP, unless the parent and JAA agree to develop, adopt, and implement a new IEP that is consistent with federal and state laws.

For scholars transferring to JAA with an IEP from outside of California during the same academic year, JAA shall provide the scholar with FAPE, including services comparable to those described in the previously approved IEP in consultation with the parents, until JAA conducts an assessment pursuant to 20 USC 1414(a)(1), if determined to be necessary by JAA, and develops a new IEP, if appropriate, that is consistent with federal and state laws.

Special Education Strategies for Instruction and Services

JAA will offer a comprehensive inclusion program that includes specialized academic instruction classes, learning site supports, extended school year, and sheltered instruction for scholars with moderate to severe disabilities. Each scholar's IEP requires different kinds of accommodations and modifications for instruction and services; therefore, the educational strategies of the IEP will be built around the scholar's needs. If a scholar's IEP team determines that the scholar requires placement outside of a general education classroom, JAA will provide the necessary placement and/or services. The instruction outlined in each scholar's IEP will be delivered by personnel qualified to do so.

Non-Public Placements/Non-Public Agencies

JAA shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education scholars.