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Restoring America's Heritage by Developing Servant Leaders

BOARD POLICY ON SPECIAL EDUCATION AND PROCEDURES

The special education services at **John Adams Academy** ("Academy") shall be implemented with the mission and vision of the academy as its core focus – to restore America's heritage by developing servant leaders. The Academy 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. Academy 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 Academy's basic education program, including nonacademic and extracurricular services and activities.

Academy shall provide special education instruction and related services to students enrolled in the Academy 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, Academy shall, unless it has developed its own policies or procedures, follow SELPA procedures and utilize its forms in seeking out, identifying, and evaluating students who may qualify for special education programs and services, responding to record requests and parent complaints, and maintaining the confidentiality of student records.

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

Staffing

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

Staffing is subject to change at the discretion of Academy in order to meet the unique needs of the students enrolled.



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

All teaching staff at Academy will also be involved in assuring that all IEPs and 504 Plans are properly implemented.

Professional Development for Staff

Academy 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.

Academy 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 students with disabilities.

Identification and Referral

Academy 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, Academy shall implement child-find policies and procedures to ensure the timely identification and referral of students 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 Academy staff may refer to the Principal, in writing, a student who is suspected of having special needs and show potential signs of needing special education and related services. A student 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. Academy will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in



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accordance with applicable law. Academy shall obtain parent consent to assess students.

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 the school 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 student. An interpreter can also be provided at the parent's request.

Academy shall be solely responsible for conducting special education assessments. The Headmaster 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 student'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.

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

- Parents of any student referred for assessment must give their written consent for the school 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 student must be evaluated in all areas related to his/her suspected disability;
- Assessments must be conducted by a person with knowledge of the student'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;



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- Assessments will be selected and administered so as not to be racially, culturally, or sexually discriminatory;
- Assessments will be delivered in the student'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 students with impaired sensory, physical or speaking skills; and
- A multidisciplinary team will be assembled to assess the student, 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 student's eligibility for special education. Academy 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 and place.

IEP Meetings

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

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

Academy 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.



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If a parent cannot attend the IEP meeting, the school will ensure his/her participation using other methods, such as conferencing by telephone or meeting at the parent's home. Academy 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 student's progress and make any necessary changes;
- Every three years to review the results of a mandatory comprehensive reevaluation of the student's progress;
- After the student has received a formal assessment or reassessment;
- When a parent or teacher feels that the student 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 Academy seeks to suspend or remove the student for a period of ten (10) days or more for the same behavior, in order to determine if the student's misconduct was a manifestation of his/her disability.

IEP Review

The IEP team will formally review the student'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 student is reassessed and the IEP is reviewed as part of an overall comprehensive reevaluation of the student's progress.

Academy 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 student's IEP, parents will be informed two (2) times a year (which is the same frequency as progress is reported to all students and parents) of the student's progress toward meeting annual goals and whether the student is expected to meet his/her annual goals. The Goals and Objectives section of the IEP will be an attachment to the general progress report. This will serve to document the method by which the student's progress toward achieving the annual goal is measured, the student's progress during the relevant period, the extent to which it is anticipated the student will achieve the annual goal prior to the next annual review, and as needed, the reasons the student did not meet the goal.

If a parent or faculty member feels the student'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



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during the year via written notice to the school. Once the request is received, Academy will have thirty (30) days, not including school vacations greater than five (5) days, to hold the IEP meeting.

IEP Development

Academy 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 students 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 Academy students in accordance with the policies, procedures and requirements of applicable State and Federal laws.

Services provided to students can include speech and language, assistive technology, adapted physical education, occupational therapy, physical therapy, counseling, deaf and hard of hearing, SAI support, etc., as identified in the IEP.

The student'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 student'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 student will receive and the means for delivering those services;
- A description of when services will begin, how often the student will receive them, who will provide them, and where they will be delivered;
- Measurable annual goals and short-term objectives focusing on the student'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 student'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 pupil on state and district assessments; and
- For students 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 student in reaching those goals.



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IEP Implementation

Academy 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 student's progress as provided in the student's IEP at least as frequently as report cards are provided to non-special education students. Academy shall also provide all home-school coordination and information exchange.

Our special education model provides its students with FAPE within a LRE. A student 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 student's needs; however, an IEP meeting can be called prior by the parent or the school. In addition, every three years, student progress will be reassessed and the IEP reviewed in accordance with applicable law.

Prior to 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 (*e.g.*, receipt of IEP is signed and retained in scholar records). 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 students 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 students will have access to Academy and no student shall be denied admission nor counseled out of the Academy due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Procedural Safeguards, Dispute Resolutions, and Complaints

Parents of students with IEPs (1) must give written consent for the evaluation and placement of their student; (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 student's IEP.

Any concerns or disagreements raised by parents will be acknowledged by Academy within five (5) days, after which a meeting between the parent and school will be scheduled to seek resolution of the disagreement. If a disagreement or concern persists,



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parents or the Academy have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their student.

Academy 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 student 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.

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

Academy may also initiate a due process hearing or request for mediation with respect to a student enrolled in the Academy 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 the school has violated federal or state laws or regulations governing special education. Academy shall receive any concerns raised by parents regarding related services and rights. Academy's designated representative shall investigate as necessary, respond to, and address a parent's concern or complaint.

Reporting

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

- A calculation of all school-age students with disabilities being provided special education services by age, grade, category of disability and the number of students with disabilities who are English Language Learners;
- The number of students provided with test modifications and the types and the number of students exempted from Statewide assessments;
- The settings in which students 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 students with disabilities suspended "in-school" and out of school, organized by disability and length of suspensions; and
- The basis of exit from Academy of students with disabilities (i.e., attainment of diploma and type, declassified, moved, etc.).



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All necessary procedures and practices to ensure confidentiality and accurate/timely reporting will be the responsibility of the Headmaster, 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 Headmaster or designee will oversee access to these records, and will be responsible for ensuring that all providers responsible for the implementation of a student'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 Academy Students

Academy shall comply with EC § 56325 with regard to students transferring into the school within the academic school year. In accordance with EC § 56325(a)(1), for students with a current IEP who enroll in Academy from another school within the State, but outside of the SELPA within the same academic year, Academy shall provide the student 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 Academy 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 IEP and transfers into Academy from a school-operated program under the same SELPA of the School within the same academic year, Academy shall continue, without delay, to provide services comparable to those described in the previously approved IEP, unless the parent and the School agree to develop, adopt, and implement a new IEP that is consistent with federal and state laws.

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

Special Education Strategies for Instruction and Services

Academy will offer a comprehensive inclusion program that includes specialized academic instruction classes, learning site supports, extended school year, and sheltered instruction for students with moderate to severe disabilities. Each student's IEP requires different kinds of accommodations and modifications for instruction and services;



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therefore, the educational strategies of the IEP will be built around the student's needs. If a student's IEP team determines that the student requires placement outside of a general education classroom, Academy will provide the necessary placement and/or services. The instruction outlined in each student's IEP will be delivered by personnel qualified to do so.

Non-Public Placements/Non-Public Agencies

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