

**Delaware Academy of Public Safety and Security
FERPA Policy**

**2016-2017
Special Education
Implementation and Compliance
Guide**

Contact Information:
Kim Whyte
Special Education Coordinator
Kim.Whyte@dapss.k12.de.us
302-322-6050, 116

Delaware Academy of Public Safety and Security FERPA Policy

Table of Contents

Pages:

Position Statement and Policy & Process

IEP Guidelines

Special Education Case Managers' Roles and Responsibilities 8-10 Special Education Coordinator's Roles and Responsibilities

Contact Information

Special Education Code Table

IEP Forms:

Initial Evaluation Form

Permission to Evaluate (PTE)-Re-Evaluation Form

IEP Check List

Prior Written Notice Form

Special Education Specialist IEP Compliance Form

IEP Meeting/ Conference Minutes

IEP Student Snapshot

Teacher Input Form

Parent IEP Input Form

Teacher Confidentiality Form

Special Education Hour Log

Special Education Case Manager Accountability Spreadsheet

Secondary Compliance Form (see attachment)

Delaware Academy of Public Safety and Security FERPA Policy

Individuals with Disabilities Education Act (IDEA)

POSITION STATEMENT:

The Delaware Academy of Public Safety and Security's Charter will provide a free and appropriate public education to students who have disabilities within the meaning of IDEA.

Delaware Academy of Public Safety and Security Charter intends to identify, evaluate, and provide appropriate educational services for each student who qualifies within the definition of IDEA. Delaware Academy of Public Safety and Security intends to provide information, in-service, and training opportunities at least annually for parents and staff, including those having coordination responsibilities for the IEP process.

PUBLIC NOTICE:

Delaware Academy of Public Safety and Security Charter, including parents and staff, will be notified at least annually of the charter's responsibilities under IDEA. Notification will be made in writing through this and other documents, including newsletters, Delaware Academy of Public Safety and Security Special Education/Section 504 website, staff in-service and parent focus groups (Special Education Department night).

THE LAW:

The Individuals with Disabilities Education Act (IDEA) is a law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to more than 6.5 million eligible infants, toddlers, children and youth with disabilities.

Infants and toddlers with disabilities (birth-2) and their families receive early intervention services under IDEA Part C. Children and youth (ages 3-21) receive special education and related services under IDEA Part B.

It is important to note that IDEA requires that a free appropriate public education be provided to students with handicaps as a responsibility of the comprehensive general public education system. However, consideration of IDEA eligibility may ultimately determine a need for Special Education under IDEA.

Delaware Academy of Public Safety and Security

FERPA Policy

IEP GUIDELINES:

IDENTIFICATION AND EVALUATION PROCEDURES

Referrals for special education can be made by the parents or guardians who believe their child could qualify as having a protected handicap may submit a written referral for a special education evaluation to the school special education/504 coordinator or the Cadet Services Case Manager.

OR

The curriculum team will submit a referral for a child to be considered for special education and/or related services when a child has participated in RTI (Response to Intervention). When a child has been in RTI Tier 2 and 3 for ≥ 18 weeks, with a minimum of 6 weeks of Tier 3 level in math and for ≥ 18 weeks, with a minimum of 6 weeks of Tier 3 level reading.

The Special Education Coordinator will send out a "Permission to Evaluate" form the student's parents. Once the signed PTE is received back, applicable evaluations will assess the child's abilities, strengths and weaknesses, by a certified school psychologist, and if needed by a speech and language therapist and/or occupational therapist. The IEP team will use the information to identify if the child has disability, develop an IEP.

The IEP Team must hold an IEP Determination meeting within forty-five (45) school days or ninety (90) calendar days, whichever is less, of receiving PTE. IF the student is found eligible for Special Education Services. The case manager will create an IEP to meet the student's needs.

Before each IEP meeting, Case Managers should:

- Determine who needs to be at the meeting (Admin/Designee, Spec. Ed. Teacher, and Parent/Guardian/Surrogate are the minimum required invitees); however, also check to see if student has OT, PT, Speech, Transportation, Medical (Nurse needs to attend), etc.

NEWSchedule your meeting using Outlook and invite everyone involved with the student.

- Contact the parent via phone call, email, etc. 20 days prior to your meeting. Phone calls, emails, etc. need to be documented. Please write "Notes" in the "Meeting" section of IEP Plus. You can also cut and paste emails into the notes section. Please let the ED know if you need assistance with how to input notes.

- Add the meeting to Outlook so that it is on the Master calendar
- Then, send the first letter of invitation with all invitees listed on it. Finalize your 1st invitation letter on IEP Plus.

Delaware Academy of Public Safety and Security

FERPA Policy

- Create the IEP on IEP Plus so that everyone has enough time to include information.
- Case managers must input their names on the LRE page if you are a teacher. The posting should be CASE MANAGER, or it won't save correctly. If you are a speech pathologist case manager, please enter your name under the "STAFF" link on the Needs, Services...page. This is being monitored by Director of Curriculum.

- Send the second letter of invitation at least 10 days prior to your meeting. If an IEP Excusal is needed, please send it along with the second notice for compliance (it requires 5 days' notice). **Finalize** your 2nd invitation letter on IEP Plus.

- Compile, analyze, and report on any data that needs to be used to develop/revise and explain the goals or make decisions for extended school year services. We now must use the ESY rationale worksheet to document the discussion for a student needing or NOT needed ESY services. Please see insert.

- Each team member involved with the child should prepare and have reviewed all documents in preparation for the IEP meeting (IEP Draft, Prior Written Notice Draft, all evaluation documents, etc.). This is being monitored by District Office.

During IEP meetings, all team members are asked to:

- Please follow the IEP meeting agenda (*insert*) as we work to convey comprehensive information within the time allotted. *Meeting Minutes/Check off sheet Form A or B are helpful (optional)*

- Input any additional information agreed upon by the team into the IEP.
- Please be prepared to give the parent a copy of the complete IEP at the conclusion of the meeting. If the IEP is incomplete, the IEP should not be signed. A meeting will need to be scheduled to complete the IEP. Any incomplete IEP's require an initiation date change (10 school days after the IEP meeting date). Also, do not have the parent sign the Prior Written Notice. See additional information about this below.

After each IEP meeting:

- Case managers will use the Secondary IEP Compliance Checklist to review the IEP prior to submission

- Submit the original, hard copy of the IEP with all accompanying documents (i.e. IEP compliance checklist, excusal form, transportation form, invitation letters, etc.) to the ED by placing in "incoming bin" on top of audit file. Please do this as soon as possible but within 2 days after the IEP meeting just in case there are corrections to be made.

- Update the students Testing Accommodation on IMS/ Assessment Accommodations to match the accommodations on their IEP.

- Special Education Coordinator will use the case manager compliance form and checklist to review the IEP. Please see insert for a draft of the secondary and elementary compliance monitoring form. **This is based on the school's expectation that we provide the parent with a professional and comprehensive IEP.**

- *Incomplete IEP's will be returned.* After corrections are made, please resubmit the IEP and checklist. Case managers will send the parent copy home.

- o Parent is to receive a copy of any signed documents at the time of the meeting.

- o **If an IEP incomplete or something needs to be changed, the parent should not sign it nor the Prior Written Notice. Please be sure that the IEP implementation date is 10**

Delaware Academy of Public Safety and Security FERPA Policy

school days after the meeting date and that all documents reflect the date change (all pages of the IEP and Prior Written Notice). This is very important.

- o Case managers should ensure that all transportation forms are faxed to Transportation 302-322-4029.

- Case manager will file the IEP after it is completed.

RE-EVALUATIONS AND ANNUAL REVIEWS

The Special Education Coordinator will work with case managers to coordinate these meetings. During meetings when a re-evaluation and an annual review are taking place, re-evaluations will be discussed prior to an annual review. If a student is due for a 3 yr. re-evaluation, it has to be done prior to that date expiring or a Prior Written Notice needs to be completed with an explanation of why it is delayed. You can get permission up to a year in advance for a re-evaluation.

GENERAL INFORMATION

Note: Most blank forms (documents that accompany the IEP) are in the blue mailbox located in Psychologist's Room

- Confidentiality – FERPA
 - o Please keep confidentiality in mind when sharing information.
- Audit File Access, Sign Out, Inspection Sheets
 - o Please always sign in on the inspection sheet. If signing out an audit file for review, please sign out using the clipboard on top of the audit file.
- Teacher Files – Maintain a file for each student
- Procedural Safeguards (Parents' Rights) should be sent with the first letter of invitation, offered at the meeting, sent with permissions, etc. Please refer to the booklet that outlines all the instances

AUDIT FILE - ORDER OF CONTENTS

General organizational guidelines:

- Input single pages (No stapled documents).
- Use single sided copies (No back to back copies).
- Use labeled, colored dividers.
- In the White or Black BINDER (current file), input current and old IEP and evaluation information in addition to information in the "minutes" and "other" section.
- Place "old data" in the brown, accordion envelopes.

Current tab

Current IEP pages 1, 2, 3...

- Student Information Page
- Data Considerations Page
- Transition Page (ages 14 and up)
- o Transition Survey
- Needs, Services, and Annual Goal Pages

Delaware Academy of Public Safety and Security FERPA Policy

- Progress Updates (must be updated each marking period/trimester)
- Additional Considerations Page (with accompanying pages below, as applicable)
- Transportation Pages
- Accommodation (DCAS or DCAS-Alt 1) Pages
- Behavior Support Plan
- LRE/Placement Page (with signatures)

- **Prior Written Notice**

- Meeting Minutes (if applicable)
- Invitation Letters – Parent and Student (ages 14 and up)
 - Must have at least two invitation letters with different sent dates and providing the parent with at least 10-days’ notice, unless signed waivers) by mail and email. The first notice will go out 20 days prior to the IEP expiration date, the second notice will go out 10 day prior to the expiration date and the
- Assurance of Adequate Resources for Implementing IEP’s (LEA form)
- Evaluation Information*
- Evaluation Summary Report
- Medical Information (if applicable – must be current)
- Prior Written Notice
- Letters of Invitation
- Psycho-educational Report
- Related Services (Speech, OT, PT, etc.)
- Permission to Evaluate

Manifestation Meeting Information (if applicable)

- ✓ Old IEP tab
- ✓ Old Assessments tab
- ✓ Old Minutes tab
- ✓ Other tab (Student/Family Information, etc.)

TRANSFER STUDENTS:

When a student transfers into a school and is qualified as disabled under IDEA, Special Education team in the receiving school shall review the existing IEP to determine the plan’s appropriateness to the current educational setting. The team may decide to implement the plan as received, write a new plan more appropriate to the current educational setting, or reevaluate the student in order to consider if the student no longer qualifies as disabled under IDEA.

Delaware Academy of Public Safety and Security FERPA Policy

To ensure parent participation, the Parent Input form and Parent Transition Surveys are required by the Family Foundations Academy to go home with the letter of invitation but goes in the teacher file not the audit file.

The ESY Rationale Worksheet should be completed for each meeting, but it goes in the teacher file, not the audit file. However, the discussion should be documented in the Prior Written Notice

Delaware Academy of Public Safety and Security

FERPA Policy

SPECIAL EDUCATION CASE MANAGER RESPONSIBILITIES

It is the case manager responsibility to ensure that special education services and related services are provided to the student as outlined in the student's IEP and make a good faith effort to assist the child to achieve the goals listed on the IEP.

General Description

- ❖ The case manager will coordinate the delivery of special education services and will be the primary contact for the parent.
- ❖ Assure compliance with procedural requirements, communicate and coordinate among home, school, and other agencies, regular and special educational programs, facilitate placement, schedule meetings.

Responsibility #1: Team Member

Special Education Team Members are responsible to handle all referrals in regards to special education. They may be involved in any of the below tasks:

- Provides referral form to teacher who is referring a student.
- Attend grade level planning sessions.
- Review DELSIS in the beginning of the school year for new students with IEPs.
- Collaborate with regular education staff regarding pre-referral interventions (RTI).
- Notifies team members who need to attend the meeting.
- Establishes meeting times with parents and sends out meeting notice with Parent's Rights Brochure.
- Assures that the referral form from teacher is complete and read for the special education meeting.
- Follows guidelines for the identification, assessment and individual educational plans for students qualifying for or receiving special education services.
- Work with teachers during planning to review student data.
- Work with data team to evaluate student data and make strategic academic decisions.

Responsibility #2: Working with Parents

- Meets parents and review students data.
- Communicate with parents (i.e., notebook, phone log, e-mail, fax, etc.) to provide student academic updates.
- Responsible for IEP development, progress reporting

Responsibility #3: Organization

- Establishes and maintains a student file.
- Completes all reports within the required time frame.
- Complete student progress reports for each trimester.
- Assures that all materials and services are in place for the student.

- Develop and implement an Individualized Education Program (IEP) for each special education student which sets personalized goals for each student and is tailored to the student's individual learning style and ability.

Delaware Academy of Public Safety and Security

FERPA Policy

- Distribute the student's Snapshot of their IEP to their teachers and have the receiving teacher sign the Confidentiality Form.
- Monitor all student's IEP to ensure they are update and in compliance by using the Checklist.
- Develop and implement instructional programs for RTI Tier 2 and 3 and for DCAS preparation.
- Administer the state assessments and DCAS-Alt assessment to students.

Responsibility #4: Communication

- Communicates all decisions, plans and policies to parents and team coordinator/members.
- Communicates needs of the student's safety.
- Create and email/mail Special Education Newsletter.
- Establishes ongoing communication with parents for student progress and/or concerns.
- Documents parent communication plan and establishes a system of documentation of contacts /Case managers can use parent contact logs.

Responsibility #5: Classroom Management

Reviews and collaborates with teachers and related service staff the following:

- Student disabilities
- Specific health and safety concerns/student responses
- Student's personal equipment and how to use to support academic achievement
- School equipment used by students to support academic achievement
- Special communication systems or specific strategies for the student
- Specific student needs to support progress
- Behavioral Intervention Plans (if the student receives special education services)
- Documentation charts/reports for student achievement (Study Island; DCAS; MAP; I Tractor Pro etc)

Responsibility #6: Push-in/Pull-out Instructions

- Develops or incorporates curriculum learning components based on student needs.
- Develops and implements modifications and accommodations for each student
- Provides assistive technology as defined in the IEP.
- Provides assessment of student achievement based on curriculum.
- Provides interventions, accommodations and/or adaptations for student achievement.
- Monitor the student's progress and make adjustment when needed.
- Ensure that the student is working on their Goals and meeting their benchmarks.
- Track all push-in and pull-out hours on "Special Education Service Hours" log.
- Push-in 30 minute sessions, three times a week.
- When pushing-in support the general education teachers with gen ed students who are struggling.
- Work with groups no larger than 8 students.
- Provide accommodations and modifications to spec ed students when needed.
- Use teacher lesson plans with spec ed teacher modifications.
- Pull-out spec ed student when needed or if stated on their IEPs. (Times may vary)

Delaware Academy of Public Safety and Security FERPA Policy

- Provide additional support and accommodations that are stated on the spec ed student's IEP.
- Use teacher created lesson plans with spec ed teacher modifications, if needed.

Responsibility #7: Due Process

Special Education Coordinator may conduct periodic reviews to monitor due process. This may consist of a review of a student(s) special education file, evaluation reports, and any part of the IEP.

- PLEP/PLOP
- Goals and objectives written in measurable format
- Strengths/Limitations/Needs
- Statewide assessments
- Extended School Year
- Modifications and Accommodations (including consideration of assistive technology)
- Services (Frequency per week)
- Least Restrictive Environments
- Extended School Year
- Reports individual student achievement according to the standard in the school based on documentation of student progress

SPECIAL EDUCATION COORDINATOR RESPONSIBILITIES:

The Special Education Coordinator is responsible for the day to day activities in the Special Education department and ensuring that the department is in compliance with the IDEA state and federal regulations.

Responsibility:

- Monitor and document on the accountability spreadsheet, on a monthly basis the Special Education Specialist caseloads to ensure that their IEPs dates and paper work are compliant by using the Secondary and Elementary Compliance Form.
- Work with the Leadership Team and Special Education Specialist to create their push-in and pull-out schedules.
- Perform all the duties of a Special Education Specialist for case load.
- Provide job related training to current and new staff.
- Provide instructional support for students with learning disabilities within a resource room using a variety of teaching methods (Direct Instruction, Teacher Modeling, Auditory, Visual, Kinesthetic, and Technology) to meet their individual needs.
- Support academic staff with instructional differentiation strategies, RTI strategies, and special education and 504 Plan accommodations and modifications, and provide academic and behavioral support for students within the classroom.

Delaware Academy of Public Safety and Security FERPA Policy

- Coordinate and assist our School Psychologist, ELL Specialist, Occupational Therapist, and Speech and Language Therapist with the scheduling of meetings, services, and evaluations for students with disabilities.
- Hold monthly meeting to review pertinent information regarding the Special Education World.
- Monitor and update the September 30th and December 1st Unit Count Funding reports to insure our file are compliant.
- Facilitate Multi-disciplinary meeting to review student academic data to determine if the student should be evaluations for possible Special Education Services, to conduct Manifestation IEP meetings, and to write and implement Functional Behavioral Analysis and Positive Behavior Intervention Plans.

Special Education Department Contacts

Herbert Sheldon
Head of School
302-322-6050 ext. 107

Dr. Erica Thomas
Director of Curriculum
302-322-6050 ext. 106

Kim Whyte
Special Education Coordinator
302-322-6050 ext. 116

Karl Haye
Special Education Teacher
302-322-6050 ext. 401

**Delaware Academy of Public Safety and Security
FERPA Policy**

**INITIAL EVALUATION: NOTICE THAT NO ADDITIONAL ASSESSMENTS NEEDED
Form IE-2 (Rev. 10/16)**

_____ **SCHOOL DISTRICT**

[If you need this notice in a different language or communicated in a different way, or have questions about this notice, please contact _____ at _____.]

Dear _____ Date _____

Previously you were notified of the school district's intent to evaluate your child to determine whether he/she has a disability (impairment and a need for special education). The individualized education program (IEP) team is responsible for this evaluation. You are a participant on the IEP team. The IEP team considered the following existing evaluation assessments, procedures, records or reports:

The IEP team has determined that additional assessments or other evaluation materials do not need to be administered to your child to determine whether he/she has a disability.

You participated in making this determination on _____ in the following way:

_____.

You did not participate in making this determination and the school district made 3 attempts to involve you as follows:

The reason(s) for this determination (including a description of any other options considered and reasons rejected, and other relevant factors) are:

The IEP team's next step will be to determine whether your child has a disability and his or her educational needs based upon its review of the existing information available on your child, including information provided by you. As a participant on the IEP team, you will be involved in this determination. Upon completion of the evaluation, the IEP team will prepare an evaluation report. The report will include documentation of your child's eligibility for special education. You will be provided with a copy of the evaluation report. If the IEP team determines that your child is a child with a disability, the team will develop an IEP to address your child's needs and determine a placement to carry out the IEP. You will be provided with a notice of placement and a copy of your child's IEP. If it is determined that your child is not a child with a disability, you will be provided with a notice of that finding.

If at any point during an IEP team meeting, to determine your child's eligibility for special education, develop an IEP, or determine a placement, you or other IEP team participants believe that additional time is needed to permit your meaningful involvement, additional time will be provided. This IEP team process may be concluded in one meeting or may require more than one meeting depending on individual circumstances.

You and your child have protection under the procedural safeguards (rights) of special education law. Previously you received a copy of your procedural safeguard rights in a brochure about parent and child rights. If you would like another copy of this brochure, please contact the

Delaware Academy of Public Safety and Security
FERPA Policy

district at the telephone number above. In addition to district staff, you may also contact
_____ at _____ if you have questions about
your rights.

Sincerely,

Name and Title of District Contact Person

**Delaware Academy of Public Safety and Security
FERPA Policy**