

SPECIAL EDUCATION PLAN FOR CHILDREN WITH DISABILITIES

EDUCATION AGENCY NAME: Colbert County Schools

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*.



Special Education Coordinator

8/31/15
Date



Superintendent/Director

8/31/15
Date

APPROVED:

State Superintendent of Education

Date

CHAPTER 1

FULL EDUCATIONAL OPPORTUNITY GOAL

- I. Colbert County School System provides appropriate educational opportunities to children with disabilities ages 3 to 21.
- II. Colbert 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. Colbert County School System provides full educational opportunities for children with disabilities ages 3 to 21.
- IV. Colbert 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). 3

CHAPTER 2

CHILD IDENTIFICATION

- I. **(Public Education Agency Only)** Colbert 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.
 1. Colbert County School System will provide on-going public notice of the services available to students with disabilities through various media including:
 - a. Radio and television announcements
 - b. Articles and notices in the local newspaper
 - c. Information provided on the Colbert County School System website
 - d. Posters placed in local schools, agencies, hospitals, and pediatricians offices
 - e. Civic Clubs/ Agency presentations
 - f. Colbert County Schools Student/Parent Information Guide
 2. The Colbert County School System will contact individuals and agencies that provide services to children with disabilities through various means such as personal phone calls, meetings with special education personnel, and written correspondence. Such agencies include:
 - a. Children's Rehabilitation Services
 - b. Colbert County Department of Human Resources
 - c. Department of Mental Health
 - d. Colbert County Head Start
 - e. Colbert County Department of Public Health
 - f. Daycare Centers
 - g. Medical Personnel
 - h. Private Schools
 - i. Private Preschools
 - j. Cerebral Palsy Center
 - k. Alabama Institute for the Deaf and Blind parent, Infant, and Preschool Program

1. Scope 310- Early Intervention

- 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.

All identified children with disabilities receiving special education and related services are entered into the SETSWEB program. The special education coordinator prints a report from SETSWEB for each special education case manager three times per year for verification and correction. This report includes the name, area of disability, LRE, and eligibility date for each identified child. Information is also added and amended after each eligibility meeting.

- 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.

Tuscumbia City School System provides special education services to all eligible students housed in the Colbert County Jail. Upon being notified that a special education student from the Colbert County School System is in the jail, the special education coordinator notifies the special education coordinator in Tuscumbia City School System that the student is identified as a special education student. The current IEP and eligibility reports are delivered to the special education coordinator of Tuscumbia City School System immediately. Colbert County School System provides special education services to all eligible students housed in the Colbert County Juvenile Detention. Upon being notified that a special education student from the Colbert County School System is in the Juvenile Detention, the special education coordinator notifies The Juvenile Detention Center that the student is identified as a special education student. The current IEP and eligibility is delivered to the Juvenile Detention contact immediately.

- 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.

Each summer an area meeting is arranged between representatives of special education departments in the local education agencies, administrators of the local private schools, and a parent representative from the private school. At this meeting, information is shared about the responsibilities of public schools for providing child find, evaluations, eligibility, and special education services for students enrolled by their parents in private schools. During the meeting the group will discuss which students will receive services and what services will be provided, as well as, how, where, and by whom. The following section of the *Alabama Administrative Code for Special Education Services* will be discussed: 290-8-9.10(8)

Following this meeting, each LEA makes written contact with every private school in the LEA's school district outlining the services that will be provided.

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

The special education coordinator for Colbert County School System will comply with the procedures outlined in the most recent *Services for Alabama's Children with Disabilities, Ages Birth through 5 Handbook*. This involves the following steps:

- a. Notification from the early intervention program to the Colbert County school System Special Education Coordinator should be made six months prior to the child's third birthday.

- b. The Colbert County School System special education coordinator or designee will participate in a transition meeting arranged by the special education coordinator not less than 90 days before the child's third birthday.
- c. The special education coordinator refers the child to the IEP Team to begin the evaluation process.
- d. The Colbert County School System personnel complete the evaluation.
- e. The IEP Team considers the evaluation results and determines eligibility.
- f. If the child is eligible for special education services and the parent provides consent for the special education services an IEP is developed and in place for the special education services to begin by the child's third birthday.

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

Wade Turberville
 Special Education Coordinator
 PO Box 538
 Tuscumbia, AL 35674
 256-386-8565

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.

Student information is entered into SETSWEB at the time of the referral for special education evaluation. The special education coordinator tracks the students by reviewing the Eligibility/IEP Report and Eligibility Overdue Report from SETSWEB monthly to ensure that identification, evaluation, eligibility and IEP development is completed within the time frames allowed by state and federal regulations. *A COMPLIANCE VERIFICATION FORM for RtI, Referral, Initial Evaluation and Eligibility Determination* is placed in each student's evaluation folder and is completed as the process is completed. If there are violations of the time frames allowed by the state and federal regulations, documentation will be provided for the reason for the violation in the student folder on SETSWEB and on the *COMPLIANCE VERIFICATION FORM for RtI, Referral, Initial Evaluation and Eligibility Determination*.

IV. Colbert 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. Colbert 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.

Colbert County School System will:

- A. 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.
1. In the event that an identified child 0-2 who did not participate in early Intervention requires evaluations, Colbert County School System will provide the parents with information to assist them in contacting the Early Intervention personnel. In circumstances where additional assessments are required and Early Intervention services are refused, and/or other circumstances exist, Colbert County School System will contract with appropriate providers or utilize in-house personnel to conduct necessary evaluations.
 2. In the event that an identified child age 0-2 who did participate in Early Intervention requires evaluations, Colbert County School System will work with Early Intervention personnel to ensure that the appropriate evaluations are completed.
 3. Referrals for special education services for children 3-21 are submitted to the special education coordinator. Referral meetings are coordinated through the office of the Special Education Coordinator and are held at the school attended by the student. Notices concerning referral meetings are mailed to the parent by the office of the Special Education Coordinator with a self-addressed, stamped envelope enclosed for returning the form. Meeting notices are sent by the office of the Special Education Coordinator to the general education teacher(s), special education teacher(s), guidance counselor, and school principal by e-mail and/or interoffice mail. The special education coordinator and/or his/her designee serves as the LEA Representative for the referral meeting. The "Notice of Consent for Initial Evaluation" is signed by the parent at the referral meeting, if the IEP Team determines that the student should be evaluated. The office of the Special Education Coordinator mails the "Notice of Consent for Initial Evaluation" to parent who did not attend the referral meeting; a self-addressed, stamped envelope is enclosed for returning the form. If the parent does not attend the referral meeting, a telephone conference is attempted during the referral meeting. If the parent refuses to provide consent for the initial evaluation or fails to respond to the request for consent for the initial evaluation, the Special Education Coordinator, the principal, the general education teacher of the child, the guidance counselor, and a special education teacher will review the referral and determine if the evaluation process will stop or if the school system will seek mediation and/or due process. The names of the students who need vision/hearing screenings are given to the school nurse by the office of the Special Education Coordinator. The school nurse conducts the vision/hearing screening. The school nurse contacts the parent if the screening is failed; the school nurse works with the parent to have the student evaluated by an eye doctor and/or audiologist.

After the vision/hearing screening is passed, other evaluations are coordinated by the special education coordinator, with the exception of students referred for speech (articulation) disabilities, these evaluations are coordinated by the speech/language pathologists. During the school year, evaluations are administered at the school attended by the student; during the summer break, evaluations are administered at the Colbert County Board of Education.

4. The IEP Team is reconvened at least every three years in order to determine if reevaluation is needed. The IEP Team may be reconvened sooner than every three years if a teacher or parent believes that eligibility should be reviewed. This request may be made orally or in writing to the special education coordinator, principal, special education teacher, general education teacher, and/or guidance counselor who will schedule the meeting. The reevaluation meetings are scheduled by the special education coordinator and are held at the school attended by the student. Notices concerning the reevaluation meetings are mailed to the parent by the office of the Special Education Coordinator with a self-addressed, stamped envelope enclosed for returning the form. The special education coordinator notifies the special education teacher (s), general education teacher (s), guidance counselor, school principal, and related service providers of the meeting via e-mail. The special education coordinator and/or his/her designee serves as the LEA Representative for these meetings. If the IEP Team finds that additional data is needed to determine continued eligibility, the parent is asked to sign the "Consent for Reevaluation" form at the meeting. The office of the Special Education Coordinator mails the "Consent for Reevaluation" form to parents who did not attend the meeting; a self-addressed, stamped envelope is enclosed for returning the form. Reevaluations are coordinated by the special education coordinator.
- B. Contract and/or arrange for evaluations needed by the children which are not available within the LEA.
- C. Work with other agencies in the area that serve children with disabilities to share evaluation information.

Colbert County School System will work with, but not limited to the following agencies: HeadStart, Riverbend Mental Health Center, Scope-310, Children's Rehabilitation Service, Cerebral Palsy Center, Alabama Institute for the Deaf and Blind.

- D. Consider all evaluations including those done by other agencies or arranged by parents.

II. List the persons and/or agencies that can provide independent educational evaluations.

Dr. JoAnne Hamrick
720 Montclair Road
Birmingham, Alabama 35213
205-591-7246

Dr. Carol Walker
Neuropsychologist
P.O. Box 35815
Huntsville, Alabama 35815
256-535-2322

Dr. Joan Kerr
106 Central Avenue
Huntsville, Alabama 35801
256-533-5194

III. Colbert 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. Colbert 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.

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CHAPTER 4

ELIGIBILITY

I. Procedures used in determining a student eligible for special education.

The Colbert County School System had established a procedure that provides for the participation of the IEP Team to consider the eligibility of students referred for special education and related services.

A. When evaluations are completed, the special education coordinator and/or his/her designee schedules a meeting in order for the IEP Team to consider the results of the evaluations and determine eligibility for special education. The meeting is held at the school attended by the student. The secretary of the special education coordinator mails notices concerning the eligibility meeting to the parents with a self-addressed, stamped envelope enclosed for returning the signed form. A meeting notice is sent to the special education teacher/case manager, general education teacher, principal, and guidance counselor via e-mail by the office of the Special Education Coordinator. The special education coordinator/psychometrist and/or his/her designee serves as the LEA Representative for the eligibility meeting.

B. Evaluation data is provided to the IEP Team for the consideration of eligibility for special education services. Criteria for eligibility is in compliance with the *Alabama Administrative Code for Special Education Services 290-8-9.03* and *290-8-9.04*. A *Compliance Verification Form* for the appropriate area of disability will be completed by the special education coordinator or his/her designee to ensure that all required criteria is included in the eligibility decision.

C. Following determination of eligibility by the IEP Team, the parent is required to make a decision about allowing the Colbert County School System to provide special education services for the child. This decision is indicated in writing on the *Notice and Consent for the Provision of Special Education Services* form.

1. If the parent does give written consent for the school system to provide special education services a case manager is assigned by the special education coordinator. The case manager convenes the IEP Team to write an Individualized Education Plan for the student. It is the responsibility of the case manager to provide notice of the meeting to the appropriate members of the IEP Team.
2. If the parent does not give consent for the school system to provide special education services the special education coordinator requests that the parent provide a written explanation as to why the services were declined. The special education coordinator

informs the parent that if he/she should change his/her mind and decide to allow the school system to provide services for the child, the parent should contact the special education coordinator in writing and/or orally.

- D. Training is provided annually for all special education teachers and testing personnel on the required criteria for each disability area. The *Alabama Administrative Code* and *Mastering the Maze* are provided to each special education teacher and are used during the training. The *Compliance Verification Form* is also reviewed during the training.

- II. Colbert 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. 6

CHAPTER 5

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

- I. Procedure utilized in developing IEPs.
 - A. The special education coordinator will assign a case manager to the student. The case manager will manage the individualized education program for the student. The case manager will ensure that an IEP meeting is held within 30 calendar days from the determination of initial eligibility. An IEP will be in effect before special education services are provided. At the beginning of each school year, an IEP will be in effect for each child receiving special education services. An IEP will remain in effect for a period not to exceed one year, but a meeting to review and/or revise the IEP may be requested at any time by the parent or teacher. The case manager will:
 1. Determine the need for the IEP development/review and schedule the IEP meeting.
 2. Send a written notice to the parents and/or student indicating the purpose, expected participants, date, time, and place of the meeting.
 3. Ensure the participation of the required team members.
 4. Collect and make available to the IEP Team data concerning the student's present level of performance and education strengths and needs.
 - B. Extended school year services for special education students in the Colbert County School System will be determined by the IEP Team. This decision is based on data collected by the special education teacher, input from the parent and general education teacher. Extended school year services will be provided if the IEP Team determines that an interruption in educational services is likely to deny the child FAPE. If it is determined that significant regression will occur due to the interruption in educational services, extended school year services will be provided.
 - C. Annual IEP training will be provided for the special education teachers on IEP development/writing. The IEP Coordinator provides training for the special education teachers on completing the IEP Team meeting notices. Special education teachers attend state and local training on how to write standards-based IEP goals and benchmarks (if appropriate). Sample IEPs are provided to the special education teachers to review. Special education teachers are provided a copy of all state standards. Training is provided on how to complete the *Alabama Student Assessment Forms*. Special education teachers are provided guidelines for determining the most appropriate state assessment for each special education student. The Inclusion Facilitator works with the general education teachers, special education teachers, and principals to ensure that the student is included in the most appropriate LRE. The Inclusion Facilitator is also available to provide training on how to determine the most appropriate LRE.
 - D. The requirements specified in the *Alabama Administrative Code 290-8-9.10(6)* will be met by the Colbert County School System as follows:

1. If the IEP meeting for a child placed in a private school by the LEA is initiated and conducted by the child's assigned case manager in Colbert County School System, a representative of the private school will be invited to attend the meeting.
2. If the IEP meeting for a child placed in a private school by the LEA is initiated and conducted by the case manager in the private school, an LEA representative will be involved in any decision about the child's IEP.
3. The Colbert County School System will ensure that if the IEP meeting is initiated and conducted by the LEA, a representative of the other state agency will be invited to attend the meeting.

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

A. Parents will receive written notice informing them of the purpose, proposed participants, date, time and location of the meeting at least 10 days before the meeting, unless the school system and the parents mutually agree upon an earlier date.

1. In the event that the parent indicates on the notice that they wish to reschedule the meeting, the case manager will contact the parent in order to reschedule the meeting for a mutually agreeable time.
2. At least two attempts will be made to arrange a mutually agreed upon time. These attempts will be documented on the *Notice and Invitation to a Meeting Consent for Agency Participation* form. Attempts may include written notices, telephone calls, certified mail, and home visits.
3. In the event that the parent is unable to attend, the parent may participate in the IEP meeting via telephone conference.
4. An IEP Planning Sheet for Parents is sent to the parent before the IEP meeting. The parent is asked to complete the sheet and return it to the case manager. The parent may complete the form through telephone interview with the case manager if desired.
5. The special education coordinator will arrange for an interpreter to attend the IEP meeting for parents who are deaf or whose native language is not English.

B. The Colbert County School System has elected not to amend an IEP without holding an IEP Meeting and convening an IEP Team. Minor corrections, such as Typographical errors and errors due to computer glitches, may be corrected using the *Notice of Proposal or Refusal to Take Action* form.

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

Special education teachers ensure parental involvement in IEP development through conferences with the parent at school or in the home, through telephone conferences, and/or through written correspondence such as surveys and questionnaires.

The special education coordinator coordinates system-wide parental involvement meetings on topic of interest at least one time per year.

The special education coordinator and/or IEP coordinator provide training to the parents of 8th grade special education students concerning diploma/exit options. Diploma/exit options are explained and the *Alabama High School Diploma/Exit Options* brochure is given to each parent. The student may also attend the meeting. The training is provided during the spring semester.

An annual public meeting will be scheduled by the special education coordinator to explain the parents' roles in making informed decisions about their child's educational program. The meeting will be held at the Colbert County Board of Education.

Information about the special education process, including the importance of decisions regarding "least restrictive environment" will be shared with parents in an ongoing way through discussions at the child's IEP meeting.

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

Hearing aids will be checked weekly and the functioning of the hearing aids documented. Written documentation of the weekly check will be kept in the student's special education file. If the aid is not functioning properly, the parent and/or special education coordinator will be contacted. It is the responsibility of the teachers of the students with hearing impairments to check to ensure that the hearing aids are functioning properly.. The special education coordinator will ensure that the school personnel receive appropriate training on how to check if the hearing aids are functioning.

The external component of surgically implanted medical devices will be checked by the teacher of the student with the surgically implanted medical device in order to ensure that the device is functioning correctly. The special education coordinator will ensure that the school personnel receive appropriate training on how to check if the device is functioning appropriately. If during the routine functioning check, it is discovered that the device is not functioning correctly, the parent will be notified immediately.

Individual decisions related to a child's hearing aids are addressed in an IEP meeting.

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

A. Developing, implementing and evaluating needed transition services

Every eighth grade student participates in a career inventory, such as the CHOICES program. The students are also provided an opportunity to interact with various business representatives.

Transition services for secondary special education students are addressed through the student's IEP beginning prior to age 16, or earlier if the IEP Team deems it appropriate. At the end of the eighth grade year, the IEP Team meets to discuss each individual student's transition goals, diploma choice, and course of study. The IEP Team utilizes agencies and representatives from the Alabama Vocational Rehabilitation Center, Scope 310, DHR, mental health, and others as needed. Transition goals are developed based on student and parent interviews, career interest surveys, Transition Planning Assessment Checklist, and classroom performance. This information is reviewed at the end of each academic school year.

Special education students in 9th through 12th grades may receive instruction in a Transition Skills Class and/or Academic Skills class on a daily basis depending on the needs of the student. At the annual IEP meeting, parents and students are given an opportunity to express their needs and suggest possible changes in the transition program. The parent or eligible student may request an IEP meeting at any time during the year.

With parental consent, the Alabama Vocational Rehabilitation Center provides vocational evaluations for eligible students. The Alabama Vocational Rehabilitation Center also conducts a Career Fair at a local college. The Career Fair spotlights a variety of career opportunities and career tech programs. The Colbert County School System provides transportation for students interested in attending the Career Fair.

B. Using transition assessments to develop appropriate postsecondary goals

Various transition assessments and sources of information are used by the IEP Team to develop a student's postsecondary goals. Examples of these assessments are: PrepHQ; parent and teacher interviews; grades; attendance reports; discipline report; input from agencies such as Scope DHR, and mental health counselors; information provided by the Job Coach; vocational evaluations provided by the Alabama Vocational Rehabilitation Center; Transition Assessment Checklist.

C. Ensuring IEP Teams distribute and review the exit/diploma options to parents of students prior to the ninth grade so that the highest and most appropriate diploma/exit option will be considered. The exit option must be reviewed annually.

The special education coordinator and/or the IEP coordinator provide training to the parents of eighth grade special education students concerning Diploma/exit options. Diploma/exit options are explained and the *Alabama High School Diploma/Exit Options* brochure is given to each parent. The student may also attend the meeting. The parents and/or

the students are encouraged to ask questions concerning the diploma/exit options. The training is provided during the spring semester before the student will enter the ninth grades. The parents are notified of the training opportunity via mail. The diploma/exit options are also reviewed at the IEP meeting held in the spring of the eighth grade school year. At each Succeeding annual IEP meeting each student's diploma choice, course of Study, and transition goals are reviewed.

D. Facilitating parent and student involvement in the transition process.

Parents and student are invited to meet with the IEP Team at least once a year, or as needed, to discuss the transition goals, course of study, and to review the diploma/exit option of the student. It is the responsibility of the case manager to monitor the student's progress. Parents are informed of the student's progress through progress reports (every nine weeks), phone calls, parent conferences, etc. Alternate methods of ensuring parental involvement in the IEP meetings are used if needed. These alternate methods include, but are not limited to, participation in the IEP meeting through phone conference and parent input survey.

E. Ensuring appropriate transition training for teachers and staff, grades 7 – 12.

The Special Education Coordinator, IEP Coordinator, Transition Facilitator and selected special education teachers, attend workshops such as the annual Transition Conference provided by the Auburn Transition Leadership Institute, as well as other State Department of Education workshops and training sessions. Information gleaned from the conferences and trainings are then shared with special education teachers in grades 7 -12. Training is provided on an annual basis to special education teachers in grades 7 – 12 on transition.

F. Ensuring intra-agency and interagency collaboration/communication in the training process.

It is the responsibility of the case manger of each special education student to share current information with the student's teachers and others involved in the student's transition process. General education teachers and special education teachers of the student must sign the *Person's Responsible for IEP Implementation* form and receive information concerning the student's IEP that would be pertinent to their involvement with the student. Case managers communicate with general education teachers and other special education teachers to ensure that each student's IEP is fully implemented.

The Transition Facilitator contacts outside agencies by phone, e-mail, and written correspondence. The Transition Facilitator maintains a working Relationship with the Alabama Vocational Rehabilitation counselor, Scope 310, The Arc of the Shoals, DHR, and any other agency as needed.

representatives from the various agencies are invited to the annual IEP meeting or other meetings as needed in accordance with the *Alabama Administrative Code*.

VI. Colbert 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.

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CHAPTER 6

PROCEDURAL SAFEGUARDS

I. Confidentiality procedure for:

The Colbert County School System provides confidentiality training annually for all teachers, principals, guidance counselors, and paraeducators. Substitute teachers are required to participate in one training on confidentiality and IDEA before they are allowed to substitute in Colbert County School System. This training is provided by the Special Education Coordinator and/or his/her designee.

A. Access to Records

Parental requests to review records may be made either orally or in writing to the principal, assistant principal, guidance counselor, special education teacher, or special education coordinator. An appointment will be made at a mutually agreed upon time for the review. The special education coordinator and/or the special education teacher will be available while the parent reviews the record to explain and interpret the record if requested.

B. Records on More Than One Student

When a record contains information on more than one child, the parents may review only the data regarding their child. If the data on their child cannot be isolated for review, the school system will inform the parent verbally regarding that portion of the data that pertains to their child. The data is provided to the parents by the principal, special education teacher, and/or special education coordinator.

C. List of Types and Locations of Information

A child's special education file is kept in a locked file cabinet in the classroom or office of the special education teacher who is the case manager of the child's file. The special education teacher keeps the file in a limited access location that ensures confidentiality. A copy of the file, with the omission of the current and past IEPs and progress reports, is kept in a locked file room at the Colbert County Board of Education. (See Section III of this chapter for a list of the specific records maintained and collected.)

D. Fees for Copying

Upon request to the special education coordinator, the special education teacher, the guidance counselor, the assistant principal, or the principal, parents shall receive copies of the special education file. One copy of the current IEP and the current notice and eligibility decision regarding special education services will be provided at no charge to the parent. Not more than once per school year, the school system will provide copies of the other items in the special education file free of charge; if the parent requests copies of these other items more than once per school year, the school system may choose to charge a reasonable fee to be determined by the current cost of duplication of the records.

E. Disclosure Procedures Pertaining to Special Education Records

Colbert County School System will maintain for public inspection, a current listing of the names and positions of those employees with the agency who have access to personally identifiable information.

Parental consent will be obtained before personally identifiable information is disclosed to parties other than official of participating agencies.

Parental consent will not be required before personally identifiable information is released to officials of participating agencies for the purposes of meeting a requirement of Part B of the IDEA, authorized state or federal officials in conjunction with monitoring or enforcement of legal requirements that relate to the special education program, and law enforcement and judicial authorities to the extent permitted by FERPA when a child with a disability has committed a crime.

Parental consent or the consent of an eligible child who has reached the age of majority (age 19) will be obtained before personally identifiable information is released to the officials of participating agencies providing or paying for transition services.

Parental consent will be obtained before any personally identifiable information about the child who is enrolled or is going to be enrolled in a private school that is not located in Colbert County School System is released between officials in the LEA where the private school is located and the Colbert County School System.

F. Transfer of Records

When a child transfers to Colbert County School System, the guidance counselor will immediately notify the special education coordinator about the special education student. The secretary for the special education coordinator will fax and/or telephone the previous school system to request the special education records of the child.

When a special education student transfers from Colbert County School System to another school system, upon request from the new school system, special education records will be transferred. The special education coordinator will mail written notice to the child's parents or the student who has reached age 18 concerning the transfer of records.

G. Amendment of Records at Parent's Request

Parents must make requests to amend special education records to the principal and/or the special education coordinator; the request shall be made in writing. Upon receipt of the request, the principal and/or special education coordinator shall, within 15 days, schedule and hold a conference with the parents and/or other appropriate school personnel. If the record is amended, the parent will be notified of the decision in writing. If the record is not amended, a written notice will be provided to the parent regarding the refusal. The notice will advise the parent of the right to a local hearing.

H. Opportunity for a Hearing

If the parent is not satisfied with the results of the local school conference, the principal, upon request of the parent, shall schedule a hearing with the Superintendent of Education of Colbert County School System or designee(s) within 15 days of the request.

I. Result of Hearing

A decision by the Colbert County School System Superintendent of Education or designee shall be rendered within 15 days of the hearing. If, as a result of the hearing, the Superintendent of Education agrees with the parent that the record should be amended, the special education coordinator will amend the information accordingly and inform the parent in writing.

If, as a result of the hearing, the Superintendent of Education agrees with the decision not to amend the record and the parent is still dissatisfied, the parent may make a written request to appear before the Colbert County Board of Education, the Superintendent of Education shall arrange for such an appearance on the date of the Board meeting immediately following the date of the request.

If, as a result of the hearing with the Board of Education, the school system decides that the record should not be amended, the special education coordinator will inform the parent in writing of the right to place in the child's records a statement commenting on the information or setting forth reasons for disagreeing with the decision. This explanation will become part of the record as long as the record is maintained by the school system. This explanation will

also be included if disclosed to any party that requests copies of the student's record.

J. Hearing Procedures

A hearing requested under the above circumstances will be conducted within a reasonable amount of time after the request of the hearing has been received from the parent or eligible student. The school system shall give the parent or eligible student reasonable notice of the date, time and place. The parent or eligible student shall be given an opportunity to present evidence relevant to the issues raised. The parent or eligible student may, at their own expense, be assisted or represented by an attorney. The school district will make its decision in writing within 10 days after the hearing. A written notice of the decision will be given to the parent.

K. Consent

Parent consent will be obtained before personally identifiable information is disclosed to anyone other than officials of federal, state or local education agencies collecting or using the information in conjunction with the child's special education program. A release form stating the types of information to be released and the purposed of the exchange of information will be signed by the parent. A copy of the release form will be retained in the child's file.

Parent consent will be requested before seeking information about a child from agencies other than those listed above.

Disclosure of records may be made without parental consent to:

1. Education employees who have legitimate interests
2. Education officials of other schools, school systems, or other state agencies to which the child has enrolled or intends to enroll
3. Authorized state or federal officials in conjunction with monitoring or enforcement of legal requirements that relate To the special education program
4. Authorities in response to a judicial order or pursuant to a legal subpoena after parents have been given notice of such order or Subpoena.

L. Destruction of Information

The Colbert County School System will retain a copy of the special education records for five years after the termination of the special education program for which they were used. At the end of five years, the special education coordinator will provide written notice through a Legal Notice published in the local newspaper for one week. Parents or students age 19 or older may contact the special education coordinator to receive the special education record. Unclaimed records will be shredded.

M. Disciplinary Information

The Colbert County School System will 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. Disciplinary records on students receiving special education are kept in a separate file from each student's cumulative file and special education file. These disciplinary records are kept in the office of the principal and/or assistant principal. Disciplinary information is also entered into STI.

N. Rights for Children

The Colbert County School System will afford to each child the rights of privacy similar to those afforded to parents regarding records, taking into consideration the age of the child, type and severity of the disability. Under the regulations for the Family Educational Rights and Privacy Act of 1974, the rights of parents regarding education records are transferred to the student at the age of majority.

O. Parental Notice and Consent

The Colbert County School System will obtain written parental consent prior to an initial evaluation for special education services; prior to initial provision of special education and related services; and prior to any reevaluation that requires additional data to be obtained. If a parent fails to respond to a request to provide consent for initial evaluation or a reevaluation, the Colbert County School System will make reasonable efforts to obtain informed consent through, but not limited to, the following means: parent conference at school, home visit, telephone conference, regular mail, certified mail, and electronic mail. These attempts will be documented in writing by the contact person. If the parent still refuses consent, the special education coordinator will schedule a meeting with the following personnel: principal, guidance counselor, special education teacher, general education teacher of the child. The parent will also be invited to participate in the meeting. This team will determine whether or not consent will be pursued by using mediation and/or due process.

The Colbert County School System will make reasonable attempts to obtain informed consent from the parent for the initial provision of special education and related services. If a parent fails to respond to a request for consent to the initial provision of special education and related services, the school system will attempt to obtain informed consent through, but not limited to, the

following means: parent conference at school, home visit, telephone conference, regular mail, certified mail, and electronic mail. These attempts will be documented in writing by the contact person. The school system will not convene an IEP meeting or develop an IEP for the child for the special education and related services for which the school system requests consent.

Written notice will be provided to parents a reasonable time before the Colbert County School System proposes or refuses to initiate or change the identification, evaluation, educational placement, or the provision of FAPE to a child. The *Notice of Proposal or Refusal to Take Action* form will be used. This notice will be provide in the native language of the parent.

Written notice will be provided to the parents when a child graduates from high school with a regular diploma or exits because the child has exceeded the age of eligibility for FAPE. The *Notice of Proposal or Refusal to Take Action* form will be used. The student will be given a *Summary of Performance* when he/she graduates from high school with a regular diploma or exits because he/she has exceeded the age of eligibility for FAPE.

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

Wade Turberville
Special Education Coordinator
PO Box 538
Tuscumbia, AL 35674
256-386-8565

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

Special Education records for students receiving special education services in Colbert County School System are maintained in both the school system's central office and the child's current school. These files are kept in a locked file room and/or locked file cabinet that have an attached notice of those persons permitted access. Information in special education records are also entered in SETSWEB.

A. Central Office Files

1. Child Count Data
2. Class Rolls
3. SETSWEB
4. Individual special education files containing:
 - a. BBSST information
 - b. Referral documents, including work samples
 - c. Notice of Proposed Meeting for referral, reevaluation, and eligibility determination meetings
 - d. Notice and Consent for Initial Evaluation

- e. Copy of Vision/Hearing Screening
- f. Intelligence test protocols and reports
- g. Achievement test protocols and reports, diagnostic tests, medical information, classroom observations, and behavior/adaptive behavior scales
- h. Copy of ECEC checklist
- i. Notice and Eligibility Decision Regarding Special Education Services
- j. Copy of Notice and Consent for the Provision of Special Education Services
- k. Notice and Intent Regarding Special Education Services
- l. Notice of IEP Team's Decision Regarding Reevaluation
- m. Consent for Reevaluation
- n. Manifestation Determination Report
- o. Copy of surrogate parent appointment, denial, and/or Rescission letters.
- p. Copy of Summary of Performance

B. Special Education Teacher Files

1. Individual Special Education Files

- a. Copy of BBSST information
- b. Copy of Referral documents, including work samples
- c. Copy of Notice of Proposed Meeting for referral, reevaluation, eligibility determination, develop review/revise IEP
- d. Copy of Notice and Consent for Initial Evaluation
- e. Copy of Vision/Hearing Screening
- f. Copy of Intelligence test reports
- g. Copy of Achievement test reports, diagnostic tests, medical information, classroom observations, and behavior/adaptive behavior scales
- h. Copy of ECEC checklist
- i. Copy of Notice and Eligibility Decision Regarding Special Education Services
- j. Copy of Notice and Consent for the Provision of Special Education Services
- k. Copy of Notice and Intent Regarding Special Education Services
- l. Copy of Notice of IEP Team's Decision Regarding Reevaluation
- m. Copy of Consent for Reevaluation
- n. Copy of Manifestation Determination Report
- o. Copy of surrogate parent appointment, denial, and/or rescission letters
- p. Past and current IEPs
- q. Past and current progress reports

- i. Student folders containing information needed by the teacher for the current year only. This information may include such things as the following:
 - a. work samples
 - b. copies of parent communication (phone conferences, parent conferences, etc...)
 - c. teacher notes concerning student work, behavior, etc....

IV. Procedure for:

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

1. A surrogate parent is needed under the following conditions:
 - a. No parent or guardian can be identified.
 - b. After reasonable efforts, the school system cannot discover the whereabouts of a parent or guardian.
 - c. The child is a ward of the state. A child who does not have a Parent or guardian and is in the legal custody of the state, court, state agency or institution, and who is placed in a facility other than a foster home, must have a surrogate parent appointed.
2. Who may request the appointment of a surrogate parent for a child:
 - a. Special Education Coordinator
 - b. Guidance Counselor
 - c. Principal
 - d. Referring Person
 - e. Special Education Teacher
 - f. Department of Human Resources personnel
 - g. Any other interested party

B. Appointment of a surrogate parent.

Upon receiving a written or oral request from a person knowledgeable that a child referred for special education evaluation or receiving special education services is in need of a surrogate parent, the Superintendent of Education will appoint a surrogate within 10 days of determining the request to be appropriate. A written copy of the appointment will be sent to the surrogate parent and the person/agency making the request. A copy of the appointment will be placed in the child's special education file.

C. Training surrogate parents.

The Special Education Coordinator will train the surrogate parent for his/her roles and responsibilities by reviewing the *Alabama Administrative Code Special Education Services* and

Colbert County School System's local special education plan. The training will take place at a mutually agreed upon time and place. The training will include all information related to the special education process and provision of a free appropriate public education to the child.

D. Rescission of a surrogate parent.

Rescission will occur when the surrogate parent is no longer able or willing to serve as a surrogate parent or when the child no longer needs a surrogate. The Superintendent of Education will notify the surrogate parent in writing concerning the rescission. A copy of the rescission letter will be placed in the child's special education file.

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

The school system will maintain a tracking file of all children who were considered for and/or appointed a surrogate parent. The tracking system will include the child's name, school, social security number, disability, custody status, date surrogate requested, date request was received, date and action taken, surrogate's name or reason for denial, training information (including date of training, name of trainer, program content, and documentation of attendance), and rescission date and reason. This file will be maintained in the office of the Special Education Coordinator.

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

Records concerning complaint resolution, mediation agreements, and due process hearing decisions are kept in the office of the Special Education Coordinator. The Special Education Coordinator will monitor the implementation of all decisions. After input from the parents and building-level personnel, the Special Education Coordinator will develop a mutually agreed upon schedule of school-parent conferences to keep lines of communication open and to ensure that all due process hearing decisions are implemented appropriately.

VI. Colbert 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*). 8

CHAPTER 7

SYSTEM OF PERSONNEL DEVELOPMENT

I. Qualified Personnel.

A. Colbert County School System that qualified personnel will be provided to implement special education services.

B. Procedure to recruit and retain qualified personnel.

Colbert County School System contacts institutions of higher education to locate qualified applicants. Colbert County School System also advertises employment opportunities on the school system website in order to recruit qualified personnel. Job vacancies are also posted in local schools.

Colbert County School System attempts to retain qualified teachers by providing funds for yearly professional development. The school system also provides mentoring for new teachers.

II. Procedures to fully inform teachers and administrators of their responsibilities for implementing least restrictive environment requirements.

The Special Education Coordinator will work with the general education instructional supervisors, principals, and teachers to prioritize needs for the school system and for each school. The Special Education Coordinator will provide training at each school to inform teachers and principals of the special education process, IEP development, Least Restrictive Environment determination, and discipline of special education students. Additional training for special education teachers will occur during personnel development activities such as special education staff meetings and individual teacher-supervisor conferences. Training on LRE will also occur as a natural process during the referral, eligibility determination, and IEP meetings.

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

The Special Education Coordinator will provide training at each school to inform teachers and principals of the special education process. Information from *Mastering the Maze* will be used to inform general educators and administrators of the special education process. Copies of the following Process Charts from *Mastering the Maze* will be distributed to educational personnel:

1. Process Chart 1: 90-Day Special Education Process-Initial Referral Through IEP Implementation
2. Process Chart 2: Reevaluation to Determine Continued Eligibility
3. Process Chart 3: Reevaluation to Determine if Changes Need to be Made to The IEP
4. Process Chart 4: Annual IEP Team Meeting to Develop the IEP

5. Process Chart 5: IEP Meeting to Amend the Annual IEP

IV. Colbert 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). 9

CHAPTER 8

DISCIPLINARY PROCEDURES

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

The Colbert County School System will provide a free appropriate public education for those students suspended or expelled from school. Prior to suspending a special education student, the student's IEP shall be reviewed to determine if the student's behavior warranting out-of-school-suspension is related to the disability or to determine if the proposed suspension is appropriate based on the IEP. In the event that it is determined that the student's behavior is not related to the disability or if the IEP specifies out-of-school suspension as an appropriate disciplinary measure, the student shall be treated as any other student and may be suspended. However, upon reviewing the IEP should it be determined that the disability is related to the student's behavior or the IEP does specify out-of-school suspension as an inappropriate disciplinary measure, the suspension shall not be administered to the student. Special education students suspended for more than ten school days during the academic year will be provided an alternative educational program during the suspensions.

Prior to the expulsion of a special education student, a manifestation meeting will be held in order to review the student's IEP and Behavior Intervention Plan, when appropriate, to determine if the expulsion is appropriate based on the IEP disciplinary plan and if the student's behavior warranting expulsion is related to the disability. In the event it is determined that the student's behavior is not related to the disability and the IEP disciplinary plan specifies expulsion as appropriate, the student shall be treated as any other student and expulsion may be used as a discipline measure. In such case, an alternative educational placement is provided. This removal will not be for more than 45 school days. If it is determined that the disability is related to the student's behavior or, upon reviewing the IEP disciplinary plan, it is determined that the IEP does not specify expulsion as appropriate, then expulsion shall not be imposed on the student. The IEP Team will then conduct a functional behavioral assessment and implement a behavior plan for the child. If a behavior intervention plan is already in place, it will be reviewed and revised as necessary.

If the expulsion is due to special circumstances, the student may be moved to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability. Special circumstances are defined as follows:

1. Student carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of the SEA or LEA,
2. Student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the SEA or LEA,
3. The student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the SEA or LEA.

II. Colbert 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. 10

CHAPTER 9

FINANCIAL REQUIREMENTS

IDEA Flow-Through Funds

- I. The Colbert County School System will submit an LEA Plan and meet the requirements of federal statutes and regulations [LEA Application and Assurances-34§300.200; EDGAR 34 CFR §76.400-401].

Fund Obligation

- II. The Colbert County School System will describe how it will use IDEA Part B and Preschool funds by completing the annual budget application data requirement and submitting it to the Alabama State Department of Education for approval prior to the receipt of funds [EDGAR 34 CFR §76.703; 76.707-710; and 34 CFR §80.23].

Fund Obligation during Carryover Period

- III. The Colbert County School System will obligate remaining funds during a carryover period of one additional fiscal year if funds have not been obligated by the end of the fiscal year that funds were appropriated. Obligations made during the carryover period are subject to current statutes, regulations, and application [EDGAR 34 CFR §76.709].

Allowable Activities

- IV. The Colbert County School System will ensure its use of Part B IDEA funds to pay for allowable activities of providing special education and related services [34 CFR §300.16 & 300.202; OMG Circular A-87 & A-133].

Allowable Costs/Cost Principal

- V. The Colbert County School System will ensure its use of Part B IDEA funds to pay excess cost of providing special education and related services [34 CFR §300.16 & 300.202; OMG Circular A-133] and ensure that costs are necessary, reasonable, and allocable [OMG Circular A-87; EDGAR 34 CFR §80.22].

Excess Cost

- VI. The Colbert County School System will use funds provided under Part B of the IDEA only for costs which exceed the amount computed under Appendix A to Part 300 – Excess Cost Calculation and that are directly attributable to the education of children with disabilities [34 CFR §300.16 & 300.202; Appendix A to Part 300; EDGAR 34 CFR §80.26 & OMB Circular A-133].

Supplement not Supplant

- VII. The Colbert County School System will use funds provided under Part B of the IDEA 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 [34 CFR §300.162(c) & 300.202(a)(3)].
- VIII. The Colbert County School System will ensure that it does not commingle IDEA funds with state funds and expend funds appropriately [34 CFR §300.162(b)].

Fiscal Control and Fund Accounting

- IX. The Colbert County School System will use fiscal control and fund accounting procedures that ensure proper disbursement of and account for Federal and state funds [EDGAR 34 CFR §76.702].

Maintenance of Effort (MOE)

- X. The Colbert County School System will ensure to maintain effort, including exceptions and adjustments to MOE [34 CFR §300.203-205].

Coordinate Early Intervening Services (CEIS)

- XI. The Colbert County School System will ensure that, if significant disproportionality is identified, the LEA will use 15% of its IDEA Part B and Preschool allocations for CEIS [34 CFR §300.646(b)(2)] and will track and report the number of children served and, subsequently, the number of children who will receive special education and related services under Part B of IDEA during the preceding two year period for CEIS [34 CFR §300.226].

Equitable Services (Proportionate Share for Eligible Private School Students with Disabilities)

- XII. The Colbert County School System will spend its proportionate share of IDEA funds on equitable services for parentally-placed private school children with disabilities [34 CFR §300.132-300.137].
- XIII. The Colbert County School System will ensure that the proportionate share funds do not benefit a private school, the appropriate use of public and private school personnel to provide equitable services and the proportionate share funds remain in control of the LEA [34 CFR §300.141-300.142 & §300.144(a)].

CHAPTER 10

ADMINISTRATION

Implementation of State and Federal Laws and Regulations

- I. The Colbert County School System ensured that it will implement the Alabama State Plan for Special Education, the Alabama Administrative Code, and all state and federal laws and regulations applicable to children with disabilities [34 CFR §300.200].

Information for SEA

- II. The Colbert County School System ensures that it will provide information necessary to enable the ALSDE to carry out its duties under Part B of the IDEA, 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].

Policies, Procedures and Programs

- III. The Colbert County School System ensures that it will have in effect policies, procedures and programs that are consistent with state policies and procedures, including the use of any required state forms (34 CFR §300.201).

Reports and Records

- IV. The Colbert County School System ensures that it will maintain records and afford the ALSDE access to records which verify the correctness of information submitted [EDGAR 34 CFR §76.722; 76.730; 76.731 & 76.740].

School-Wide Programs

- V. The Colbert County School System will use funds under Part B of the IDEA to carry out school-wide programs under Section 1114 of the ESEA, not to exceed the amount received by the LEA under Part B of this Act for that fiscal year [34 CFR §300.206].

Accessible Instructional Material

- VI. The Colbert County School System ensures that it will provide instructional materials in accessible format to blind persons or other persons with print disabilities [34 CFR §300.210(2) – 210(3)].

Public Availability of Eligibility Documents

- VII. The Colbert County School System ensures that 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 IDEA [34 CFR §300.212].

Records Regarding Migratory Children with Disabilities

- VIII. The Colbert County School System ensures that 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 education information regarding those children [34 CFR §300.213].

Local Charter School Treated as Public School

- IX. The Colbert County School System ensures that children with disabilities attending charter schools are served in the same manner as the public school children including providing supplementary and related services on site at the charter schools to the same extent as other public schools [34 CFR §300.209(b)(i)].