

Academy of Dover Charter School Special Education Policy and Procedures

Title 14 DE Administrative Code Section 900: Special Populations, Subsection 922.1.0 through 929.3.0 when identifying, evaluating, servicing, and monitoring a student suspected of having a disability. A “Child with a Disability” means a child evaluated in accordance with 14 DE Admin. Code 925.4.0 through 925.12.0 as having intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, and other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.

Belief

It is AOD’s belief that all students are unique and learn in their own special way. At the Academy of Dover, all Special Needs students participate in an inclusion setting where students with disabilities are educated with students who are non-disabled.

Pre-referral and RTI process

The pre-referral step in the special education process is more formal than providing simple and temporary accommodations for students. Pre-referral intervention is to identify, develop, and implement alternative education strategies for students who have recognized problems in the classroom before the student is referred to special education. The RTI process is a large part of this step, in determining if high quality instruction and interventions given with fidelity would address the needs of the student.

Referral for Special Education

If, after interventions in the general education classroom, the student continues to experience difficulty, school personnel may refer the child for a special education evaluation. Referrals for determination of eligibility for special education services may be initiated by:

- School personnel (including general education teachers, special education teachers, counselors, administrators, etc.);
- Child’s parent(s) or legal guardian(s);
- Any other person involved in the education or care of the child.

The official referral begins the formal process of determining eligibility for special education services. Once a referral is provided, the school must obtain consent from the parent(s) or legal guardian(s) to begin the evaluation phase of the referral process.

Special Education Evaluation

IDEA requires that students referred for special education services receive a nondiscriminatory multi-factored evaluation. The school district is required to complete the evaluation within 60 days of the referral date. The evaluation is to be conducted by a multidisciplinary team that will

consist of individuals who can bring different perspectives and expertise to the evaluation. Some examples of team members include:

- **School Psychologist:** These professionals are qualified to conduct all types of educational assessments including intelligence (IQ), achievement, behavior, etc.
- **Special Educators:** These individuals are qualified to conduct some types of achievement and behavior evaluations as well as informal observations.
- **General Educators:** These individuals provide documentation of the problems of the specific student.
- **Parent(s) or Legal Guardian(s):** The parents or legal guardians provide valuable insight into the student's behavior and personality in other environments.
- **Related Service Providers (Physical Therapist, Occupational Therapist, etc.):** These specialists provide information pertaining to specific areas of concern that have been assessed.
- **Medical Doctors (including psychiatrists, ophthalmologists, and optometrists):** Depending on the disability of the student, medical records can also be used in the determination of eligibility for special education services.

Eligibility

IDEA states that each child is entitled to a Free Appropriate Public Education (FAPE.) Special education services are one way to accomplish that requirement for some students with disabilities. Within 30 days of the completion of the evaluation, the team will meet to determine eligibility. A student is considered eligible for special education services if (1) the child has a disability as defined by IDEA which negatively impacts his/her educational performance, and (2) the child needs special education services in order to benefit from education.

If the team determines that the student is eligible for special education services, then a formal Individualized Education Program (IEP) team will be formed to develop a plan of special education services for the student.

IEP Meeting

The Individualized Education Program (IEP) is a *legal contract between the parents and the school district* that describes the special education services to be provided by the local education agency which is the local school district. While IEP documents vary, the basic parts of an IEP include:

- A student profile that provides background information about the student. The profile will include strengths and weaknesses of the student, information regarding performance in the classroom and on formal assessments, and the reason he or she is receiving special education services.
- IEP initiation and duration dates: the goals expressly stated in an IEP begin on the date, stated in the IEP meeting, and are in effect until the date stated in the IEP. These IEP goals are reviewed, monitored and updated based on student progress. For most students, IEP goals are in place for one academic year.

- A statement of “special instructional factors” (such as the need for assistive technology, braille, or transition services). If the student requires any of the special instructional factors, they should be addressed in the IEP.
- A statement of special transportation needs;
- A statement of opportunities to participate in nonacademic and extracurricular activities with their non-disabled peers
- A statement of the frequency and method of reports of goal attainment for parents or guardians.
- Benchmark pages are included and focus on specific areas that need special education services (such as reading, math, PE, etc.). The benchmark pages include: Present Levels of Academic Achievement and Functional Performance (PLAAFP) statements,
- Measurable Annual Goals,
- Evaluations used to measure annual goals,
- Benchmarks to be achieved to meet the annual goals,
- Special education and related services needed to achieve the annual goal (includes frequency of services, amount of time, location, and responsible agencies).
- A Behavior Intervention Plan (BIP) if the student’s behavior is a concern and a functional behavioral assessment has been done or needs to be conducted,
- The signature page which provides a statement of least restrictive environment (LRE) and has the signatures of all members present at the meeting.

The IEP team is composed of the following:

- The parent(s) or legal guardian(s) of the student with a disability;
- At least one general education teacher of the student if the student is or may be participating in the regular education environment for any classes;
- At least one special education teacher of the student or a special education provider of the student;
- A representative of the local educational agency (LEA) who is (1) qualified to supervise the needs of the student, (2) is knowledgeable of the general curriculum, (3) is knowledgeable about the availability of resources of the public agency, and (4) has the authority to commit agency resources; This person is frequently a principal or assistant principal of the student's campus.
- An individual who can interpret the instructional implications of evaluations (typically an educational diagnostician, school psychologist, or specially-trained special education teacher);
- Other individuals asked to attend at the discretion of the school or the parent who have knowledge or special expertise regarding the student (such as related service providers and/or family members or family friends maintaining a close relationship with the student). Parents also have the right to invite an advocate if they so desire.