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ARLINGTON PUBLIC SCHOOLS
Special Education
Policy and Procedural Manual

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Introduction

The Office of Special Education provides support for students with disabilities, parents, administrators, and school staff in the evaluation, identification, placement, instruction and transitional services. Arlington Public Schools (APS) maintains compliance with federal and state regulations related to special education processes and programs. APS' policies and practices are based on the Individuals with Disabilities Education Act (IDEA), the regulations of the State of Virginia, Section 504 of the Rehabilitation Act of 1973, and the Regulations Governing Special Education Programs for Children with Disabilities in Virginia (January 2010).

School administrators have the primary responsibility for adhering to timelines, implementing procedures, and monitoring a student's Individualized Education Program (IEP). The Director of Special Education is responsible for coordinating system wide special education procedures and programs.

Definitions

http://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf
(8VAC20-81-10. Definitions. Pages 1-12)

Special Education Processes

Child Find

APS maintains an active and continuing child find program designed to identify, locate and evaluate students residing in the jurisdiction who are birth to age 21, inclusive, who are in need of special education and related services, including children who: are highly mobile, such as migrant and homeless children; are wards of the state; attend private schools, including children who are home-instructed or home-tutored; are suspected of being children with disabilities and in need of special education, even though they are advancing from grade to grade; and are under 18, who are suspected of having a disability who need special education and related services, and who are incarcerated in a regional or local jail in its jurisdiction for 10 days or more.

Student Study Committee (SSC)

The Student Study Committee receives and acts upon referrals from teachers, parent(s), or other persons who work with or have knowledge of students who may have learning and/or behavior concerns. A referral may be submitted in written, electronic, or oral form. Documentation of the referral should be maintained in the student's Education Record.

A SSC meeting must be held within ten business days from the date of receipt of referral. Parental permission or attendance is not required in order to conduct the SSC meeting. The committee shall consist of the following persons:

- The referring source, as appropriate (except when the referring source would breach the confidentiality of the student)
- The principal or designee;
- At least one teacher;
- At least one specialist from the DSSSE

- The SEC who acts in the role of designee for the Director, Special Education

Data should be obtained from all possible sources to ensure complete school information is available for consideration by the SSC. Consideration should be given to: Information from the student's record; Work samples; Anecdotal records; Classroom observations; Medical information from the school nurse; and Information from other agencies, and/or institutions.

Prior to referring a student with limited English proficiency to the SSC, the English for Speakers of Other Languages (ESOL) or High Intensity Language Training (HILT) teacher completes the Educational Checklist and Suggested Differentiated Instructional Practices for Elementary English Language Learners Experiencing Academic Difficulty or the Secondary Educational Checklist for HILT/HILTEX Students and should be included as a committee member.

Two possible courses of action or recommendations are available to the SSC. If no further action is recommend, the SSC may recommend alternative teaching strategies, changes to a student's environment, or approaches designed to assist a student who is experiencing academic and/or behavioral challenges. Every effort should be made to accommodate students in regular education programs and the SSC may want to recommend the student's progress be monitored through the Intervention Assistance Team (IAT). <https://www.apsva.us/student-services-special-education/special-education-office-of/intervention-assistance-teams/>

If the student is referred for consideration for special education eligibility parental consent must be secured prior to the completion of any formal evaluations.

After each SSC meeting a Prior Written Notice must be provided to the parents within 10 business days reflecting the considerations of the team as well what APS is proposing.

Evaluation for Special Education

APS uses procedures to ensure that proper identification of students with disabilities occurs through the implementation of sound evaluative practices. Evaluation in this context means the procedures that APS uses to determine whether a student has a disability. Evaluations must be completed so that the eligibility team can meet to consider the results of the evaluations within 65 business days from the date of the referral for an evaluation.

If the special education committee suspects a speech/language impairment the following evaluations are required: a Speech/language evaluation, Observation, Teacher Narrative and, Vision and Hearing screening. If the special education committee suspects any other disability the following evaluations are required: Social-cultural, Psychological (depending on the age of the child), Educational or Developmental (depending on the age of the child), Observation, Teacher Narrative and, Vision and Hearing Screening. The special education committee can consider additional evaluations if necessary.

Assessments, evaluation materials, procedures and techniques used for evaluation purposes are selected and administered so as not to be discriminatory on a racial or cultural basis. APS' Multicultural Assessment Team (MAT) provides bi-lingual evaluations for students, preschool through high school.

Information from private evaluations provided by parents should be considered as part of the eligibility process if the evaluations are less than 12 months old. An initial evaluation is conducted to determine if

the student has the presence of a disability and requires specialized instruction.

An evaluation report generated by non-APS personnel should be reviewed by APS staff responsible for the report in his or her discipline prior to an eligibility meeting and must be supplemented with some form of evaluation. It is essential that APS evaluators have first-hand knowledge of the student and are able to accurately interpret and integrate data shared by outside professionals.

Initial Eligibility for Special Education

Once the evaluations are completed, the eligibility committee, consisting of qualified professionals and the parent of the student, make the determination of whether the student is a student with a disability. The local educational agency shall obtain written parental consent for the initial eligibility determination.

The eligibility committee shall consider, as part of the evaluation, data that demonstrates that prior to, or as part of the referral process, the child was provided appropriate high-quality, researched-based instruction in general education settings.

A student is eligible if criteria is met for at least one disability category, as defined by the Virginia Department of Education, to include: Autism, Deaf/Blindness, Deafness, Developmental Delay, Emotional Disability, Hearing Impairment, Intellectual Disability, Multiple Disabilities, Orthopedic Impairment, Other Health Impairment, Specific Learning Disability, Speech or Language Impairment, Traumatic Brain Injury, or Visual Impairment. A student will not be eligible if the determinant factor is: Lack of appropriate instruction in reading, Lack of appropriate instruction in math; or Limited English proficiency. A student will not be identified as a student with a speech or language impairment if the area of concern is primarily the result of sociocultural dialect, delays/differences associated with acquisition of English as a second language or within the purview of established norms for articulation and language development.

The eligibility decision must be made after determining which needs of the student cannot be met in general education. Specific recommendations for placement, program development, or related services are the function of the IEP team and should not be discussed as part of the eligibility determination.

The eligibility committee shall work toward consensus. If there is disagreement among the team and the team's decision does not reflect a particular member's opinion, they are encouraged to submit a written statement presenting their dissenting opinion.

Parental consent is not required for an initial determination if the student is not found eligible for special education services. If the parent disagrees with the ineligible decision, they have the right to appeal the decision by notifying the special education coordinator in writing. When a student is found ineligible, information obtained from the evaluation that is relevant to instruction must be provided to the student's teacher(s). If the student is in a private school, parental consent to release this information must be obtained.

Once an eligibility determination has been made and the student is determined to either be eligible or ineligible for specially designed instruction a Prior Written Notice must be completed and provided to the parent within 10 business days.

Individual Educational Program (IEP)

APS ensures that an Individualized Education Program (IEP) is developed and implemented for each student with a disability, including students placed in a private special education school by the State of Virginia within 30 calendar days of the initial eligibility determination. The IEP team develops a written plan for each student requiring special education and related services and reviews and/or revises it to meet the needs of each student who requires those services. APS provides a free, appropriate public education (FAPE) for all students with disabilities ages 2 through 21 who require special education and related services, who have not graduated with a regular high school diploma or exceeded the age of eligibility.

The IEP team must include the parent of the student if the student has not yet reached the age of majority; the adult student unless guardianship has been obtained on his/her behalf; the student's regular education teacher; the student's special education teacher; a representative of the LEA; and an individual who can interpret the instructional implications of evaluation results. This individual may be a member of the team serving in another capacity, other than the parent of the child. The team may also include, at the discretion of the parent(s) or school division, other individuals who have knowledge or special expertise regarding the child, including related services personnel, as appropriate.

The IEP consists of the following required components:

- Secondary Transition (if applicable)
- Present Levels of Academic Achievement and Functional Performance (PLAAFP)
- Special Considerations
- Annual Goals and Short Term Objectives (if appropriate)
- Accommodations and Supplementary Aids
- Special Education and Related Services
- Extended School Year
- Participation in State and Division-wide Assessments
- Least Restrictive Environment
- Parent Statement
- Progress Reporting

Secondary Transition services are required for all students entering secondary school but no later than the first IEP to be in effect when the student turns 14, or younger if determined appropriate by the IEP team, and updated annually thereafter. As part of the IEP, the transition plan must include measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills. It must also specify transition services, including courses of study, needed to assist the student in reaching those goals. Transition services are based on the individual student's needs, taking into account the student's strengths, preferences and interests. The transition plan must also include a statement, if appropriate, of interagency responsibilities or any linkages.

Present Levels of Academic Achievement and Functional Performance (PLAAFP) must include a description of the student's current or present level of academic achievement and functional performance. PLAAFPs also include a description of the student's current levels that require specially designed instruction and a description of how the student's disability impacts their involvement and

progress in the general education curriculum or appropriate preschool activities.

Special Considerations include factors that must be considered by the IEP team. Documentation of the consideration and need for the following must be included as part of the IEP team's discussion:

- Consider the communication needs of the student;
- Consider the student's needs for benchmarks or short-term objectives;
- Consider whether the student requires assistive technology devices and services
- In the case of a student whose behavior impedes his/her learning or that of others, consider the use of positive behavioral interventions, strategies, and supports to address the behavior;
- In the case of a student with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
- In the case of a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media, including an evaluation of the student's future needs for instruction in Braille or the use of Braille, that instruction in Braille or the use of Braille is not appropriate for the student;
- In the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode.

Measurable annual goals, including academic and functional goals designed to meet the student's needs that result from the identified disability to enable the student to be involved in progress in the general curriculum, or for preschool children, as appropriate, to participate in appropriate activities are required. If determined appropriate by the IEP team, a description of benchmarks or short-term objectives may also be included. For students with disabilities who take alternate assessments aligned to alternate achievement standards, the IEP shall include a description of benchmarks or short-term objectives. The IEP team must document its consideration of the inclusion in the child's IEP of benchmarks or short-term objectives as part of the special considerations.

In order to determine the student's progress toward meeting annual goals and/or short-term objectives APS includes additional information in the IEP including baseline data, a statement of how the student's progress toward the annual goals will be measured and how frequently progress will be reported. Progress on annual goals and/or short-term objectives must be reported at least as often as students without disabilities receive progress updates/report cards.

Accommodations, or supplementary aids and services, are seen as changes in the delivery of instruction, in the method of student performance, or assessments that do not substantially alter the content or conceptual difficulty of the curriculum. They may include program modifications and supports, based upon peer reviewed research, to be provided for the student or on behalf of the student in order for him/her to advance appropriately toward attaining the annual goal; to be involved and progress in the general curriculum; to participate in extracurricular and other nonacademic activities; and to be educated and participate with other students with and without disabilities in specific activities. Accommodations may specify those used in the presentation of material, alternate methods for student responses, changes to the environment, or in the administration or schedule of instruction or assessments. The IEP documents the required accommodations and modifications

including assistive technology devices and services as appropriate. Accommodations required for student progress on the IEP can also be considered, if appropriate, for use under test conditions.

Special Education and Related Services that will be provided to the student must be documented in the IEP. The projected beginning date of services, as well as the frequency, location and duration of those services must also be included in the IEP.

Extended School Year (ESY) services are provided to students with disabilities in grades PreK thru 12 beyond the normal school year whose IEP team decided that the benefits the child gained during the regular school year will be significantly jeopardized if the student does not receive ESY services. All ESY services and transportation are provided free of charge as a part of the student's access to a free appropriate public education (FAPE).

Students who are eligible to receive ESY services must meet the criteria established by the VDOE Virginia Department of Education Guidelines for ESY.

http://www.doe.virginia.gov/special_ed/regulations/federal/extended_schoolyear_services.pdf

ESY services are considered at every IEP meeting. Only goals identified as critical life skills can be considered for ESY services. Federal and State guidance is not specific on what constitutes a critical life skill. In general, a critical life skill includes any skill determined by the IEP team to be critical to the student's overall educational progress, including social and behavior skills. In determining critical life skills for the specific needs of the student, the school division may consider those skills that lead to independent living, including toileting, feeding, communicating, dressing, and other self-help skills. In some cases the school division may consider and address academic and behavioral issues. Depending on factors, such as a student's age, ability, and the number of years the student has left in school, the areas of reading, math, and written language could be considered critical life skills.

The IEP team must consider the following factors when determining ESY:

- Regression/Recoupment – Is there a likelihood of substantial regression of critical life skills caused by a school break and a failure to recover those lost skills in a reasonable time. Some regression in skills typically occurs with all students during schools breaks, but such losses would not be considered substantial. APS considers 9 weeks to be a reasonable amount of time to recover lost skills.
- Degree of Progress – Review the student's progress toward the IEP's goals on critical life skills to determine whether, without these services, the degree or rate of progress toward those goals (or objectives) will significantly jeopardize receipt of benefit for his/her educational placement.
- Emerging Skills/Breakthrough Opportunities – Review all IEP goals targeting critical life skills to determine whether any of these skills are at a breakthrough point. If so, the IEP team determines whether the interruption in services and instruction on those goals (or objectives) by the school break is likely to significantly jeopardize the student's receipt of benefit from his/her educational program during the regular school year without these services.
- Interfering Behaviors – Are there any interfering behaviors, such as ritualistic, aggressive or self-injurious behaviors targeted by IEP goals that have prevented the student from receiving benefit from his/her educational program during the school year? Determine

whether the interruption of programming which addresses the interfering behaviors is

likely to significantly jeopardize the student's receipt of benefit from his/her educational programming during the next school year without ESY services.

- Nature and Severity of the Disability – Determine whether, without ESY services, the nature and severity of the student's disability are likely to significantly jeopardize the student's receipt of benefit from his/her educational program during the regular school year.
- Special Circumstances or Other Factors – The IEP team determines whether, without ESY services, there are any special circumstances that will significantly jeopardize the student's receipt of benefit from his/her educational program during the school year.

Participation in state and district-wide assessments is required for all students in APS with appropriate accommodations, where necessary. If APS determines that a student will not participate, even with accommodations, in the standard administration of a district-wide assessment, or will not participate in any part of a district-wide assessment, the IEP must include a statement of explanation. This statement includes a description of the rationale indicating why the assessment is not appropriate for the student, and how the student will be assessed.

The state assessment program consists of the Standards of Learning (SOL) Assessments and the Alternate Assessment Program (VGLA, VMAST, VAAP, VSEP). The IEP team determines the assessment program the student will participate in and what accommodations, if any, the student will require in order to participate in the assessment.

All students must participate in the state accountability system. Procedures and guidelines for participation of students with disabilities in all state assessment programs can be reviewed at Virginia Standards of Learning (SOL) test, the Virginia Grade Level Alternative (VGLA) the Virginia Substitute Evaluation Program (VSEP), the Virginia Modified Achievement Standards Test (WMAST) and the Virginia Alternative Assessment Program (VAAP)

Least Restrictive Environment (LRE) means that to the maximum extent appropriate, students with disabilities, including students in public or private placements, are educated with their non-disabled peers. Placement in special classes, separate schools or other removal of students with disabilities from the regular educational environment must occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. IEP teams must consider all appropriate placement options as part of the IEP and document the rationale for the agreed upon placement decision. In determining the least restrictive environment, consideration must be given to any potential harmful effect on the student or on the quality of services the student requires. The IEP must include an explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and other nonacademic activities, as well as a justification for removal from regular education.

A student with a disability cannot be removed from regular education classrooms solely because of needed modifications in that environment. Each student requiring special education and related services is educated in the school that he or she would attend if he or she did not require special education and related services, unless the IEP team agrees that a placement in another school is appropriate.

The Parent Statement as part of the IEP document indicates the parent(s) or eligible student has been

fully informed of all information relevant to the decision and agrees, in writing, to the implementation

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for which consent is sought. The granting of consent is voluntary on the part of the parent(s) or eligible student and may be revoked at any time. The signature of the parent(s) or eligible student on the IEP document indicates either their consent or denial of consent for implementation of the IEP. If consent is denied, the IEP team must continue to work toward resolution to obtain consent.

Progress Reporting on student progress toward annual IEP goals and/or short term objectives, must be reported to parent(s) or adult students at least as often as parents are informed of the progress of their students without disabilities. Reporting of progress on the IEP goals and/or objectives is in addition to the student's report card. This report of progress must be documented in the student's IEP and should include codes to denote progress toward the annual goal and/or objective data to support the progress toward mastery as well as a narrative statement regarding progress or lack of progress. The following codes should be used for noting progress on annual goals.

- ES Emerging Skill
- IP Insufficient Progress demonstrated to meet this annual goal and may not achieve annual goal within duration of IEP
- M Mastered
- NI Not Yet Introduced
- PD Previously documented performance not yet demonstrated
- PN Progress not yet demonstrated
- SP Sufficient Progress

For students with short term objectives as part of their IEPs, the following codes should be used for noting progress.

- 1 Previously documented performance necessary for meeting this objective not yet demonstrated
- 2 Progress not yet demonstrated
- 3 Inconsistent correct responses
- 4 Consistent correct responses, not yet met criterion
- 5 Mastered
- 6 Not Yet Introduced
- 7 Other (specify)

It is the responsibility of the special education teachers and related service providers to prepare the progress report and to provide this report to parents. Unless the IEP indicates a more frequent reporting of progress, these progress reports should accompany quarterly report cards.

Special education teachers and related service providers are to document the student's current level of performance based on the evaluation methods identified for each goal and/or objective identified on the student's IEP. It is the responsibility of the general education teacher(s) to provide the special education teacher and/or related service providers with data from the classroom to assist in documenting progress on the goals.

The progress reports are sent home to parents and a hard copy should be filed in the student's educational record, and replaced by subsequent updates.

Annual Review

APS is responsible for initiating and conducting meetings to develop, review, and revise student IEPs. The IEP team can review a student's IEP at any time, but not less than annually, to determine

whether the annual goals are being achieved and to revise its provisions as appropriate. Parents have the right to ask for revisions of their student's IEP at any time. In all cases, the annual review of a student's IEP shall not exceed the annual requirement for review.

A Prior Written Notice must be completed and provided to the parents within 10 business days following every IEP meeting. The PWN outlines the team's considerations and documents what APS is proposing.

IEP Amendment

Changes to a student's IEP after the annual IEP meeting can be made through an amendment. The IEP team may agree to hold an IEP meeting to consider changes to the current IEP. Conversely, the IEP team may choose not to convene an IEP meeting for the purposes of making changes and instead may develop an amendment to change or modify the student's current IEP. Changes to a student's IEP made through the amendment process should not change the required annual review date. If changes are made to the student's IEP, through the amendment process, the LEA is responsible for ensuring the student's IEP team is informed of the changes, and that parents are provided a revised copy of the IEP with the amendments incorporated along with a Prior Written Notice reflecting those changes.

Re-Evaluation Process

APS has established procedures for the re-evaluation of students receiving special education services. A re-evaluation is conducted at least once every three years, unless the student's parent or teacher requests a re-evaluation. APS should not conduct a re-evaluation more than once a year unless the parents and the LEA agree otherwise. The re-evaluation process consists of:

- Re-Evaluation Planning
- Eligibility Determination

Re-Evaluation Planning

A re-evaluation planning meeting includes members of the IEP team along with other qualified DSSSE professionals who meet to review existing data on the student including evaluations and information provided by the parent, current classroom based, local and/or state assessments, classroom observations and observations by related service providers. On the basis of that review, the team identifies what additional data, if any, are needed to determine continued eligibility for special education. Parental consent must be secured prior to completing any formal assessments.

A Prior Written Notice must be completed and provided to the parents within 10 business days following every re-evaluation planning meeting. The PWN outlines the team's considerations and documents what APS is proposing.

Eligibility Determination

If the team determines that no additional data are needed to determine whether the student continues to be a student with a disability and to determine the child's educational needs, APS will provide parent(s) with prior written notice. Additionally, if no additional evaluations are needed, the review of existing data will be considered the evaluation and eligibility will be determined.

If the team determines that additional data is required before making an eligibility determination parental consent for the necessary evaluations will be obtained. When the evaluations are completed the team meets to review the data and determine eligibility for special education.

The re-evaluation process, which includes the review of existing data, gathering additional data if necessary, and making an eligibility determination, must be completed prior to the third anniversary of the date the last eligibility was determined.

A Prior Written Notice must be completed and provided to the parents within 10 business days following every eligibility meeting. The PWN outlines the team's considerations and documents what APS is proposing.

If the student continues to be eligible as a student with a disability and requires special education services, the student's IEP team should convene within 30 calendar days to review and develop an IEP as appropriate.

If the team agrees the student is no longer eligible to receive special education services, and parent consent for termination of services is provided, the decision should be documented and special education services will be terminated. If parental consent cannot be secured to terminate services, the student will remain eligible.

If there is disagreement among the team and the team's decision does not reflect a particular member's opinion, they can submit a written statement presenting their dissenting opinion.

Additional Processes

Amendment of Student Records

A parent(s) who believes that information in their student's education records is inaccurate or misleading or violates the privacy or other rights of the student may request APS to amend the information. APS must then decide whether to change the information, in accordance with the request, or provide notice of their refusal.

Dispute Resolutions

APS encourages IEP teams to work together to resolve disagreements about the identification, evaluation, or educational placement and services of a student. However, there are times when additional support is needed to resolve a dispute. The following dispute resolution options are available:

- Special Education Review Committee (SERC)- SERC is an APS process that provides an impartial forum in which to consider student needs and available resources. The process of SERC is consistent with the spirit of the reauthorization of the IDEA as it encourages the early resolution of disputes. It is meant to supplement, not supplant, IDEA procedures such as state mediation or due process.
- Mediation- Mediation is available to resolve disputes including the identification, evaluation, or educational placement and services of a student, the provision of FAPE, and matters arising prior to the filing of a state complaint or request for a due process hearing any time a joint request is made to the VDOE from the school representative and a parent.

- Complaint Resolution - The VDOE maintains and operates a complaint resolution system that provides for the investigation and issuance of findings regarding violations of the rights of parents or students with disabilities.
- Due Process- The VDOE has established Due Process procedures as an impartial special education hearing system to resolve disputes between parents and local educational agencies with respect to any matter relating to the identification, evaluation, educational placement and services, and provision of FAPE for a student with a disability.

Independent Educational Evaluations (IEE)

Parents have the right to request an IEE if they disagree with the evaluation of their student that was obtained by the school division. If an IEE is requested, the criteria under which the evaluation is obtained must be the same that the school division uses when it initiates an evaluation.

Discipline Procedures

A student with a disability is entitled to the same due process rights that all students are entitled to under the Code of Virginia and the LEA's disciplinary policies and procedures. School personnel may consider any unique circumstances on a case-by-case basis when deciding whether or not to order a change in placement for a child with a disability that violates a code of student conduct. Considerations can be given to conducting a functional behavioral assessment and determining the need for a behavioral intervention plan.

A short-term removal is for a period of time of up to 10 consecutive or cumulative school days in a school year. The LEA is not required to provide services during the first 10 school days in a school year that a student with a disability is removed short-term if the services are not provided to a child without a disability who has been similarly removed. Additional short-term removals may apply to a student with a disability in a school year for separate incidents of misconduct as long as the removals do not constitute a pattern. If the series of short-term removals constitute a pattern they are considered a long term removal and a change in placement. A student who is removed long-term continues to receive special education and related services.

A long term removal is for more than 10 consecutive school days or when the student has received a series of short term removals that constitutes a pattern. School personnel may remove a student with a disability to an appropriate interim alternative setting for the same amount of time that a student without a disability would be subject to discipline, but not for more than 45 school days without considering whether the behavior is determined to be a manifestation of the student's disability.

Considerations must include:

- the student carries or possesses a weapon at school, on school premises or at a school function;
- the student knowingly possesses or uses illegal drugs or sells or solicits the same of a controlled substance while at school, on school premises or at a school function;
- or the student inflicts serious bodily injury upon another person at school, on school premises or at a school function.

If the LEA is contemplating a change in placement the IEP team shall convene a Manifestation Determination within 10 school days. The IEP team determines whether or not the conduct is a manifestation of the student's disability. If the team determines the student's behavior was a manifestation of his/her disability the student shall return to the original placement, the team conducts a functional behavioral assessment and implements a behavioral intervention plan for the student. If the team determines the student's behavior was not a manifestation of his/her disability APS may consider further discipline in the same manner and for the same duration as would be applied to students without disabilities.

Exiting Special Education

APS evaluates a student with a disability before determining that the student is no longer eligible. An evaluation before the termination of a student's eligibility for special education and related services is not required if the student graduates with a regular high school diploma or exceeds the age of eligibility for a free and appropriate public education (FAPE) under IDEA. In this case, APS will provide the student with a summary of the student's academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting his or her postsecondary goals.

Parentally-Placed Private School or Home-Schooled Students

APS is responsible for locating, identifying, and evaluating all students with disabilities who are parentally placed in private schools located within the school district or who are residents of Arlington and receive home-schooled instruction.

For students who are not currently enrolled in APS, if the student is found eligible for special education services, APS staff should discuss service options available to the student with the parents. For Arlington residents, an IEP must be developed proposing services and placement recommendations required in order for the student to receive a free appropriate public education (FAPE) should the student enroll in APS. If the parents elect to maintain enrollment of their student in a private school within Arlington, an Individual Service Plan (ISP) will be developed.

Students who do not reside within Arlington who are placed by their parents in private schools within the Arlington school district and whose parents do not intend to enroll them in a public school setting in their local school district, may be offered an Individual Service Plan (ISP).

Parents' Rights to Review Records

Parents have the right to inspect and review all education records pertaining to their child that are collected, maintained or used by APS to meet the requirements of special education. APS requires any request to review and inspect records be made in writing. The right to review and inspect the records includes one free copy of the records and APS reserves the right to charge for additional copies. A student who has attained 18 years of age, an emancipated minor, or a student who is attending a post-secondary education institution has the right to access his/her educational records. The rights of parents regarding educational records under the Family Educational Rights and Privacy Act of 2003 (FERPA) are transferred to the student at age 18 or when he/she is attending postsecondary education. Because the rights given to parents under IDEA Part B, are transferred to a student who reaches age 18, the rights regarding educational records are also transferred to the student at that time.

Prior Written Notice

The Individuals with Disabilities Education Act (IDEA) requires that APS provide written notice within a reasonable time (APS considers 10 business days to be reasonable) to a parent(s) of a student with a disability, a student suspected of having a disability, or to the adult student, as appropriate, when APS proposes or refuses to initiate or change the identification, evaluation, educational placement, or the provision of a free appropriate public education.

Revocation of Consent

The parent(s) or eligible student understands that the granting of consent is voluntary and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive and ceases to be relevant after the activity for which consent was obtained. If the parent revokes consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the LEA is not required to amend the child's education records to remove any references to the child's receipt of special education and related services due to the revocation of consent. The LEA must provide written notice of the parent's or eligible student's decision to revoke consent and that it will cease provision of special education and related services.

Surrogate Parent

A surrogate parent means a person appointed to ensure students are afforded the protection of procedural safeguards and the provision of FAPE in all matters relating to their identification, evaluation, or educational placement. Surrogate parents are appointed by the LEA for students, ages 2 to 21 inclusive, who are suspected of having or determined to have a disability when:

- No parents can be identified;
- the LEA, after reasonable efforts, cannot discover the whereabouts of the parent;
- the student is a ward of the state;
- or the student is an unaccompanied homeless youth.

Transfer Students

Students with disabilities who transfer between local educational agencies are entitled to a free appropriate public education including special education and related services. For a student with an IEP transferring to APS, the principal or designee in each school should review the IEP and any additional educational information.

APS shall provide a free appropriate public education to the student, including ensuring that the student has available special education and related services, in consultation with the parent(s), including services comparable to those described in the student's IEP from the previous school district, until APS either:

- a. Obtains consent to adopt and implement the student's IEP from the previous school district
- b. Obtains consent to conduct an evaluation, if determined necessary, and develop and implement a new IEP with the parent's consent

If comparable services are being offered for an interim period of time, APS must secure consent to implement those services and document them in the Transfer IEP and the Prior Written Notice completed and provided to the parent within 10 business days.

Appendix

Continuum of services

In APS, the majority of students with disabilities will receive special education services within the student's home school. Each school is able to provide levels of special education services from "consult/monitor" through "self-contained." In order to meet the needs of all students, APS has established a variety of countywide programs. These programs allow APS to concentrate resources in order to provide intensified, high fidelity special education instruction in a continuous manner to students with similar needs. Such programs allow students to benefit from specially-designed instruction with staff that have knowledge and skills specific to their individual disabilities. Each program follows the standards of learning or the aligned standards of learning curriculum while providing specially designed instruction to address specific disability needs.

Placement of a student into a countywide program is a carefully considered IEP team decision, since such programs represent a more restrictive placement. Inclusion opportunities and experiences with non-disabled peers are considered for all students, regardless of placement.

- **Interlude (Countywide at Elementary level only)**- The focus of the Interlude program is on improving social and emotional functioning in students who have significant interfering behaviors due to psychological or behavioral disorders. Students who are receiving special education support due to an emotional disability or significant behavioral issues, but whose academic skills are at or near grade-level, may be candidates for Interlude. The program provides a therapeutic environment designed to foster increased self-regulation, improved self-concept, positive relationship skills, and academic success. Supplemental curriculum emphasizes resiliency, self-regulation, interpersonal and problem-solving skills. The team-oriented approach draws upon academic, therapeutic, family and interagency resources to develop educational plans to serve the needs of the students. The Interlude Program is available at each of the middle and high schools.
- **Communications Classes (Elementary only)**- The focus of the Communication classes is on increasing and enhancing expressive and receptive language skills. Students who are receiving special education support due to significant language impairments which are not associated with significant cognitive impairments may be candidates for the Communications classes. These classes use a total communication approach with access to assistive technology. Instruction is based on grade-level standards, and does not include explicit instruction for adaptive skills, such as feeding or toileting skills. The goal of the communication program is to determine the mode(s) of communication that will allow each student to achieve academic success. Students are then given opportunities to practice the skills they have learned throughout the school day. Once a student is able to successfully communicate using the skills they have learned, they can return to their previous school setting.
- **Functional Life Skills Program (FLS)**
 - **Elementary:** The focus of the FLS program, elementary level, is on establishing basic academic skills, increasing daily living skills, communication, motor/mobility skills, and sensory development. Students who receive special education support due to

cognitive or intellectual disabilities, sensory impairments, orthopedic impairments,

or other health impairments, may be candidates for the Functional Life Skills program. The program provides highly individualized educational programming with intensified related services. FLS, elementary level, utilizes a variety of research supported curricula and practices, such as the Unique Learning curriculum for academic and pre-vocational skills. As one component of instruction, Unique Learning provides individualized assessment, monitoring, and lessons in the critical skill areas of reading, writing, math, science and social studies. The team-oriented approach draws upon a variety of strategies and interventions to develop educational plans to serve the needs of the students. Elementary FLS locations are Ashlawn, Barrett, and Discovery.

- **Secondary:** The FLS program, secondary level, is designed to provide students with opportunities and experiences for developing and refining academic and adaptive skills as they move toward greater independence. FLS, secondary level, utilizes a variety of instructional resources, including the Unique Learning curriculum for academic and vocational skills. Unique Learning, for example, provides individualized assessment, monitoring, and lessons in the critical skill areas of reading, writing, math, science and social studies, as well as transition readiness preparation. In addition, FLS, secondary utilizes the Life Centered Career Education Curriculum, developed by the Council for Exceptional Children, and designed primarily for students with severe disabilities (i.e. cognitive disabilities, traumatic brain injury, multiple disabilities, severe and profound disabilities) who require specialized instruction in the following skill areas: self-help, personal/social, daily living, functional academics, and job/vocational. The curriculum is designed to be used in natural settings with connections made for concrete applications of skill development. Therefore, community-based experiences play a large role in the program as students practice skills in real life settings. Students in the FLS program usually participate in state-wide assessment via the Virginia Alternative Assessment Program (VAAP). However, each student's IEP team determines whether students participate in the Standards of Learning (SOL) curriculum or the Aligned Standards of Learning (ASOL) curriculum, as well as how the individual student will participate in state-wide assessments. Each APS middle and high school, as well as the Stratford program, provides an FLS program.
- **Multi-Intervention Program for Students with Autism (MIPA)-** The focus of the MIPA program is on increasing communication, independent life skills, social skills, and academic performance. Students who are receiving special education support due to autism may be candidates for the MIPA program. The program provides a highly structured environment and research-based academic and behavioral interventions for autism. The program uses a variety of strategies to prepare students to transition to less restrictive settings. Examples of curricula used in MIPA classes include the STAR Program (Strategies for Teaching based on Autism Research, Arick, Loos, Falco, Krug, 2004) and the Links Curriculum. Secondary Program for Students with High Functioning Autism- Students who are identified to receive special education services due to autism and who are working on grade-level (or higher) curriculum may access specially designed classes which address social skills and executive functioning. This programming will focus on the development of interpersonal and organizational skills, while encouraging a challenging academic experience. Students will integrate into general education classes per services on their IEP's and are instructed on grade-level SOL curriculum. Supplemental curricula may include Unstuck and On-

Target!: An Executive Function Curriculum to Improve Flexibility for Children with Autism

DRAFT

Spectrum Disorders, and the PEERS Curriculum for School-Based Social Skills Training for Adolescents with Autism Spectrum Disorder.

- **Stratford Program-** The Stratford Program provides a highly individualized, supportive environment for students with significant disabilities within a smaller school setting with a low student-to-staff ratio throughout the program. Students in the Stratford Program require intensive, explicit instruction in functional academic and vocational skills, as well as community-based educational program. Instruction is provided primarily in a self-contained special education setting with opportunities for inclusion and interaction with non-disabled peers on-site, at the H.B. Woodlawn Program. Specific classes within the Stratford Program follow the Functional Life Skills (FLS) or Multi-Intervention Program for Autism (MIPA) curricula. Students who require FLS or MIPA in a small school setting with a low student-to-staff ratio, may receive those programs at Stratford. In addition to instruction in functional academics and adaptive skills, the Stratford Program provides specific training to prepare students for participation in post-secondary settings, such as sheltered workshops, semi-sheltered enclaves, supported work, and competitive job placement. Individual student programs are developed to achieve maximum social, emotional, physical, and cognitive growth while acquiring the related skills necessary to function in the community as independently as possible.
- **Deaf and Hard of Hearing Program-** The Deaf and Hard of Hearing program is designed for students with deafness or significant hearing impairment who require a specialized language rich program. It is taught by a Teacher of the Deaf and Hard-of-Hearing (TDHH) with support from a speech-language pathologist and audiologist. The goal of the program is to improve the language and communication skills of students and provide full access to the general education curriculum. Sign Language, spoken English, and/or visual aids are used to support students in general education classes. The program serves students age 2 through high school. Preschool students attend Patrick Henry Elementary, where the elementary program is located. Middle and high school locations are Jefferson Middle and Wakefield High schools.
- **Program for Employment Preparedness (PEP)-** The Program for Employment Preparedness (PEP), launched in school year 2014-15 and located at the Arlington Career Center, is a job training and transition program. This program is multi-tiered and creates a dynamic and targeted approach to meeting the transitional needs of students. PEP is based on specific competencies developed in consultation with Virginia Commonwealth University (VCU) using resources such as Virginia's Workplace Readiness Skills for the Commonwealth. PEP provides students with experiences and learning opportunities based on current business trends and needs so that students may gain relevant skills for obtaining employment in today's market, including the requisite social skills necessary to secure and maintain long-term, meaningful employment. The program is designed for students to receive internship and apprenticeship experiences, trade certifications, licenses, college credit and/or networking connections that may lead to employment directly upon graduation. Referrals should be made to PEP during the student's final year of high school participation, with specific transition preparation programming to be determined subsequent to acceptance. Student participation is individualized, according to needs, and if appropriate for the student, courses may simultaneously be taken for academic credit. Secondary students with disabilities accessing special education support for 50% or more of the school day as they exit high school may be candidates for PEP. The program is non-categorical and students with various disabilities may be referred.

- **45-Day Program**- Students who require an alternative placement as a result of long-term suspension.

Parent Resource Center (PRC)

Arlington Public Schools Special Education Parent Resource Center is a resource and information center for families, staff and community members. The PRC offers support and assistance, a lending library, a parent newsletter, and parent training workshops.

<https://www.apsva.us/student-services-special-education/special-education-office-of/parent-resource-center/>

Section 504 of the Rehabilitation Act of 1973

Section 504 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. Specifically, Section 504 indicates that no otherwise qualified individual with a disability shall, solely because of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal funds.

<https://www.apsva.us/section-504>

Referral Forms

Referral to Student Study

Behavior Specialist

Autism Specialist

Dysphagia Team

Assistive Technology

Adaptive PE

Special Transportation

Timeline Matrix

Release of Information

Referral for Consultation with Occupational Therapist

Referral for Consultation with the Physical Therapist

Request for Consultation with Teacher of the Visually Impaired (TVI)

Virginia Regulations for Children with Disabilities in Virginia

http://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf