



California Montessori Project Special Education Policies and Procedures

Assurances

CMP hereby provides the following assurances:

- All individuals with exceptional needs enrolled in CMP shall have access to appropriate special education programs and services. As an LEA member of Yuba County Special Education Local Plan Area (“the SELPA”), CMP shall assure that a free appropriate public education (“FAPE”) is provided for all children with disabilities attending the Charter in accordance with Education Code § 56000 et seq., the IDELA, and the SELPA policies and procedures and Local Plan. A full continuum of special education programs and related services shall be provided by CMP as required by an eligible student’s Individualized Education Plan (IEP). All services required under these policies and procedures shall be provide internally by CMP and/or through the use of third-party appropriately credentialed and licensed contractors;
- No student otherwise eligible to enroll in CMP will be denied enrollment due to their disability;
- CMP will utilize appropriately credentialed and/or licensed special education providers in accordance with his/her assignment. CMP shall provide necessary staff as required to meet federal and state mandates;
- CMP will follow all applicable state and federal laws and the SELPA policies, procedures and the Local Plan;
- CMP shall utilize the SELPA approved forms for all required SELPA documentation;
- CMP shall place special education students in programs administered by other SELPAs or other districts within the SELPA in accordance with procedures for Intra SELPA or Inter SELPA transfers;

Deleted: i

Formatted: Space After: 0.95 pt

Deleted: ¶

CMP shall provide transportation as indicated on the student’s IEP:¶

CMP Obligations under State and Federal Law and the SELPA Policies and Procedures

CMP shall provide all special education instruction and related services as required by law and each student’s individualized education program. The obligations of CMP shall include but not be limited to the following:

- Child find within CMP programs;
- Offering a full continuum of services for all students enrolled in the charter;
- Evaluations: Initial, triennial, and additional evaluations as required or upon parent or teacher request;
- IEP development, review and implementation;
- Provision of special education instruction and related services as delineated on students' IEPs;
- Due process/compliance proceedings;
- Inter and intra/district SELPA permits (in accordance with the SELPA's policies and procedures);
- Nonpublic school/agency placements;
- Submission of all required reporting, filings, etc. to fully comply with applicable the SELPA, state, and federal requirements;
- Ensuring special education services are provided to all students enrolled in the charter school regardless of their district or county of residence and regardless of the entity that granted the charter;
- Regular in-services shall be provided to CMP staff on all aspects of special education compliance with special emphasis on child find, IEP implementation, and record keeping.

Deleted: re-evaluations as needed if conditions warrant

Deleted: .

Deleted: ¶
Special education transportation as indicated on IEPs; ¶

Deleted: , and related attorney fees

Summary of Special Education Procedures of CMP

Child Find:

CMP complies fully with 20 U.S.C. Section 1412(a)(3) and Education Code Sections 56300, 56301, and 56040, in our efforts to search for, assess, identify, and serve any pupils with disabilities who are eligible for special education instruction and related services. In our efforts to systematically identify students, the following procedures are implemented:

Screening/Identification: All students, including students with special needs may apply for admission to the Charter School. All students, regardless of their status related to disabilities, shall be entered in the public random drawing pursuant to the admission portions of the charter. When a student is accepted during the public random drawing/lottery or during an open

enrollment period, the parent/guardian shall be provided enrollment forms. All enrollment forms for CMP contain a section for parents to indicate if their child has ever had a referral for Student Study Team (SST); any previous assessments for the purposes of identifying their student for special education; a current or expired IEP; or a 504 Accommodation Plan. When an enrollment form is received indicating one or more of the above circumstances, the parent is contacted by the special education department staff of CMP to procure additional information, and copies of all related documents. When a student with an active IEP is accepted, a copy of his/her IEP is requested from the former school to enable services to begin immediately upon his/her enrollment (Interim Placement), and a 30-day review is scheduled to insure the goals and objectives remain appropriate for our educational program (see section “Interim Placement and IEP Development” for in-depth explanation).

Deleted: transfer their IEP to the required the SELPA special education forms, and

CMP annually notifies each parent via school newsletter about Child Find policies, and provides contact information to various school departments if the parent believes their child is entitled to receive special education services; are interested in having their child assessed to determine their eligibility to receive special education services; or are entitled to receive accommodations under Section 504 of the Rehabilitation Act.

Referral Process:

Response to Intervention, RtI, is a program that focuses on proactive strategic methods of providing student interventions for behavior, social-emotional, and academic goals. A team leader facilitates the program usage throughout the school year by providing teacher support, documentation tools, and guidance to individual teachers. Teachers follow the tiered levels of intervention and proceed through a series of processes and documentation that supports student interventions. The tiers are described as follows: Tier One includes all students in the general education classroom. Teachers complete documentation on: student classroom test results (beginning, mid, and end of year), classroom logs for students with behavior, social-emotional or academic concerns, student observations, and early intervention accommodations. If necessary, teachers will conduct a parent meeting to discuss concerns and strategize early intervention accommodations. After a period of 6-8 weeks, if the interventions do not appear to be making progress a student will move to Tier Two level interventions. Tier Two level interventions will include more strategic support outside of the classroom. For example, students in this tier may attend before or after school tutoring programs (if available), enter into a reading intervention program, receive math intervention, receive behavior interventions, meet with a school counselor, or join a small group for writing instruction. Teachers document student progress and continue to communicate with parents. If the desired results are not seen, a student may move to Tier Three level interventions. At this time a Student Success Team process begins.

Deleted: assessment

Deleted: intense

Deleted: STAR

Deleted: program such as Read Naturally

CMP maintains a dual level student study team (“SST”) approach to respond to, and provide interventions for students attending the charter. The first level provides a venue for parents, teachers, key school personnel, or other interested persons to systematically review and make

suggestions about student performance. During this first level SST meeting, the team may address concerns centered on a student's:

- Academic progress,
- Social/Emotional development,
- Physical limitations,
- Medical issues, or,
- Behavioral history

Objective and complete data are collected during an initial SST referral to insure appropriate recommendations for each student are made (i.e.: work samples, cumulative record review, state test scores and health history).

At all SST meetings, members are assigned responsibilities for monitoring the success of the strategies offered. A follow-up date is scheduled to review the progress of all proposed strategies. In most cases, sufficient progress is noted at the follow-up meeting, and more restrictive interventions are not warranted. If progress is not noted, the initial SST team may refer the student to a second tier SST coordinated by the special education department.

At this second level, the SST convenes and reviews the data provided during the initial SST process. Students are referred to this level SST only when their individual needs affect school performance, and cannot be met through accommodations within the general education setting (Education Code § 56303 mandates a pupil shall be referred for special education only after the resources of the regular education program have been considered and, where appropriate, utilized). If sufficient strategies were implemented following the initial SST process, and improvement not noted, the child is offered a full evaluation for special education to assess all areas of suspected need.

Deleted: modifications

A formal request from a parent to assess a child for special education goes directly to the SST process. The SST reviews data and makes the determination if there is enough evidence to move forward with the assessment. If the SST believes there is, an Assessment Plan is generated within fifteen (15) calendar days following the receipt of a written request delivered to the principal or other staff member of the student's school site.

Deleted: supersedes both the SST levels,

Deleted: and an

Interim Placement and IEP Development:

CMP adheres to the legal mandates outlined in Education Code § 56000 et seq., the Individuals with Disabilities Act 20 U.S.C. Chapter 33. As such, when a student with an active IEP transfers to CMP, they are provided an interim special education placement providing all the services outlined on their IEP. A 30 day review of these services within CMP's environment will be held within 30 days (Education Code Section 56325).

Deleted: s/he is

Deleted: his/her

Deleted: new IEP will be written on the corresponding SELPA

Deleted: forms

The IEP team is comprised of the parent/guardian (and/or their requested representative[s]), not less than one general education teacher, at least one special education provider, and an administrative representative who meets the requirements of 20 U.S.C. Section 1414(d)(1)(B)(iv) and Education Code Section 56341. At the discretion of the parent/guardian, CMP, the SELPA, or county office, other individuals who have knowledge or special education expertise regarding the pupil may be invited to participate on the IEP team. In accordance with 20 U.S.C. Section 1414(d)(1)(C)(i) a member of the IEP Team shall not be required to attend an IEP meeting, in whole or in part, if the parent of the a child with a disability and the local educational agency agree that the attendance of such member is not necessary because the member’s area of the curriculum or related services is not being modified or discussed in the meeting.

- Deleted: teacher
- Deleted: of the pupil
- Deleted: or if appropriate at least one special education provider of the pupil,
- Deleted: , and whenever appropriate the student (Transition Planning, Age of Majority, etc.).
- Deleted: ,
- Deleted: or

The CMP Site principal, a CMP Program Specialist, or the CMP Special Education Director, acts as CMP’s administrative representative, to facilitate IEP meetings, and insure parents understand their Procedural Safeguards and Due Process rights. Based upon areas of need, goals and frequency/duration of services are designed to maximize educational benefit for the student. Annual goals are developed based upon the Common Core State Standards (CCSS). Progress is periodically monitored, and written documentation of progress toward meeting annual goals is provided to parents as frequently as their general education counterparts.

- Deleted: Coordinator
- Deleted: and objectives
- Deleted: and short-term objectives
- Deleted: (at each semester)

Initial and Triennial Assessments

When students require an initial evaluation to determine if they meet eligibility requirements to receive special education, the charter school’s site principal and special education staff generate a referral for special education; monitor all legal timelines; develop an assessment plan, offering testing in all areas of suspected area of disability, [20 U.S.C. 1414, Education Code Sections 56300 et. seq.]; coordinate qualified personnel to provide the required testing [20 U.S.C. Section 1414(b), Education Code Section 56320]; distribute written assessment reports to the parent [20 U.S.C. Section 1414 (b)(4)(B), Education Code Section 56327]; generate IEP meeting notices [Education Code Section 56341.5]; develop and facilitate the IEP meeting [20 U.S.C. Section 1414(d)(3), Education Code Section 56344]; and distribute copies of the IEP to appropriate personnel [Education Code Section 56347]. As requested, the SELPA will be provided duplicate copies of all IEPs for purposes of conducting state required Coordinated Compliance Reviews (CCR). CMP agrees to adhere to all the SELPA policies and procedures with regards to collecting and submitting CALPADS data.

- Deleted: s
- Deleted: CASEMIS

At least once every three years, students are reassessed to determine their continued eligibility to receive special education services [20 U.S.C. Section 1414(c), Education Code Section 56381]. Following any initial or triennial assessment, if a student has a documented learning or related disability, but does not meet any applicable eligibility requirements for special education services under the IDEA or the Education Code, a 504 Team will be convened to consider whether the child qualifies for accommodations and/or services under Section 504 of the Rehabilitation Act. A data base is maintained and updated weekly to insure all initial, annual, and triennial reviews are held within mandated timelines.

- Deleted: I

Identification of Bilingual Special Education Students

Before students with English as a second language are referred for special education assessment, their level of English proficiency is determined to insure their lack of acquisition of language skills is not the reason for lower academic performance. Personnel fluent in a student’s native language and familiar with their native culture participate during the SST process, referral, assessment, and identification to determine a student’s eligibility to receive special education.

Deleted: es
Deleted: and during

The LEP/FEP status of a student is used to determine the language they will be assessed in when a formal referral to special education is made. Bilingual personnel translate during IEP meetings, and are available to transcribe all written documents (assessment reports, IEP forms, Parent Rights and Procedural Safeguards, etc.) when requested by a parent. At all IEP meetings involving second language learners, documentation about whether eligible students will be provided special education services in their L-1 (primary) or L-2 (secondary) language is documented on their IEP. All goals and objectives for bilingual students are developed in collaboration with general education staff with a BCLAD or CLAD certificate to insure that linguistically appropriate goals and objectives are developed, and that the student’s language acquisition needs are taken into account when the IEP is developed.

Deleted: he/she

CMP will provide access to bilingual special education personnel to meet the needs of bilingual special education students attending the charter. If native speaking personnel cannot be recruited in a specific special education field (i.e. occupational or physical therapy), bilingual staff members are teamed with special education personnel to assess, and deliver services outlined on the student’s IEP.

Transition Planning

Beginning not later than the first IEP to be in effect when the child is 16, and updated annually thereafter, the IEP team shall incorporate appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills. The IEP may include transition services (including courses of study) needed to assist the child in reaching those goals. Beginning not later than 1 year before the child reaches the age of majority under State law, a statement that the child has been informed of the child's rights under the IDEA, if any, that will transfer to the child on reaching the age of majority. [20 U.S.C. Section 1414(d)(1)(A)(VIII), Education Code Sections 56462 and 56345.1]

Deleted: I

Curriculum, Service Provisions, and Student Accountability

Special education services are designed to supplement general education and will not supplant other sources of federal, state, and local funds apportioned to CMP. Identified special education students are provided accommodations, modifications, supplementary aids, support, and services, in order to provide educational benefit in the least restrictive environment, and access to the same core curriculum as their general education counterparts, and outlined on their IEPs.

Deleted: services and devices

All instructional support services (speech and language, occupational or physical therapy, etc.) are provided as documented on the student's IEP. Other supplementary services or materials, assistive devices, or extended school year services required to address the goals and objectives of a student's IEP are provided at no cost to the identified special education student or the student's family, and documented as part of their IEP.

All services are provided on site unless otherwise required or specified by the IEP. No facilities utilized for purposes of special education present any physical barrier that would limit an eligible student's full participation in the educational or extracurricular program.

All identified special education students are expected to participate in grade level California Assessment of Student Performance and Progress (CAASPP) In cases where a student's ability level prohibits him/her from participating in standardized testing, an IEP team may determine that students will instead participate in the California Alternate Assessments (CAA), and any other alternative assessments as determined by the State of California. [Source: CDE website].

Formatted: Justified, Indent: Left: -0.01", Hanging: 0.01", Space After: 0.25 pt, Line spacing: Multiple 1.04 li

Deleted: source

Disenrollment, Suspension, Expulsion

Suspension and Expulsion policies comply with all portions of 20 U.S.C. Section 1415(k).

Manifestation Determination

A Manifestation Determination meeting shall be convened if school personnel are seeking to impose a suspension beyond 10 school days in a school year, the student has been subjected to a series of removals that constitute a pattern which total more than 10 school days, or are recommending expulsion for a student with special needs. The Manifestation Determination meeting shall be conducted in accordance with applicable California and federal law pursuant to 20 U.S.C. 1415(k)(1)(E), except in the case of special circumstances that would qualify for removal of the student to an interim alternative setting for not more than 45 school days pursuant to 20 U.S.C. Section 1415(k)(1)(G). Further, no identified special education student will be expelled from CMP without a manifestation determination to determine if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or if the conduct in question was the direct result of the failure of CMP to implement the IEP. Parents are notified of all procedural safeguards. In cases where a manifestation determination has been made and it is determined that neither of the above listed criteria apply, the relevant disciplinary procedures applicable to children without disabilities are applied to the child in the same manner and for the same duration which the procedures would be applied to children without disabilities, except that CMP shall continue to meet any obligations under 20 U.S.C. 1415(k)(1)(D) to provide educational

Deleted: ¶

¶

¶

Transportation ¶

¶

CMP shall provide transportation as required by each student's IEP. ¶

services, conduct a functional analysis assessment (FAA), and/or provide behavioral intervention services and modifications. Expulsion may be recommended after CMP's Executive Director is notified, and the item is placed on the next Charter School's Board agenda to review and make recommendation.

If the behavior is determined to be a manifestation of the child's disability, the IEP Team shall conduct a functional behavioral assessment and implement or revise a behavioral intervention plan as required by 20 U.S.C. Section 1415(k)(1)(F) and return the child to the placement from which the child was removed.

The above protections will be applied to students not yet eligible for special education and related services if CMP had a basis of knowledge as defined by 20 U.S.C. Section 1415(k)(5) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

Maintenance of Special Education Records

The CMP Special Education Department shall maintain all identified students' special education files, use appropriate forms/software, shall file/verify the accuracy of all reports, and submit all reports in a timely manner. As mutually agreed, the SELPA shall inspect all charter school's special education files for legal compliance at the same level it would inspect other SELPA district's records.

Deleted: `

HOLD HARMLESS

CMP shall indemnify, defend and hold harmless the SELPA and its member school districts, officers, employees and agents from and against any and all due process proceedings, suits, actions, allegations, claims, costs, damages, fees, judgments, and/or liability by third parties, including hearing or court costs and attorney's fees, resulting from any action or omission of CMP, their respective employees, agents, or subcontractors in connection with the provision of special education instruction and related services to CMP students.

To ensure the SELPA and its member school districts feel secure in the above indemnification and are not financially liable for costs associated with due process proceedings, compensatory damages, civil rights, other claims, or legal fees associated with the provision of special education instruction and related services, CMP will agree to set aside an agreed upon amount of general funds annually to be held in the name of the SELPA and its member school districts to cover said expenses should they occur. This "reserve" amount is provided for assurance purposes and is not intended to be a limitation of indemnity.