

Gadsden City School

Special Education Procedures, Confidentiality, and Shortened School Day Training

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It is a state mandate that this form be reviewed with all employees by the school contact person annually at an in-service/faculty meeting of the local school

GADSDEN CITY SCHOOLS SPECIAL EDUCATION PROCEDURES

The Gadsden City Board of Education's Special Education Department is located at 1026 Chestnut Street, Gadsden, AL 35901 in the Gadsden City Board of Education building; telephone number is 256-549-2914. Gadsden City Schools provides a full array of Special Education Services in 13 areas of disability to students in multiple settings.

I. REFERRAL FOR SPECIAL EDUCATION SERVICES

The following procedure is based on the adoption of the:

Rules of the ALABAMA STATE BOARD OF EDUCATION STATE DEPARTMENT OF EDUCATION CHAPTER 290-8-9 SPECIAL EDUCATION SERVICES

1. Student is identified as being **at risk for not meeting minimum standards** based on universal screening tool or lack of progress in the classroom. The regular teacher can refer the student to the PST team.
2. If the PST team's intervention are deemed unsuccessful, the team may decide to refer the student for special education testing.
3. **The PST** will send the completed BASC evaluation, PST intervention folder, and referral form to the special education teacher.
4. **A parent/teacher referral meeting is set up.** The special education contact person will send the state form, *NOTICE AND INVITATION TO A MEETING/ CONSENT FOR AGENCY PARTICIPATION*, to the parents inviting them to a referral meeting. A copy of the *SPECIAL EDUCATION RIGHTS* must also be sent with this notice.
5. **The IEP TEAM** must meet and review the referral and determine whether or not to provide an individual, comprehensive evaluation to determine eligibility for special education and related services. *NOTE: The team must also consider whether or not the child has received adequate instruction in *research-based* reading and math intervention instruction prior to testing, and consider whether or not the academic problems may be due to lack of English proficiency and/or cultural, environmental, and/or economic concerns.
6. **To prepare for the IEP Referral Team meeting, the referring teacher must attach the following information to the Referral Form:**
 - (a) Copy of grade report
 - (b) Work samples in the specific area(s) of suspected learning disability.
 - (c) In referrals for Emotional Disability documentation must be presented that emotional disability is exhibited over a long period of time (typically six months), exhibited to a marked degree, and adversely affects educational performance. Examples might be teacher anecdotal records, medical records, parent interview, Tier II or Tier III behavior intervention plans etc.
 - (d) Copies of state testing, SAT, etc.
 - (e) Copy of cumulative record that reflects grades and attendance over the years.
 - (f) Medical records if available – including but not limited to vision or hearing screening
 - (g) A completed PST intervention folder on the student.

- (h) The referral must be **completely** filled out and signed by the IEP Team **PLEASE BE SPECIFIC WHEN GIVING REASONS FOR REFERRAL. The statement written in the “reason for referral” section should clearly explain why the referring individual suspects that the student has a disability.**
7. If the IEP Team determines that **the child should not be evaluated** for special education services, **written notice must be given to the parents.** An explanation will be provided on the *NOTICE OF PROPOSAL OR REFUSAL TO TAKE ACTION*. It will be sent home by the special education contact person at the school.
 8. If the child **is to be evaluated, written consent is required.** Parent needs to sign the *NOTICE AND CONSENT FOR INITIAL EVALUATION* and provided a copy of *SPECIAL EDUCATION RIGHTS*. Timeline begins once the public agency receives the signed *NOTICE AND CONSENT FOR INITIAL EVALUATION*.
 9. Evaluation Team has **90 calendar days (60 to complete all testing and 30 to conduct the eligibility meeting)** from date Notice and Consent to Conduct Initial Evaluation is received by the public agency to **complete testing and determine eligibility.**
 10. If a child is eligible, the initial IEP must be written within 30 calendar days of the initial eligibility determination. The initial IEP “start” date determines when the special education and/or related services will be initiated.

II. CONFIDENTIALITY OF RECORDS

The Gadsden City School district protects confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages in accordance with the *Alabama Administrative Code*. The special education contact person at each school provides confidentiality training at the local school to all personnel. The Federal Education Right to Privacy Act (FERPA) governs access to all student records.

All Special Education records are kept securely in locked filing cabinets. Records are kept on students in the individual school office, with the Special Education case manager, and in the Special Education Department at the Central Office. All records are strictly confidential and require signature access. School personnel directly involved in the provision of the student’s special education program may sign and view the records when necessary. The LEA maintains a current listing of the names and positions of the employees within the school having access to the secured information, documented on the RECORD OF ACCESS TO STUDENT RECORDS form. All inactive files are kept in secure filing cabinets at the central office. Only authorized employees of the Gadsden City Board of Education have access to these files.

The child’s parents or legal guardian may, upon request, secure copies of any records that have been collected by the Gadsden City Board of Education. The Case Manager of the student’s file or the special education central office staff will provide the parent with the requested records within 45 days of the written request, and earlier if needed for a special education meeting. This information could include any of the following: gradebooks, emails, text messages, any communication between teacher and any other individual about the student, and any of the student’s educational information or data.

Copies of student records may be sent to other schools and Boards of Education upon transfer of the student to a different school system in accordance with the *Alabama Administrative Code*. Confidential information may be sent to other agencies only with written consent on file (a signed, witnessed Release of Information) from the parent or legal guardian.

When a parent requests to review their child's records, parents will have access only to their child's record. If any information contains references to another student, the parent may review only the data regarding their child. If the data cannot be isolated for review, the principal or special education administrator will inform the parent regarding the portion of the information that pertains to their child so that the confidentiality of all students is maintained.

It is imperative to know that all information written or verbal is confidential and should only be discussed or written by a member of the educational community when it is necessary as a part of the student's program.

Parents are given the opportunity to seek clarification of any items in their child's record that they do not understand. Parental request for the amending of student records is made to the Gadsden City Special Education administrator. If the school or district decides that the request is valid and can verify that the contents in question are in error, then the record will be amended within ten days.

If a parent or guardian requests a hearing to challenge information contained in the student's record, a written request shall be made. The hearing will be scheduled within thirty days of the request. Special education records may be sent to other agencies only with written consent on file from the parent or legal guardian. It is imperative to know that all information written or verbal is confidential and should only be discussed or written when it is necessary as a part of the student's program.

The district will retain in secure, locked location at the Board of Education building a copy of the educational records for a period of five years after the termination of the special education program for which they were used, in accordance with the Alabama Records Disposition Authority. Written advertisement in local newspapers will advise parents of record destruction and the means to obtain such records. Method of destruction will be via shredding.

III. EXTENDED SCHOOL YEAR

A service under Special Education guidelines is Extended School Year or ESY. After school begins in August, a student should have sufficient time (approximately nine weeks) to recoup the skills that may be considered critical skills for that individual. Documentation made on the child's progress during the school year would decide whether ESY would be needed for the following summer. ESY is a decision made only by the IEP committee.

IV. CHILD FIND

The Gadsden City Schools' Special Education Program is continuing in search of students who are in need of Special Education services. We have a full array of services available in all 13 areas of disabilities for these students from three (3) years until twenty-one (21) years old. If you know of anyone who would benefit from our services, please contact the Special Education Office at 256.549.2914.

V. ACCOMMODATIONS

If a special education student is in the general education class program, specific accommodations may be required. The general education teacher is expected to attend the IEP meetings of their individual students. Copies of the IEP with the accommodations will be provided to the general education teachers. General education teachers will be asked to sign a form that they are aware of identified students in their classroom, have been given access to the child's IEP, and are aware of the accommodations needed for that student. State and federal laws mandate teacher implementation and monitoring of the individual education plan for each special education student. The IEP team develops said plan based upon student strengths, weaknesses, and parental expectations for the student upon

graduation, and other variables. The IEP committee is comprised of the special education case manager, an LEA representative, a general education class teacher, the parent(s), other agency personnel or individuals who may have information beneficial to the process, and the student if age sixteen or above.

VI. SPECIAL EDUCATION PROCEDURES

The Gadsden Special Education Department follows all of the mandated Special Education State and Federal laws, rules, and regulations. Gadsden also uses the recommended Alabama State Department of Education forms. The IEP committee may convene to discuss the contents of the IEP at any time, initiated by any member of the committee.

An excellent source for state and federal special education information is the Alabama State Department of Education website location: www.alsde.edu (go to “Department Offices”, then “Special Education Services” and click on FORMS).

VII. GIFTED/ENRICHMENT

The Gadsden City Schools program for service to gifted and talented students is modeled after the talents unlimited/school wide enrichment protocols. Procedures for this program are outlined in the Gadsden Board of Education Gifted Plan and approved by the State Department of Education. Referrals for students who might benefit from such a program should be directed to the school principal. Enrichment programs and those at respective schools are under the regulations of the Special Education Department.

VIII. SECONDARY TRANSITION

Transition services for career/graduation decisions begin no later than the sixteenth birthday. These services are addressed on the student’s IEP and the process is a coordinated set of activities for a student that promotes movement from school to post-school activities, including graduation exit document, post-secondary education, vocational assessment and training, integrated employment, continuing and adult education, adult services, and independent living or community participation.

IX. DISCIPLINARY CONCERNS

The Gadsden City Board of Education adheres to the mandates of the Alabama Administrative Code (AAC) (290-8-9) and the disciplinary flowcharts developed by the Alabama Department of Education available on the state of Alabama website. The principal may remove a student with a disability from his/her current education placement as a measure of suspension for a maximum of ten school days in a school year without providing educational services or conducting a manifestation determination review. If the removal does constitute a change of placement or exceeds the ten cumulative days, the IEP team will conduct a manifestation determination review to determine if the misbehavior is a result of the student’s disability. The IEP committee, within 10 days, develops a functional behavioral analysis and implements a behavior intervention plan to address the misbehavior.

With regard to expulsion, student placement may only occur within the guidelines set forth in the AAC 290-8-9 specifications.

X. Shortened School Day

AAC 290-8-9.05(2)(c)-A student with a disability will receive a full instructional day as provided to his or her nondisabled peers unless the Individual Education Program (IEP) specifies a different length of time based on the individual needs of the student.