

BLOUNT COUNTY SPECIAL EDUCATION PLAN FOR CHILDREN WITH DISABILITIES

CHAPTER 1

FULL EDUCATIONAL OPPORTUNITY GOAL

- I. The Blount County Board of Education provides appropriate educational opportunities to children with disabilities ages 3 to 21.
- II. The Blount County Board of Education ensures that a free appropriate public education, consistent with the standards established by this plan and by state and federal regulations, is being provided to all children with disabilities ages 3 to 21.
- III. Timetable for accomplishing the full educational opportunity goal for children ages birth to 21.
 - A. The Alabama Department of Rehabilitation Services provides full educational opportunities for children with disabilities ages birth through 2.
 - B. The Blount County Board of Education provides full educational opportunities for children with disabilities ages 3 to 21.
- IV. The Blount County Board of Education ensures its commitment to implement 34 CFR §300.101; 34 CFR §300.109 and 34 CFR §300.201; AAC 290-8-9-.01(1).

CHAPTER 2

CHILD IDENTIFICATION

- I. **(Public Education Agency Only)** The Blount County Board of Education ensures that all children residing within the jurisdiction of the public education agency, birth to 21, regardless of the severity of their disability and who need special education and related services, are identified, located, and evaluated. Child Find applies to children who attend private schools, including children attending religious schools within the public education agency's jurisdiction, highly mobile children with disabilities (i.e., migrant and homeless children), and children who are suspected of having a disability and are in need of special education even though they are advancing from grade to grade. Child Find also includes a practical method of determining that eligible children with disabilities are receiving needed special education and related services. Child Find activities will be conducted on a continuous basis as described below:
 - A. Procedure used to identify and locate children.
 1. The Blount County Board of Education will provide public notice of services available to students with disabilities by requesting local service announcements for Child Find using:
 - Radio and Television announcements
 - Articles/notices in local newspapers
 - Posted notices in all schools
 - Sends letters and flyers to Physician offices
 - Blount County Board of Education Website
 2. The Blount County Board of Education will contact and accept referrals from individuals and agencies that provide services to children with disabilities such as:
 - Children's Rehabilitation Services
 - Department of Human Resources
 - Department of Mental Health
 - HeadStart
 - Department of Public Health
 - Medical personnel
 - Day Care Centers
 - Private Schools

- B. Procedure used to determine which children with disabilities, ages 3-21; within the public education agency's jurisdiction are currently receiving needed special education and related services.

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Once the initial eligibility is determined, the case manager records the data and eligibility date in the STI Special Education Tracking System (SETS). At the beginning of each year, the Special Education Coordinator sends an eligibility list to the Lead Teachers for upcoming reevaluations. On a monthly basis, the Lead Teacher reviews initial and overdue eligibility lists. On a quarterly basis, the Special Education Coordinator checks the initial and overdue eligibility list in SETS and sends it to the Lead Teachers to remind them which students are due for reevaluations. If a school is having difficulty with meeting timelines the Special Education Coordinator shares this information with the Principal and then retraining the Lead Teacher on the Alabama Administrative Code. If timelines continue to be out of compliance, a letter of correction will be sent to the teacher.

- C. Procedure used to determine which children with disabilities housed in jails/detention centers/boot camps within your jurisdiction that were eligible to receive special education services from the public education agency.

Blount County does not have a jail, detention centers, or boot camps in our jurisdiction. If a Blount County student were transferred to a facility the receiving agency would request records from the Special Education Coordinator and the records would be transferred to that agency.

- D. Procedure for meeting yearly with representatives of private schools regarding special education services to be provided to eligible children with disabilities who have been placed by their parents in a private school.

During the spring the Special Education Coordinator sends letters to all private schools in our jurisdiction, inviting the Director's to a meeting to determine the services that would be most beneficial to identified students needing services. We review the procedures for evaluating private school students as well as eligibility guidelines and IEP development and related services.

The Director's that do not attend the scheduled meeting are mailed a copy of the Private School Plan and are ask to return a signed document that the plan was received.

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

The Early Intervention Coordinator refers the child to the Special Education Coordinator typically at 30 months of age. The Coordinator then passes the referral

to the SLP in the correct school jurisdiction who holds the Transition Meeting, evaluates the child, and develops the IEP. The Special Education Coordinator monitors the process using SETS to ensure compliance to timelines.

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

Special Education Coordinator
204 2nd Avenue East
P.O. Box 578
Oneonta, Alabama 35121

III. Procedure to ensure that a tracking system is in place to ensure that identification, evaluation, eligibility, and Individualized Education Plan (IEP) development are completed within the time frames allowed by state and federal regulations.

Blount County uses the STI Special Education Tracking System (SETS) to track timelines. Once the initial eligibility is determined, the case manager records the data and eligibility date in the STI Special Education Tracking System (SETS). At the beginning of each year, the Special Education Coordinator sends an eligibility list to the Lead Teachers for upcoming reevaluations. On a monthly basis, the Lead Teacher reviews initial and overdue eligibility lists. On a quarterly basis, the Special Education Coordinator checks the initial and overdue eligibility list in SETS and sends it to the Lead Teachers to remind them which students are due for reevaluations. If a school is having difficulty with meeting timelines the Special Education Coordinator shares this information with the Principal and then retrains the Lead Teacher on the Alabama Administrative Code. If timelines continue to be out of compliance, a letter of correction will be sent to the teacher.

IV. The Blount County Board of Education ensures its commitment to implement the *Alabama Administrative Code* (AAC) 290-8-9-.01 and 34 CFR §300.

V. The Blount County Board of Education ensures its commitment to implement the AAC 290-8-9-.10(7) and 34 CFR §300. 130-144.

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CHAPTER 3

EVALUATION

- I. Procedure used to evaluate children for special education services including vision and hearing screening.

The Blount County Board of Education will:

1. Provide evaluations for any referred or identified child, Birth to twenty-one, who may need special education and related services, utilizing qualified personnel and appropriate assessment instruments as outlined by state standards.

The Blount County Board of Education will evaluate any identified child age 0-2, who did not participate in early intervention and are referred by the parent. Identified children 0-2 who participated in Early Intervention will be transitioned and evaluated as outlined by state standards. The school where they will attend will evaluate a child age 3-21 who has been referred for special education services or where they attend school by qualified personnel and appropriate assessment instruments as outlined by state standards. Reevaluations will be conducted as outlined by state standards.

2. Contact and/or arrange for evaluations needed by the children, which are not available within the LEA.
 3. Work with other agencies in the area that serve children with disabilities to share evaluation information (State Crippled Children Service, Headstart, Mental Health, and Department of Human Resources.
 4. Consider all evaluations including those done by other agencies or arranged by parents.
- II. List the persons and/or agencies that can provide independent educational evaluations.

1. Carol Walker, Ph.D., ABPP, CN, CLCP. NeuroLife, LLC
2101 Magnolia Avenue, Suite 411 Birmingham, AL 35205
1428 Weatherly Road, Suite 111, Huntsville, AL 35803
2. Joe Ackerson, Ph.D., Pediatric Neuropsychologist
1025 23rd Street South, Suite 100, Birmingham, AL 35205

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3. William Richardson, Ph.D., Behavioral ONE
1025 Montgomery Hwy Suite 214, Vestavia, AL 35216

4. UAB School of Medicine's Civitan - Sparks Clinic
1530 3RD Avenue South, Birmingham, AL 35294.

III. The Blount County Board of Education ensures its commitment to implement the AAC 290-8-9-.02 and 34 CFR §300.121-122; 34 CFR §300.131; 34 CFR §300.201; 34 CFR §300.300-301; and 34 CFR §300.303-305.

IV. The Blount County Board of Education ensures its commitment to implement the AAC 290-8-9-.03 and 34 CFR §300.8; 34 CFR §300.15; 34 CFR §300.201; 34 CFR §300.301; and 34 CFR §300.303-305.

CHAPTER 4

ELIGIBILITY

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

The Blount County Board of Education utilizes an IEP Team to determine eligibility. Each child that is referred for a special education services evaluation is assigned a case manager who is responsible for setting up adequate times and inviting all required participants to the eligibility meeting. If the parent can meet earlier or needs to meet at a later date and all participants are available, we will meet at the parent's request.

Teacher in-service trainings are conducted annually to provide the psychometrists and special education teachers with information regarding required assessments and Alabama Administrative Code minimum criteria for determining eligibility. Information and worksheets are downloaded from the State Department website to ensure all needed evaluations are conducted.

The Blount County Board of Education does not allow members of the IEP Team to be excused from eligibility meetings.

II. The Blount County Board of Education ensures its commitment to implement the AAC 290-8-9-.03-.04 and 34 CFR §300.8; 34 CFR §300.201; and 34 CFR §300.306-308.

CHAPTER 5

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

- I. Procedure utilized in developing IEPs.
 - The IEP Team reviews all available assessment data in developing an IEP. The team also considers the strength of the child, concerns of the parents, initial or most recent evaluations, academic developmental and functional needs of the child. In addition, any State or District wide assessments are considered. The development of the IEP will be unique to the child's needs based on current test results, teacher interviews, and other present level of performance indicators.
 - Extended School Year services will be provided if a child's IEP Team uses work samples and documented information regarding significant regression, caused by an interruption and renders it unlikely that the child will regain critical skills after an appropriate recoupment period.
 - If FAPE is an issue regarding a private school child, the child's IEP Team will meet to determine the LRE. When the child is placed in a private school, a representative from Blount County will continue to be a member of the IEP team.
 - Annual trainings will be conducted at the beginning of each year to teachers who are responsible for writing IEPs. The trainings will consist of the Alabama Administrative Code, and completing IEP Team Meeting Notices, writing standards-based IEP goals, benchmarks (when appropriate), transition needs, assessment forms and writing defensible LRE justifications.
 - Students will be placed in their least restrictive environment by determining that the supports provided did not make the placement successful and there is a continuum of alternative placements available to meet the needs of all children.

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

Parents are always sent a Notice of Proposed Meeting form and encouraged to participate by the Special Education Teacher with the development or amendments to the IEP. If the parent is unable to attend, we provide the opportunity to participate in conference calls and/or by

submitting e-mails or written documentation if the parent is agreeable. Blount County has chosen not to allow amendments to the IEP without an IEP Team meeting.

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

- Parents are always sent a Notice of Proposed Meeting form and encouraged to participate by the Special Education Teacher with the development or amendments to the IEP. If the parent is unable to attend, we provide the opportunity to participate in conference calls and/or by submitting e-mails or written documentation if the parent is agreeable.
- Parents are sent an Input survey, are ask to participate in phone conversations and/or face-to-face interviews to include their concerns in their child's IEP development.
- Parent Trainings are provided annually to inform parents of IEP development and how they can be more involved in their child's education.

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

Speech Language Pathologists will check hearing aids weekly for malfunctions and report those to the Special Education Coordinator. Blount County Schools will provide maintenance and repair for the equipment as needed.

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

The IEP Team individually determines each student's transition services. In addition to the transition assessments students eligible for Alabama Department of Rehabilitation Services undergo a vocational assessment. This assessment is utilized for transition planning, Information concerning diploma options is provided to each parent of eighth grade students' with disabilities. The IEP Team makes the selection of the diploma option and reviews it annually. Parents and students are invited to a parent night at the beginning of each year to discuss transition options. Special Education teachers have been provided procedural information through the Alabama Transition Conference and local special education updates.

- VI. The Blount County Board of Education ensures its commitment to implement the AAC 290-8-9-.05 - .07 and 34 CFR §300.5-.6; 34 CFR §300.34; 34 CFR §300.101-102; 34 CFR §300.104-108; 34 CFR §300.110; 34 CFR §300.114-118, 34 CFR §300.201; 34 CFR §300.320-325; and 34 CFR §300.327-328.

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CHAPTER 6

PROCEDURAL SAFEGUARDS

I. Confidentiality procedure for:

The Blount County Board of Education shall allow the special education teacher to allow access of educational records to parents for review of educational records according to the Alabama Administrative Code.

A. Access to Records.

- Parents may inspect and review all educational records relating to identification, evaluation, and educational placement of the child and the provision of FAPE to the child that are collected, maintained.
- Parents will be given the opportunity to review their child's educational records without unnecessary delay (not more than 45 days after the request has been made) and before any meeting regarding an IEP or before a due process hearing, or resolution session is conducted.
- Upon request, parents must be provided copies of their child's records.
- Upon reasonable request, parents must be given explanations and interpretations of their child's records.
- Parents may have a representative inspect and review their child's records.
- The Blount County BOE may presume that the parents have authority to inspect and review the records of their child unless the agency has been advised that authority has been removed under state laws governing such matters as guardianship, separation, and divorce.
- With the exception of parents and authorized employees of the Blount County BOE the agency must keep a record of all other persons who are given access to the educational records. Documentation must include the name of the person given access, date of access, and purpose for access.

B. Records on More Than One Student.

- When a record contains information on more than one child, the parents may inspect and review only the information regarding their child. If the information on their child cannot be isolated for review, the Blount County representative may

inform the parent regarding that portion of the information that pertains to their child.

C. List of Types and Locations of Information.

- Upon request, the parents must be provided with a list of the types and locations of educational records collected, maintained, or used by the Blount County BOE.

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D. Fees for Copying.

- The Blount County Board of Education does not charge a fee when providing the first copy of records to parents. We do reserve the right to charge 25 cents per sheet for additional copies.

E. Disclosure Procedures Pertaining to Special Education Records.

- The Blount County Board of Education shall maintain for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information.
- Parental consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies.
- Parental consent is not required before personally identifiable information is released to:
 - (i) Officials of participating agencies for the purposes of meeting a requirement of Part B of the IDEA. However, the child's parents or eligible child who has reached the age of majority (age 19) must be given prior notice of the transfer of records as required by the Family Educational Rights and Privacy Act (FERPA).
 - (ii) Authorized state or federal officials in conjunction with monitoring or enforcement of legal requirements that relate to the special education program.
 - (iii) Law enforcement and judicial authorities to the extent permitted by FERPA when the child with a disability has committed a crime.
- Parental consent, or the consent of an eligible child who has reached the age of majority (age 19), must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.
- If a child is enrolled, or is going to enroll in a private school that is not located in the LEA of the parent's residence, parental consent must be obtained before any personally identifiable information about the child is released between officials in the LEA where the private school is located and officials in the LEA of the parent's residence.

F. Transfer of Records.

- To facilitate the transition for a child who has transferred from one public agency to another in the same state or from another state, the new public agency in which the child enrolls must take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the

- provision of special education or related services to the child, from the previous public agency in which the child was enrolled, pursuant to FERPA; and the previous public agency in which the child was enrolled must take reasonable steps to promptly respond to such request from the new public agency.
- Parental consent is not required as a condition for a transfer of special education records from one public agency to another. However, FERPA requires notice to be provided to the child's parents or the student who has reached age 18.

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G. Amendment of Records at Parent's Request.

- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
1. Parents or eligible students who wish to ask the School to amend a record should write the School principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

H. Opportunity for a Hearing.

- The Blount County BOE must, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. Such requests must be made to the Principal in writing. The Principal must grant such a hearing with proper notification to the person eligible to request such a hearing as to the place and time of said hearing. The hearing should be scheduled in a reasonable amount of time, not longer than 45 days after the receipt of the written request.

I. Result of Hearing.

- If, because of the hearing, the Blount County BOE decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it will amend the information accordingly and inform the parent in writing.
- If, as a result of the hearing, the Blount County BOE decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the agency must inform the parent of the right to place in the records a statement commenting on the information or setting forth reasons for disagreeing with the decision of the agency. Any explanation placed in the records must be maintained as part of the records as long as the records or contested portion of the records is maintained by the agency.

J. Hearing Procedures.

- The Blount County BOE must, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. Such requests must be made to the Principal in writing. The Principal must grant such a hearing with proper notification to the person eligible to request such a hearing as to the place and time of said hearing. The hearing should be scheduled in a reasonable amount of time, not longer than 45 days after the request.

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K. Consent.

- The Blount County BOE will obtain consent from the parent using the Consent form provided by the SDE.

L. Destruction of Information.

- The Blount County BOE will retain a copy of the education records containing personally identifiable information for a period of five (5) years after the termination of the special education program for which they were used.
- The information must be destroyed at the request of the parents. However, a permanent education record that contains the child's name, address, telephone number, his or her grades, record of attendance for special education services, classes attended, grade level completed, and year completed may be maintained without time limitation.
- At the end of the five-year retention period, the Blount County BOE will inform the parents when personally identifiable information collected, maintained, or used is no longer needed by providing public service announcements in the newspapers, radio and television.
- Information must be destroyed in a manner whereby confidentiality of the information is maintained.

M. Disciplinary Information.

- All discipline information on a student may be compiled and become a part of their educational records.

N. Rights for Children.

- The Blount County BOE will afford to the child, rights of privacy similar to those afforded to parents regarding records taking into consideration the age of the child and type and severity of the disability.

O. Parental Notice and Consent.

The Blount County BOE will provide notice to parents and obtain consent prior to specific actions.

1. Parental Consent:

- Informed written consent will be obtained prior to an initial evaluation; prior to the initial provision of special education and related services; and prior to any reevaluation that requires additional data to be obtained. Consent for initial evaluation must not be construed as consent for the initial provision of services. If the parent of the child with a disability refuses or fails to respond to a request to provide consent for initial evaluation or a reevaluation that requires evaluation of the child, the public agency may, but is not required to pursue consent by using mediation and/or due process procedures.
- The Blount Count BOE must make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the child. If the parent of the child refuses to consent to the initial provision of special education and related services or the parent fails to respond to a request to provide such consent, the public agency may not use mediation or due process procedures in order to obtain agreement or a ruling that services may be provided to the child.

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- Informed written consent is not required:
 - (i) For reevaluation, if the public agency can demonstrate that it has made reasonable efforts, (at least two attempts) to obtain that consent and the child's parent has failed to respond.
 - (ii) Before reviewing existing evaluation data as part of an evaluation or reevaluation or administering a test or other evaluation that is administered to all children, unless, before administration of that test or evaluation, consent is required of parents of all children.
 - (iii) For the type of evaluations listed on the IEP to evaluate the mastery of annual goal(s).
 - (iv) For initial evaluations only, if the child is a ward of the State and is not residing with the child's parent, the public agency is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if despite reasonable efforts to do so, the public agency cannot discover the whereabouts of the parent of the child; the rights of the parents of the child have been terminated in accordance with State law; or the rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.
- If a parent of a child who is home schooled or placed in a private school by the parents at their own expense does not provide consent for the initial evaluation or the reevaluation, or the parent fails to respond to a request to provide consent, the public agency may not use the consent override procedures of mediation or due process and the public agency is not required to consider the child as eligible for services under these rules.
- To meet the reasonable efforts requirement regarding consent for initial evaluation, reevaluation and initial provision of services, the public agency must document its attempts to obtain parental consent using the procedures outlines in the Alabama Administrative Code.

2. Parental Notice.

- Written notice will be given to parents at a reasonable time before the public agency proposes or refuses to initiate or change the identification, evaluation, educational placement, or the provision of FAPE to a child. Written notice is required when a child graduates from high school with a regular diploma or exits because the child has exceeded the age of eligibility for FAPE .
- The parental notice must include a description of the action proposed or refused by the agency, the reason for the proposed or refused action, a description of other options the public agency considered and why those options were rejected, a description of each evaluation procedure, assessment, record, or report the public agency used as a basis for the proposal or refusal and a description of any other factors that are relevant to the proposal or refusal. The notice must also include a statement that the parents of the child have protection under the Special Education Rights and if this notice is not an initial referral for evaluation, the means by which a copy of the rights can be obtained, and sources for parents to contact to obtain assistance in understanding the provisions of the notice. To ensure that parents understand the content of each notice, the public agency must provide written notice in language understandable to the general public, provide notice in the native language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so, and take the necessary steps to ensure, that when the native language or other mode of communication of the parent is not a written language, that the notice is translated orally or by other means to the parent in his or her

native language or other mode of communication. Public agencies must ensure that parents understand the content of the notice and maintain written evidence that the notice requirements have been met. Parents may request to receive notices by electronic mail if the public agency provides notices by electronic mail.

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

Special Education Coordinator
204 2nd Avenue East
P.O. Box 578
Oneonta, Alabama 35121

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

Special Education Records are maintained at the Blount County Records Department. Each file shall consist of Referral, Notices, Parent Rights, Consent for Evaluations, Psychological Evaluations, Diagnostic Results, Vision and Hearing Screenings, Eligibility Reports, Placement forms and a copy of the current IEP. The Special Education Teacher keeps the above and other records in a secure location at the school level.

Procedure for:

- A. Identification of children in need of a surrogate parent.
- Any persons who knows of a student in the Blount County Schools who may need special education or is receiving special education services and believes that an appropriate person is not available to represent the student may submit a written request to the Blount County BOE or the Special Education Coordinator for the assignment of a surrogate parent for the student
- B. Appointment of a surrogate parent.
- The Special Education Coordinator appoints surrogate Parents within 30 days if a student is determined to be a student without representation. The Blount County Superintendent will send written notice of the appointment to the surrogate parent and to the person/agency who made the request for the Surrogate appointment.
- C. Training surrogate parents.
- The Special Education Coordinator is responsible for training of surrogate parents. All surrogates will be trained and provided information from the Alabama Administrative Code on the Special Education Process.

- D. Rescission of a surrogate parent.
- The Blount County Superintendent of Education will rescind the appointment of a surrogate parent when:
 1. A surrogate parent sends written notice of their resignation.
 2. A surrogate parent has been unable to perform assigned responsibilities.
 3. A student no longer requires a surrogate parent.
- E. Tracking the requirements of AAC 290-8-9-.8(1) (h) (Internal Monitoring of Surrogate Parent Services).
- The Blount County Special Education Coordinator will maintain a tracking system of students who were considered for or were appointed a surrogate parent. Data relative to the student's consideration, training verification, and appointment of a surrogate will be on file in the Coordinator's office.
- V. Procedure for maintaining records that demonstrate that complaint resolution, mediation agreements, and due process hearing decisions are implemented.
- The Blount County Board of Education will maintain records in the Special Education Coordinators Office that ensures the implementation of complaint resolutions, mediation agreements, and due process hearing decisions. All involved will be given information pertaining to the agreements. The Special Education Coordinator will compile documentation required and submit to the SDE within timelines.
- VI. The Blount County Board of Education ensures its commitment to implement the AAC 290-8-9-.08 and 34 CFR §300.9; 34 CFR §300.32; 34 CFR §300.121; 34 CFR §300.123; 34 CFR §300.150-153; 34 CFR §300.201; 34 CFR §300.229; 34 CFR §300.300; 34 CFR §300.500-504; 34 CFR §300.530-536; 34 CFR §300.610-627; and 34 CFR Part 99 (*Family Educational Rights and Privacy Act*).

CHAPTER 7

SYSTEM OF PERSONNEL DEVELOPMENT

- I. Qualified Personnel.
 - A. The Blount County Board of Education ensures that qualified personnel will be provided to implement special education services.
 - B. Procedure to recruit and retain qualified personnel.
 - All job openings are posted on the State of Alabama and the Blount County Board's website, at the Board of Education Office and the local schools.
 - The Assistant Superintendent and the Curriculum Coordinator attend recruitments at State Universities and job fairs.
 - New employees of the Blount County Board of Education attend a 3-day Teacher Induction Program provided by Central Office Staff. We also provide substitutes during the year to provide opportunities for Professional Development and the opportunity to attend the MEGA conference.

- II. Procedures to fully inform teachers and administrators of their responsibilities for implementing least restrictive environment requirements.
 - Annual trainings will be conducted at the beginning of each year to teachers who are responsible for writing IEPs. The trainings will consist of the Alabama Administrative Code, and completing IEP Team Meeting Notices, writing standards-based IEP goals, benchmarks (when appropriate), transition needs, assessment forms and writing defensible LRE justifications.
 - Students will be placed in their least restrictive environment by determining that the supports provided did not make the placement successful and there is a continuum of alternative placements available to meet the needs of the children.

- III. Procedures to fully inform general educators and administrators of the special education process.
 - The Special Education Coordinator and/or Special Education Teachers at the local school will provided training on IEP development/writing, assessments, transition and LRE justifications at faculty meetings.
 - The Special Education Coordinator will provide training to Administrator's at Principal and Assistant Principal Meetings.

- All educators will be given the opportunity to attend Professional Development workshops to enhance their knowledge on the Special Education Process.

IV. The Blount County Board of Education ensures its commitment to implement the AAC 290-8-9-.01-.07; and 34 CFR §300.119; 34 CFR §300.119.156, and 34 CFR §300.704(iv) (4).

CHAPTER 8

DISCIPLINARY PROCEDURES

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

- Blount County Board of Education will follow the following procedures in disciplining students with disabilities according to the Alabama Administrative Code.

Suspension:

1. All suspensions should be for a specified number of days, not to exceed three (3) full school days or maximum specified by the Board and statutory regulations. Any deviation from said pattern shall require the authorization from the Superintendent of Schools. Provided the student is suspended, following a hearing which affords the applicable due process criteria, the principal shall notify the student's parent or legal guardian in writing on forms prescribed by the school system of the action taken, cause or causes for such action, effective dates of suspension and/or specified requirements to be met prior to re-admission.
2. Ten or more days of suspensions during any given school year will necessitate the convening of the IEP Committee, as it will result in a change of placement.

Expulsion:

1. A student with disabilities may not be expelled from school for any misbehavior that has a direct and significant relationship to that student's area of disability. If the Individual Education Planning Committee (IEP) determines that the behavior in question does not have a direct and significant relationship to the student's area of disability, the education agency may expel the student; however, a complete cessation of education services is not permissible. Expulsion constitutes change in placement, which requires due process through the IEP Committee action.
2. Student Status During Proceedings-If administration or judicial remedy is requested as a result of disagreements with any disciplinary action which would result in a change of placement, the student with disabilities involved in the issue must remain in his/her present educational placement. If the education agency believes the student with disabilities poses an immediate threat to the safety of himself/herself or others, the education agency may request injunctive relief to have the student temporarily removed from the present educational placement until the issue is resolved. The emergency suspension shall be followed, as soon as practical, by an IEP Committee meeting action, if a long term suspension or expulsion is contemplated.

II. The Blount County Board of Education ensures its commitment to implement the AAC 290-8-9-.09 and 34 CFR §300. 520 and 34 CFR §300.530-537.

CHAPTER 9

FINANCIAL REQUIREMENTS

- I. The Blount County Board of Education will use funds provided under Part B only for costs that exceed the amount computed under 34 CFR §300.184 and that are directly attributable to the education of children with disabilities.
- II. The Blount County Board of Education will use funds provided under Part B to supplement and, to the extent practicable, increase the level of state and local funds expended for the education of children with disabilities, but in no case to supplant those state and local funds.
- III. The Blount County Board of Education will not use Part B funds for services for children with disabilities unless state and/or local funds are first used to provide services to those children that, taken as a whole, are at least comparable to services provided to other children with disabilities.
- IV. The Blount County Board of Education will describe how it will use Part B funds by completing the annual budget application data requirement and submitting it to the Alabama Department of Education for approval prior to the receipt of funds.
- V. The Blount County Board of Education ensures its commitment to implement 34 CFR §76.650-662 and 34 CFR §300.16; 34 CFR §300.200; 34 CFR §300.202; 34 CFR §300.220; 34 CFR §300.224; 34 CFR §300.226, and 34 CFR §300.228.
- VI. The Blount County Board of Education will use funds under Part B of this Act to carryout schoolwide programs under Section 1114 of the *Elementary Secondary Education Act* (ESEA), not to exceed the amount received by the public education agency under Part B of this Act for that fiscal year. 34 CFR §300.206.

CHAPTER 10

ADMINISTRATION

- I. The Blount County Board of Education ensures its commitment to utilize any required state forms.
- II. The Blount County Board of Education ensures that it will provide information necessary to enable the Alabama Department of Education to carryout its duties under Part B of the Act, including with respect to 34 CFR §300.157, information relating to the performance of children with disabilities participating in programs carried out under part B of the Act. 34 CFR §300.211.
- III. The Blount County Board of Education ensures that it will maintain records that verify the correctness of information submitted. 34 CFR §76.772; 730; 731.
- IV. The Blount County Board of Education ensures that it will afford the Alabama Department of Education access to records that verify correctness of information. 34 CFR §76.772; 730; 731; 740.
- V. The Blount County Board of Education ensures that it will implement the *Alabama State Plan for Special Education*, the AAC, and all state and federal laws and regulations applicable to children with disabilities.
- VI. The Blount County Board of Education ensures it will provide instructional materials in accessible format to blind persons or other persons with print disabilities. 34 CFR §300.210 (2) (3).
- VII. The Blount County Board of Education ensures it will make available to parents of children with disabilities and to the general public all documents related to the eligibility of this agency under Part B of the Act. 34 CFR §300.212.
- VIII. The Blount County Board of Education ensures it will implement Section 1308 of the ESEA to ensure linkage of records pertaining to migratory children with disabilities for the purpose of electronically exchanging, among the states, health and educational information regarding those children. 34 CFR §300.213.
- IX. The Blount County Board of Education ensures that children attending charter schools that are public schools of the public agency, will serve those children with disabilities in the same manner as the public education serves children with disabilities in its other schools. 34 CFR §300.209.