

SPECIAL EDUCATION PLAN FOR CHILDREN WITH DISABILITIES

EDUCATION AGENCY NAME: St. Clair County School System

By submitting this plan, the signatures of the education officials signed below ensure that special education services will be provided in accordance with federal and state laws and regulations and will be consistent with the individualized needs of children with disabilities. This document is subject to the *Freedom of Information Act*.

Aeresa Arnold

Special Education Coordinator

9/9/13

Date

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Superintendent/Director

9.9.13

Date

APPROVED:

Cham R. Bee

State Superintendent of Education

1/13/14

Date

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St. Clair County
Board of Education
*LEA Special
Education Plan*

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CHAPTER 1

FULL EDUCATIONAL OPPORTUNITY GOAL

- I. The St. Clair County School System provides appropriate educational opportunities to children with disabilities ages 3 to 21.
- II. The St. Clair County School System 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 St. Clair County School System provides full educational opportunities for children with disabilities ages 3 to 21.
- IV. The St. Clair County School System 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. The St. Clair County School System 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.

St. Clair County School System will maintain a list of preschool (0-3 years of age) children who have been identified as having a disability. St. Clair County School System will begin the eligibility evaluation process for any child thirty (30) months of age who is suspected of needing IDEA-B services in order to ensure that if the child is eligible for services, those services as indicated on the IEP will be provided on his/her third birthday.

1. St. Clair County School System will provide public notice of services available to students with disabilities by using the following:
 - Public Service Announcements on local radio (St. Clair County does not have a local TV Station)
 - Articles/notices in local newspapers
 - Presentations by the LEA special education administration at area school/parent and agency functions
 - Posters publicizing Child Find activities
 - Posted notices in school offices, health departments, area courthouses, local pediatricians, doctors and dentists, DHR, and municipal buildings
 - Posted notice on system website www.stclairschools.net
2. St. Clair County School System will maintain contact and accept referrals from individuals and agencies that provide services to children and youth with disabilities such as:

- Department Rehabilitation Services
- Department of Human Resources
- Department of Mental Health
- Department of Public Health
- Head Start Agency
- Kindergartens
- Day Care Centers
- Area Hospitals
- Medical Personnel
- United Cerebral Palsy Center
- Private Schools
- Alabama Institute for Deaf and Blind
- Early Intervention Programs
- Preschool Programs
- Speech and Hearing Centers
- Building Based Support Team referrals from local schools
- Parent/Guardian referrals

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.

- The St. Clair County School System will utilize a computerized tracking system, STI SETSWeb, to track and determine the status of timelines for services (referral, evaluation, reevaluation, IEP) for students referred for special education or currently receiving special education services. The special education coordinator, special education clerks, pre school case manager, and local school case managers monitor initial and reevaluation timelines for compliance with federal and state mandates.

- Once initial eligibility is determined, the special education teacher/case manager enters the dates into the STI SETSWeb tracking system and the tracking system will populate the next reevaluation date.

- At the end of the school year, all reevaluation due dates for the next school year are pulled from the STI SETSWeb tracking system and a schedule is set for the next school year.

- The St. Clair County School System will utilize the STI SETSWeb tracking system query menu to monitor and ensure completion of the three year reevaluations within the required timeline. Case managers will review their case rolls monthly and chart timeline data to ensure all timelines are being met. The charts are sent to the special education coordinator at the

beginning of each month. The tracking system is used to track and complete all initial referral processes, reevaluation processes, and IEP processes. Queries are built through the tracking system to monitor compliance with federal and state timelines, child count data, preschool tracking, transition verification, and LRE guidelines.

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.

- The St. Clair County School System works with the sheriff's department and the county juvenile probation officers to provide services for students with disabilities housed in local jails. St. Clair County does not have any boot camps or detention centers. Upon notification of a student with disabilities housed in the local jail, records are requested from previous school/system by the special education coordinator. Upon receipt of records, case manager is assigned according to grade placement and/or previous attendance within the St. Clair County School System. Services are provided under state and federal guidelines. When an IEP or reevaluation is due, an IEP team will meet in the Juvenile Probation Judge's small courtroom in Ashville to complete reevaluations and/or new IEPs.

- The St. Clair County School System receives communication from the JF Ingram Technical College or the local county jail when a student with disabilities is housed within our local county jail. The special education coordinator is immediately notified a student with disabilities is housed within the local county jail. The coordinator is responsible for requesting all records from the system where the student with disabilities previously attended school. The records are sent to the special education coordinator. Upon receipt of records, case manager is assigned and services begin.

- When the St. Clair County School System receives a request for records for a student housed within a correctional facility in another school system, the special education coordinator is responsible for transferring the requested records to the system where the facility is located.

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.

- The St. Clair County School System Special Education Coordinator will hold/conduct the annual private school meeting in the spring to consult with private school representatives and representatives of parents of children with disabilities in private schools located in the geographic jurisdiction served by the St. Clair County School System.

• The St. Clair County School System will continue to provide direct services to school children with disabilities who attend private schools within the St. Clair County School District jurisdiction in the area of Speech/Language Impairment. The services will be available at the public school in closest proximity to the parentally placed private school students' home or private school attended by the student. Services will be provided by a speech pathologist according to the goals established by the IEP team in the student IEP.

• The Special Education Administration will schedule/complete follow-up visits or phone conferences for private school representatives who do not attend. Each private school in the jurisdiction will be sent a copy of the "Private School Service Plan" notifying personnel of the availability of special education services in the public schools and what services are provided, where and by whom.

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

• The Child Find Contact Person for the St. Clair School System receives the written or telephone referral for children served in early intervention programs at least three months before the child's third birthday. The Pre School Case Manager is responsible for the intake of the referral. Upon receipt of the referral, the Pre School Case Manager or Special Education Coordinator will attend or assign an appropriate representative from the school system to attend the transition conference. System staff will cooperate with early intervention personnel to ensure that the child, if eligible is ready to receive special education services on his third birthday. The Pre School Case Manager is responsible for tracking the referral through the eligibility process and IEP development to ensure timelines are met. The STI SETSWeb tracking system is used to track timelines for the referral process and the IEP process. The Pre School Case Manager contacts the case managers in person to remind of timelines and the necessity of meeting the timelines.

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

Special Education Coordinator
St. Clair County School System
410 Roy Drive
Ashville, Alabama 35953
205.594.7131 ext 2267

- 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.

The St. Clair County School System uses the SETS Web tracking system. The local school case managers enter the student data. The tracking log is computer generated, monitored by the special education lead clerk and reviewed by the system's Special Education Coordinator and Psychometrist as needed. This log tracks the progress of the special education process from referral through the development of the IEP.

Along with the tracking system, the State Child Count Form and individual student folder monitoring/compliance forms are used to ensure that time frames are met. There are no more than sixty (60) days from the receipt of the signed consent for evaluation to the eligibility determination meeting. No more than thirty (30) days elapse from the eligibility determination meeting to the IEP meeting or notice of ineligibility.

The St. Clair County School System has a computerized tracking system (STI SETS Web) that enables school personnel to determine the status of students at any stage in the special education process and to ensure that time frames are met. The case managers provide monthly reports to the special education office of the re-evaluation timelines for students with disabilities. The tracking system is utilized by the special education administrative staff to ensure that all timelines are being met.

The tracking system is used by case managers, psychometrists, special education clerks and secretary, and special education coordinator. Reports are monitored weekly. If any discrepancies are found, the problem is researched and rectified by the necessary personnel as soon as possible. Case managers who are slow or fail to meet timelines are monitored closely. Individual school principals are called and warned of case managers approaching timeline deadlines. Case managers are called with directives to comply immediately. If a case manager misses a deadline, a notice is given to the case manager in the presence of an administrative witness. The signed notice is then placed in their personnel file. Repetitive non-compliance will result in dismissal.

- IV. The St. Clair County School System ensures its commitment to implement the *Alabama Administrative Code* (AAC) 290-8-9-.01 and 34 CFR §300.111; 34 CFR §300.124; 34CFR§300.101-102; 34 CFR§300.130-131, and 34 CFR §300.201.
- V. The St. Clair County School System ensures its commitment to implement the AAC 290-8-9-.10(7) and 34 CFR §300. 130-144.

CHAPTER 3

EVALUATION

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

The St. Clair County School System will:

1. Provide evaluation 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.

- When St. Clair County School System is contacted by a parent of an identified child who is age 0-2 who has not participated in the Early Intervention Process, the Director of Special Education refers the parent to the local Early Intervention Agency with the State Department of Rehabilitative Services.

- When St. Clair County School System is contacted by an Early Intervention Agency to attend the transition meeting for an identified child who participated in Early Intervention the Pre School Case Manager or the Special Education Coordinator completes the following steps:

- A. Special Education Coordinator or Pre School Case Manager acknowledges the receipt of the letter of invitation by phone or mail and retains documentation of contact with the EI service coordinator. The EI Agency schedules the transition meeting.

- B. If the meeting is a transition meeting only, the LEA provides and completes the *Documentation of Transition Planning Meeting for Early Intervention to Preschool* form to remain in the LEA file.

- C. If possible, the referral meeting is held in combination with the transition meeting. However, the LEA provides parents with written prior notice, *Notice of Proposed Meeting*, whether the transition and referral meetings are held together or separately.

- D. If the meeting is both a transition meeting and a referral meeting, the LEA provides and completes the *Student Referral Form*. The IEP Team must participate, provide the parent/guardian with copy of the *Services for Alabama's Children with Disabilities Ages Birth through 5 Handbook* and *Special Education Rights*. LEA documents provision of Handbook to family under "Other Relevant Information (From Parent and/or School)" on the *Student Referral Form*.

- E. If the meeting is a referral meeting only, the LEA schedules and conducts the meeting. The IEP Team must participate. The *Student Referral Form* is completed. A copy of the *Services for Alabama's children with disabilities Ages Birth through 5 Handbook* and *Special Education Rights* is given to the parent/guardian. LEA documents

provision of handbook to the parents under “Other Relevant Information (From Parent and/or School)” on the Student referral Form.

F. If the IEP Team accepts the referral, they review existing information and discuss the need for additional data. Additional assessments, if needed, should be completed prior to the third birthday. The LEA obtains the *Notice and Consent for Initial Evaluation*.

G. The LEA schedules (using *Notice of Proposed Meeting*) and conducts eligibility meeting. The LEA completes the *Notice and Eligibility Decision* regarding Special Education Services. The IEP Team must participate. The eligibility meeting may be combined with the referral meeting if no additional data is needed.

H. The LEA schedules (using *Notice of Proposed Meeting*) and conducts the IEP meeting. The IEP team must participate. The LEA provides a copy of the IEP to the parents. The eligibility meeting may be combined with the IEP meeting.

I. The IEP must be written and ready for implementation on the child’s third birthday or on the first day of school after the child turns three. Parents must sign *Notice and Provisions of Special Education Services*.

- When a request for an initial evaluation is received on a child (3-21), the following steps are followed:

A. Intervention strategies must be implemented in the general education program and monitored by the Building Based Student Support Team for a minimum of eight weeks if the student is currently a student of the St. Clair County School System. **This rule is waived for a child who has severe problems that require immediate attention, for three and four year olds, for five year olds who have not been in kindergarten, for children with articulation, voice or fluency problems only, for children with a medical diagnosis of traumatic brain injury and for a child who has been referred by his or her parents.** Parents are provided the *Notice of Proposed Meeting/Consent for Agency Participation* regarding referral for an evaluation prior to the IEP team referral meeting and a copy of the *Special Education Rights*.

B. The IEP team is convened to review the *Referral for Evaluation*, existing data and request for evaluation.

C. The IEP team will determine the need for evaluation. If the IEP team determines no evaluation is needed, the parents are provided the *Notice of Intent Regarding Special Education Services* and the process ends with the student of school age referred to the local school Building Based Student Support Team (BBSST).

D. If the IEP team determines an evaluation is needed, a *Notice and Consent for Initial Evaluation* form is signed by the parents prior to conducting initial evaluations. The 60 calendar day timeline to conduct the evaluation and determine eligibility begins on the date the *Notice and Consent for Initial Evaluation* form is signed.

- E. Initial evaluations are conducted including vision and hearing.
- F. Parents are provided the *Notice of Proposed Meeting/Consent for Agency Participation* to the eligibility determination meeting.
- G. Convene the IEP team to determine eligibility for special education.
- H. After eligibility determination, provide parents a copy of *Notice and Eligibility Decision Regarding Special Education Services* which includes the evaluation data.
- I. If the student is not eligible for special education services, the student of school age is referred to the Building Based Student Support Team (BBSST).
- J. If the student is eligible for special education services, FAPE is offered at this time.
- K. A *Notice and Consent for the Provision of Special Education Services* is signed at this time or prior to the provision of special education services.
- L. An IEP must be conducted within 30 calendar days from the date of eligibility determination. The IEP team may develop an IEP at the eligibility meeting if the student is determined eligible; however, initial IEP development must have been checked on the *Notice of Proposed Meeting/Consent for Agency Participation* used to invite parents and other IEP team member to the eligibility meeting.
- M. If initial IEP development was not checked on the eligibility meeting notice, a new *Notice of Proposed Meeting/Consent for Agency Participation* to develop the IEP will be provided to the parents prior to the IEP meeting date.
- N. The IEP team meets and develops the IEP to offer FAPE.
- O. A copy of the IEP is given to the parents.

If the parent refuses consent or fails to respond to a request to provide consent for evaluation or special education services, special education services cannot be provided. This ends the process.

- When a child requires a reevaluation the following steps are completed:
 - A. At the IEP preceding the year a student's reevaluation is due, on the *Notice of Proposed Meeting/Consent for Agency Participation* for the IEP meeting, also check the boxes "Discuss the Need for Additional Data Collection" and "Determine Initial or Continued Eligibility" along with any other purposes that might be discussed concerning continued eligibility at the meeting.
 - B. The IEP team will review existing data and discuss what additional evaluative data is needed to determine eligibility status.
 - C. If no additional data was needed, determine continued eligibility status and provide parents *Notice of IEP Team's Decision* regarding reevaluation and attach previous eligibility report.
 - D. If the student's disability area changes, but no additional data was needed, a new eligibility report must be completed.

E. If the student is no longer eligible for special education services, complete a new eligibility report and refer the student to the Building Based Student Support Team (BBSST).

F. If additional data are needed, provide parents with the *Notice of IEP Team's Decision Regarding Reevaluation* and obtain the *Notice and Consent for Reevaluation*.

G. Conduct reevaluation if the *Notice and Consent for Reevaluation* is obtained signed or two attempts have been documented to obtain consent and parent has not responded. (Stop reevaluation process if parents check "I do not give permission" on the *Notice and Consent for reevaluation*.)

H. Provide parents *Notice of Proposed Meeting/Consent for Agency Participation* to determine eligibility status.

I. IEP team determines the eligibility status and provides parents a copy of the *Notice and Eligibility Decision Regarding Special Education Services* which includes the reevaluation data.

J. The reevaluation process must be completed before the three year timeline expires.

2. Contract 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

AIDB
Headstart
Mental Health
Children's Behavioral Clinic
Alan Cott/Glenwood
Sparks Center at UAB
MR-DD Board
United Cerebral Palsy Center
HANDS
Mitchell's Place
Vocational Rehabilitation Service

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.

- A. Ackerson, Dr. Joe
UAB Pediatric Neuropsychology
930 20th St. South, Suite 101
Birmingham, AL 35294
205.934.5471

- B. Armstrong, Mary Beth, Speech and Hearing Center
University of Montevallo
Station 6720
Montevallo, AL 35115
- C. Ascherman, Dr. Lee
UAB Psychiatric Medicine
1700 7th Ave. South
Birmingham, AL 35294
- D. Dr. Robert Babcock, Certified Behavior Specialist
The Learning Tree
1-334-703-0908
- E. Kerri Bailey, OT
Ability Resources
1505 Woodlands Place
Hoover, AL 35080
205-481-9599
- F. Kirsten Bailey, Autism Consultant
UAB Community Health Services Building
Sparks Clinic, 930 S 20th St
Birmingham, AL 35205
205-934-5559
- G. Dana Bush
Glenwood
150 Glenwood Lane
Birmingham, AL 35242
205-969-2880
- H. Caroline Gomez
Autism
Auburn University
Depart of Education
3006 Haley Center
Auburn, Alabama 36849-5218
334-844-2106
- I. Elizabeth Griffith
UAB Community Health Services Building
Sparks Clinic
930 South 20th Street
Birmingham, Alabama 35205
205-934-9217

- J. Dr. Joanne Hamrick
Learning Disability/Reading
205-991-6938
- K. Johnson, Dr. Karen, Family Therapist
Grayson and Associates, PC
2200 Lakeshore Drive
Homewood, AL 35209
205-871-6926
- L. Courtney King
HANDS LLC
300 Shadow Wood Park
Suite 100
Birmingham, AL 35244
205-733-0976
- M. Patrice Murphy, PT
Pediatric Therapy Associates
700 Century Park S
Hoover, AL 35226
205-823-1215
- N. Caroline Murray
Over the Mountain Speech, Language & Learning Service
1050 Lake Colony Lane
Vestavia Hills, AL 35216
205-531-8998
- O. Dr. Donald Paoletti
Grayson and Associates PC
3928 Montclair Rd
Mountain Brook, AL 35213
205-871-6926
- P. Dr. Christine Reeve, Autism Specialist
Nova Southeastern University
3200 S. University Drive
Fort Lauderdale, FL 33328
- Q. Dr. Lee Remmick
4778 Overton Rd
Birmingham, Alabama 35210
205-933-0100

- R. Dr. Robert Simpson, Autism Specialist
Auburn University
3006 Haley Center
Auburn, AL 36849-5218

 - S. Dr. Matt Thompson
Grayson & Associates
2200 Lakeshore Drive
Suite 150
Birmingham, AL 35209
205-871-6926

 - T. Dr. Karen Turnbow, Child and Family Therapist
631 Beacon Parkway West
Birmingham, AL 35209
205-913-2000

 - U. Dr. Laura Klinger, Autism Specialist
University of Alabama
Psychology Department
Tuscaloosa, AL 35487
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- III. The St. Clair County School System 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 St. Clair County School System 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 St. Clair County School System will use an IEP team to determine eligibility. The IEP team will consist of the parent, student when appropriate, special education teacher/s, at least one of the student's regular education teachers, LEA representative, individual who can interpret the instructional implications of evaluations results (may be a member of the IEP team previously mentioned), and at the discretion of the parent, individuals who have knowledge or expertise regarding the student. IEP team membership may consist of secondary transition services participants when the team is addressing transition goals and outcomes. Also, if the student is a child previously served under Early Intervention, at the request of the parent, the EI service coordinator or other EI representatives may be part of the IEP Team.
 - A *Notice of Proposed Meeting/Consent for Agency Participation* is completed prior of the desired meeting date. This notice is sent to the parent/student and results of the first and second attempt to notify are documented. When parent agrees to time and date, all other members of the team are notified by the local school Case Manager. All IEP team members invited to the meeting are provided a reminder slip with date and time of meeting. Local Education Agency Representatives are notified through a log or calendar showing all meetings set within a specific date range. Other Agency Representatives and Career/Technical Representatives are notified with either a copy of the notice or a phone or electronic mail message. The St. Clair County School System does not allow for excusals to meetings. All mandatory members are required to be in attendance.
 - Special education teachers as well as testing personnel are given copies of the Administrative Code of Alabama, Mastering the Maze and a set of reference cards listing required evaluations for each disability created by the St. Clair County special education department. These documents are explained at a mandatory workshop at the beginning of the school year to insure understanding. Training occurs when feedback indicates the necessity to retrain on certain aspects of the special education process.
- II. The St. Clair County School System 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.

- Developing an *Individualized Education Program* is done annually. The St. Clair County School System utilizes several input forms and assessments to gather information regarding strengths, needs, and concerns for the child. Before the annual review date, a *Notice of Proposed Meeting/Consent for Agency Participation* is sent to the parent/student, along with a copy of the *Special Education Rights* and a *Parent's IEP Input Survey*. A *Teacher's IEP Input Survey* is sent to classroom teachers. Classroom assessments and work samples are reviewed. A *Student Profile Information* form is filled out by the student, as well as a survey in the form of the *Student Input Form* from the *Summary of Academic Achievement and Functional Performance (SOP)* for students in middle school through high school. The present level of academic achievement and functional performance is based on the findings of assessments and/or probes, and specific goals are developed based on these findings. A meeting is held where an IEP is written using all of the data results and inputs. Parents are provided a copy of the IEP. The date the IEP was given to the parents is documented along with the date the *Special Education Rights* was given to the parents. The form Persons Responsible for the IEP Implementation is completed to document that the teachers responsible for implementing the IEP have been informed and have access to the IEP.
- At the spring review of the IEP, teacher maintained work samples, testing, and information concerning the progress of IEP goals is utilized to determine if regression occurred at breaks throughout the year. If the child regressed more than what can be recovered after a minimum of 6 weeks of instruction following the break then the child is found to be in need of extended school year services.
- An IEP meeting will be held with all members in attendance when a child is placed in a private school/facility when FAPE is an issue. The St. Clair County School System works with the private school program to develop the IEP for a student when FAPE is an issue. If the private school has special education teachers/case managers, they will lead the IEP process for the student with input from the St. Clair County special education department. All state, federal and local guidelines will be followed when developing the IEP. If the private school does not have special education teachers/case managers, the St. Clair County special education department will appoint a case manager and follow the process for developing the IEP.

- The St. Clair County special education department holds a mandatory meeting of all special education personnel at the beginning of each school year. Highlighted are any changes to policy and procedure for the upcoming year, as well as a review of the writing and development of IEPs. Examples of IEPs written by the State Department of Education are given to all teachers, as well as access to Power Point presentations provided by the State Department of Education. General problems with previous IEPs are discussed and explanations of corrections are reviewed. Teachers are instructed on the correct way to complete Notices for Meetings. How to write standards based goals and what information to utilize to develop goals and benchmarks is covered. Teachers are given the *Alabama Student Assessment Forms* and are instructed on how to complete those, as well as how to tie accommodations used throughout the year into what accommodations are used on standardized testing. What information to include in the profile, how to complete the transition needs form, completing the general factors section, and utilizing the least restrictive environment is also addressed. Ongoing feedback is given throughout the year to ensure that IEPs contain all mandated information, and that correct procedures are being followed. To ensure that all requirements of the IEP are complete, the IEP is reviewed by the special education administration.
- The St. Clair county School System ensures that children with disabilities ages 3-21, including children in public or private schools/institutions, are educated with children who are nondisabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular education classes with the use of supplementary aids and services cannot be achieved satisfactorily. The child's IEP team determines the supplementary aides and services necessary and appropriate to provide academic, nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in all academic, nonacademic and extracurricular services. The St. Clair County School system utilizes state and federal monies designated for professional development purposes for local administrators and relevant personnel to attend local, regional and state workshops and meetings on legal issues related to students with disabilities. The LEA uses these professional development funds and LEA personnel to ensure that building level administrators are familiar with current case law related to least restrictive environment requirements. As instructional leader of the school, it is critical that the building administrators have knowledge of the special education process so that special education staff can be utilized properly to provide support in the general education classrooms. At the school level, these administrators ensure that general educators are informed of their responsibilities in developing and implementing IEPs, and that appropriate procedures are followed by IEP teams as members discuss the place/s

where special education services will be provided. Local school administrators help teachers to understand that the need for modifications to the general education curriculum does not mean that the child must be served in a location outside the general education classroom. Continuing in-service training will be provided by the LEA to ensure that LRE procedures are followed in the developing the IEP and providing services for each child in the St. Clair County School System.

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

- The St. Clair County School System utilizes parent input forms to gather information regarding strengths, needs, and concerns for the child. Before the annual review date, a *Notice of Proposed Meeting/Consent for Agency Participation* is sent to the parent/student along with a copy of a *Parent's IEP Input Survey*. Meetings are arranged according to parent's availability.
- Alternate methods that are used to ensure parental participation in the event the parent is unable to attend the IEP meeting include conference calls, input surveys, and electronic mail messages.
- This agency has chosen not to amend IEPs without holding an IEP meeting.

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

- The St. Clair County School System utilizes parent input forms to gather information regarding strengths, needs, and concerns for the child. Before the annual review date, a *Notice of Proposed Meeting/Consent for Agency Participation* is sent to the parent/student along with a copy of a *Parent's IEP Input Survey*. Meetings are arranged according to parent's availability. Alternate methods that are used to ensure parental participation in the event the parent is unable to attend the IEP meeting include conference calls, input surveys, and electronic mail messages. Parents are invited to workshops explaining the special education process including IEP participation.

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

- Children in the St. Clair County School System who have a hearing impairment are provided services by the system's Specialist of the Deaf and Hard of Hearing and/or a speech language pathologist. . Each of these professionals is trained in providing hearing aid checks and troubleshooting techniques with hearing aids and the external components of cochlear implants. Hearing aids and external components of cochlear implants will be checked and a maintenance checklist will be maintained by the Specialist of the Deaf and Hard of Hearing on a weekly basis. The

Specialist of the Deaf and Hard of Hearing will follow-up with the parents and appropriate agencies when there is any issue or concern about a child's hearing aid or cochlear implant.

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

The St. Clair County School System coordinates transition activities for a student with disabilities based on individual student need that improves the academic and functional achievement of the student to facilitate the movement from the school setting to a post-school setting. Procedures to ensure transition services for students with disabilities are addressed no later than the IEP when the student is 15 years old, or younger if deemed appropriate by the IEP team.

Transition services are developed considering the strengths, weaknesses, interests, and preferences of the student. Transition services may include specific academic instruction services, related services, community experiences, employment, and post-school adult living skills and/or the acquisition of daily living skills, and functional vocational evaluations.

The IEP team determines the appropriate assessments that will be used to select and develop the student's measurable goals. Assessments may include one or more of the following:

- Interest Inventories
- Career Aptitudes
- Vocational Assessments
- Student Interviews
- Parent Interviews
- Transition Assessments
- Academic Assessments

At the student IEP in grade 8 and all IEP's in grades 9-12, the IEP team, including the student when appropriate, will discuss and determine the Diploma Exit Option and the program credits to be earned through the Alabama Course of Study as well as indicate the anticipated date of exit. Measurable transition goals will be selected and developed representing the different assessment areas. Activities will be documented that are implemented to achieve transition goals (lesson plans, transition planning assessments, classroom assessments, student evaluations and observations). Transition goals are reviewed at least annually. However, progress is evaluated on a continual basis per individual students and changes implement as determined by the IEP team when necessary and appropriate.

Parents and students are involved in the transition process through participation in IEPs and in parent and student interviews.

Training for teachers and staff ensuring appropriate transition is ongoing and occurs at least annually for teachers in grades 7-12. Teachers attend transition conferences and return to share information with all teachers.

Post secondary agency representatives are invited with parental/student permission to attend the annual IEP meeting and participate in the planning of the transition goals.

- VI. The St. Clair County School System 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.

CHAPTER 6

PROCEDURAL SAFEGUARDS

I. Confidentiality procedure for:

A. Access to Records

The St. Clair County School System provides opportunities for parents to 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, or used by the school system. Parents are given the opportunity to review or receive copies of their child's educational records without unnecessary delay (not more than 45 days after the request has been made). Parents are given explanations and interpretations of their child's records upon reasonable request. Parents may have a representative inspect and review their child's records. A record of access form is placed in each student record that contains personally identifiable information. This form is signed by any party, with the exception of parents and authorized personnel of the St. Clair County School System, who reviews the record indicating the date and purpose of the review.

B. Records on More Than One Student

Parents will have access only to their child's record. If any information contains references to another student, the parents may review only the data regarding their child. If the data on their child cannot be isolated for review, the special education coordinator or the case manager will inform the parent, both verbally and in writing, regarding that portion of the data that pertains to their child.

C. List of Types and Locations of Information

A complete set of current records is kept on STI SETS Web for each student assigned to a case manager. Teachers and administrators of the St. Clair County School System gaining access to the student folder through the SETS Web program is automatically documented by the SETS Web program. A complete set of records for each eligible student with disabilities is located in the special education teacher's classroom in a locked file cabinet or in the school vault. Copies of current IEPs and eligibility reports for each student are maintained in the special education office of the St. Clair County School System building in a locked file cabinet. Upon request, the special education coordinator will provide to parents a list of the types and location of educational records collected, maintained, or used by the St. Clair County School System pertaining to their child.

D. Fees for Copying

The St. Clair County School System does not charge a fee to parents for providing copies of student educational records.

E. Disclosure Procedures Pertaining to Special Education Records

The St. Clair County School System will 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 is obtained before personally identifiable information is disclosed to parties other than officials of participating agencies. Parental consent, or the consent of the 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

The St. Clair County School System will take steps to promptly obtain the child's educational records from the previous public agency in which the child was enrolled. And likewise, release all the child's educational records to the new public agency in which the child enrolls. In accordance with FERPA, the St. Clair County School System will send a written notice to the child's parent or the child who has reached age 18 when records are sent to another public agency.

G. Amendment of Records at Parent's Request

Parental request for the amending of student records should be forwarded to the St. Clair County School System special education coordinator. A decision will be made based on the nature of each request individually. Written notice of the decision will be provided to the parents/s within fifteen calendar days from receipt of request. If a decision is made not to amend the information in accordance with the request, the parent/s will be notified in writing and informed of their right to appeal the decision in a hearing.

H. Opportunity for a Hearing

If the parent or guardian requests a hearing to challenge information contained in the student's educational record, a written request for the hearing before shall be made. The St. Clair County special education coordinator shall notify the parent and the relevant school staff

members of the hearing reasonably in advance of the date, location and time of the hearing. The hearing will be scheduled at the within (15)days after the request. The hearing will be presided over by someone who is considered a disinterested third party; this person may be a school or district employee. The parents will be allowed to present evidence relevant to the issue raised in the original request to amend the record.

I. Result of Hearing

The decision of the hearing which includes the parent, principal and other relevant school personnel and presided over by the third party designee appointed by the Superintendent shall be communicated in writing to the school, special education coordinator and the parent or guardian within ten days. If the decision of the hearing is that the challenged information is not inaccurate, is not misleading, or in any violation of the student's rights, the St. Clair County Superintendent will notify the parents within fifteen days of the hearing. The parent shall have the right to file a dissenting statement setting forth reasons for disagreeing with the decision following the hearing; such statement shall become part of the student's records. If the review panel rules in favor of the parent, an amendment to the record in question will be made within ten days and such amendment will be forwarded to the parent within fifteen days of the hearing date. If the records of the child or the contested portion are disclosed by the St. Clair County School system to any party, the explanation must also be disclosed to the party.

J. Hearing Procedures

The hearing is at the request of the parent. The hearing shall be held with the principal, any relevant school personnel, and the parent as scheduled with a disinterested third party appointed by the St. Clair County School System Superintendent of Education. The third party may be a school or district employee. The decision of the hearing shall be communicated in writing to the all parties. The evidence presented and the reasons for the decision must be documented. If the decision of the hearing is that the challenged information is not inaccurate, is not misleading, or in any violation of the student's rights, the St. Clair County Superintendent will notify the parents within fifteen days of the hearing. The parent shall have the right to file a dissenting statement setting forth reasons for disagreeing with the decision following the hearing; such statement shall become part of the student's records. If the review panel rules in favor of the parent, an amendment to the record in question will be made within ten days and such amendment will be forwarded to the parent within fifteen days of the hearing date. If the records of the child or the contested portion are disclosed by the St. Clair County School system to any party, the explanation must also be disclosed to the party.

K. Consent

The St. Clair County School System ensures that parental consent is obtained when personally identifiable information is disclosed. Educational records are released to participating public agencies with out parental consent. In accordance with FERPA, the St. Clair County School System will send a written notice to the child's parent or the child who has reached age 18 when records are sent to another public agency.

L. Destruction of Information

The St. Clair County School System will retain in a secure locked location at the St. Clair County Board of Education 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. In accordance with the Alabama Records Disposition Authority, at the end of the five year retention period, the school system will provide written notice by way of an advertisement in the local newspaper that informs the public that the special education records are no longer needed and how parent/student may obtain the records. The parents or student of age may chose to collect the information or have it destroyed by the school system. If the school system is unable to locate the parent of student of age, the information no longer needed by the St. Clair County School System will be destroyed in accordance with the State of Alabama Destruction of Records Policy.

M. Disciplinary Information

The St. Clair County School System will include in the records of any child with a disability a statement of any current or previous disciplinary action that has been taken against the child and transmit the statement to the same extent that the disciplinary information is included in, and transmitted with, the student records of nondisabled children in the St. Clair County School System. Confidentiality will be afforded in the same manner as for students without disabilities.

N. Rights for Children

The St. Clair County School System will afford to a child with a disability the rights of privacy similar to those afforded to parents regarding records taking into consideration the age of the child and the type and severity of the disability. Beginning not later than the IEP that will be in effect when the student reaches 18 years of age (the IEP written when the child is 17 years of age to be in effect at 18 years of age), the case manager will explain the transfer of rights to the student at the age of majority (age 19).

O. Parental Notice and Consent

The St Clair County School System will provide notice to parents and obtain written consent prior to a reevaluation. If two attempts have been made to obtain the notice for consent and the parent has not responded, the reevaluation will proceed without a written consent. If the parent returns the *Notice and Consent for Reevaluation* with the box checked "I do not give permission for the reevaluation that has been proposed." the process is stopped.

If the child is a ward of the State and is not residing with the child's parent, the St. Clair County School System does not obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if the school system cannot discover the whereabouts of the parent; the rights of the parent 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.

The St. Clair County School system does not use the consent override procedures of mediation or due process 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 school system does not consider the child as eligible for services.

The St. Clair County School System will provide notice to parents and obtain written consent prior to initial evaluation, the provision of initial special education services and reevaluation. If the parent refuses consent or fails to respond to a request to provide written consent for evaluation or special education services, special education services cannot be provided.

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

Special Education Coordinator
410 Roy Drive
Ashville, Alabama 35953
205.594.7131 ext. 2267

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

A set or records for each eligible student with disabilities is maintained in the special education administrative office of the St. Clair County School System

building in locked filing cabinets. Current MEDCs, IEPs and behavioral intervention plans for each student with disabilities are located in the special education case manager's classroom in a locked filing cabinet or in the school's office vault. The St. Clair County School System ensures that all information is maintained confidentially.

IV. Procedure for:

A. Identification of children in need of a surrogate parent.

Any person who knows of a student in the St. Clair County School System who may need special education or is receiving special education and also believes that an appropriate person is not available to represent the student in special education decisions, may submit a written request to the special education coordinator for the assignment of a surrogate parent for the student.

B. Appointment of a surrogate parent.

If the school system determines that the student is without appropriate representation, the St. Clair County special education coordinator will appoint a surrogate parent from the school system's pool of trained surrogate parents within ten (10) calendar days. The St. Clair County special education coordinator will send written notice of the appointment to the surrogate parent and to the person/agency where the original request was made for the appointment.

C. Training surrogate parent.

The St. Clair County School System special education coordinator is responsible for providing training for surrogate parents on the Alabama Administrative Code, the special education process, and student and parent rights so that the surrogate parents are appropriately trained to represent students in matters relating to education.

D. Rescission of a surrogate parent.

The St. Clair County School System will rescind the appointment of a surrogate parent when:

1. A surrogate parent sends written notice to the school system of their resignation.
2. A surrogate parent has been unable or unwilling to perform assigned responsibilities.
3. A student no longer requires a surrogate parent.

The surrogate parent will receive written notice from the special education coordinator that their services as a surrogate parent are no longer needed.

E. Tracking the requirements of Ala. Admin. Code r 290-8-9-.8(1)(h) (INTERNAL MONITORING OR SURROGATE PARENT SERVICES).

The St. Clair County School System will maintain in the special education administrative office a tracking system of students who were considered for or who were appointed a surrogate parent including copies of letters and other data relative to the student's consideration for surrogate parent services, and information related to the training provided for surrogate parents by the school system as well as all items specified in the Ala. Admin. Code r 290-8-9-.8(h).

- V. Procedure for maintaining records that demonstrate that complaint resolution, mediation agreements, and due process hearing decisions are implemented.

The St. Clair County School System will maintain records in the office of the Special Education Coordinator that document the actions that ensure the implementation by the school system of complaint resolution, mediation agreements, and due process hearing decisions.

Complaint Resolution-The Special Education Coordinator will maintain documentation of all complaints, their resolution, and implementation of any corrective action. A special education clerk is assigned to work collaboratively with the principal, the student's case manager, and the parent to ensure implementation of any corrective action.

Mediation-The Special Education Coordinator will maintain a file of all mediation agreements and assigns a special education staff member to work collaboratively with the principal, the student's case manager, and the parent to ensure implementation of any mediated agreements.

Due Process-The Special Education Coordinator will maintain a secured file of all Due Process hearing decisions and will work closely with the school board attorney, school administrators, special education case manager, and the parents to ensure compliance with all hearing decisions.

The Special Education Coordinator will be responsible for submitting the documentation to the State Department of Education if required. Documentation of implementation activities will be available for review by the State Department of Education as part of the required verification procedures.

The Special Education Coordinator will ensure that the confidentiality of all personally identifiable information related to such matters.

- VI. The St. Clair County School System 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 St. Clair County School System ensures that qualified personnel will be provided to implement special education services.
 - B. Procedure to recruit and retain qualified personnel.
 - The St. Clair County School System advertises vacancies on the school system website and the State Department “Teach in Alabama” site. The jobs are also posted in all our facilities. We also post vacancies during career fairs at local colleges and universities.
 - The St. Clair County School System works with institutions of higher education to recruit qualified personnel by participating in career fairs as set by the college and universities. We submit a biographical sketch of our school system and list the areas of teacher shortages. We interview interested applicants and recruit them to our school system. We also contact these institutions to help us in our search for highly qualified applicants, especially in high need areas.
 - The St. Clair County School System encourages retention of qualified personnel by providing meaningful, scientific research based, imbedded professional development to all our teachers. We provide benefits that encourage professional staff to remain with our district. We offer the opportunity to earn additional personal days and the opportunities for our teachers to be involved in meaningful mentoring programs. We offer “SWAP” Professional Development days in the summer months that enable our teachers to attend professional development opportunities that meet the individual school improvement plans. The special education administrative office offers special education teachers opportunities to attend workshops, including MEGA, specifically designed for special education teachers.
- II. Procedures to fully inform teachers and administrators of their responsibilities for implementing least restrictive environment requirements.

Developing an *Individualized Education Program* is done annually. The St. Clair County School System utilizes several input forms and assessments to gather information regarding strengths, needs, and concerns for the child. Before the annual review date, a *Notice of Proposed Meeting/Consent for Agency Participation* is sent to the parent/student, along with a copy of the *Special Education Rights* and a *Parent’s IEP Input Survey*. A *Teacher’s IEP Input Survey* is sent to classroom teachers. Classroom assessments and work samples are reviewed. A *Student Profile Information* form is filled out by the student when appropriate, as well as a survey in the form of the

Student Input Form from the *Summary of Academic Achievement and Functional Performance (SOP)* for students in middle school through high school. The present level of academic achievement and functional performance is based on the findings of assessments and surveys, and specific goals are developed based on these findings. A meeting is held where an IEP is written using all of the data results and inputs. The form Persons Responsible for the IEP Implementation is completed to document that the teachers responsible for implementing the IEP have been informed and have access to the IEP. The St. Clair county School System ensures that children with disabilities ages 3-21, including children in public or private schools/institutions, are educated with children who are non-disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular education classes with the use of supplementary aids and services cannot be achieved satisfactorily. The child's IEP team determines the supplementary aides and services necessary and appropriate to provide academic, nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in all academic, nonacademic and extracurricular services. The IEP team determines placement of the student with disabilities which may include instruction in the regular classroom, a special education classroom, special school, home bound instruction and instruction in hospitals and/or institutions. If the IEP team determines that placement must be in a setting/school where the student would not normally be attending, the age appropriate school closest to the child's home that can provide FAPE in the least restrictive environment will be the first consideration of the IEP team.

III. Procedures to fully inform general educators and administrators of the special education process.

The St. Clair County Special Education Administrator will provide training to general education teachers and administrators on the special education process through in-service training. Training will be provided on the individual roles each person has on the IEP team for eligibility and/or developing the IEP. The training includes the responsibility of the general education teacher input in helping write the IEP goals, benchmarks, transition areas and appropriate assessments for the student with disabilities. Training is held for administrators and special education personnel on special education law and the Alabama Administrative Code. The administrators and special education teachers return to the school and train the general education teachers on special education law and the Alabama Administrative Code. Workshops are provided through the local in-service center on current issues in special education. Teachers are encouraged to attend with funding provided either locally or through federal funds. The

special education administrator holds in-service training at the individual schools on special education processes, procedures and topics relevant to the specific individual school.

The St. Clair County special education department holds a mandatory meeting of all special education personnel at the beginning of each school year. Highlighted are any changes to policy and procedure for the upcoming year, as well as a review of the writing and development of IEPs. Examples of IEPs written by the State Department of Education are given to all teachers, as well as access to Power Point presentations provided by the State Department of Education. General problems with previous IEPs are discussed and explanations of corrections are reviewed. Teachers are instructed on the correct way to complete Notices for Meetings. How to write standards based goals and what information to utilize to develop goals and benchmarks is covered. Teachers are given the *Alabama Student Assessment Forms* and are instructed on how to complete those, as well as how to tie accommodations used throughout the year into what accommodations are used on standardized testing. What information to include in the profile, how to complete the transition needs form, completing the general factors section, and utilizing the least restrictive environment is also addressed. Ongoing feedback is given throughout the year to ensure that IEPs contain all mandated information, and that correct procedures are being followed. To ensure that all requirements of the IEP are complete, the IEP is reviewed by the special education administration.

- IV. The St. Clair County School System 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.

The St. Clair County School System personnel will consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a student with a disability who violates the code of student conduct. St. Clair County students who violate the code of student conduct may be removed to an alternative education setting such as alternative school or a suspension for not more than ten consecutive or cumulative school days. If a decision is made to remove a student with disabilities for more than ten days, the school system will provide educational services to the student to provide progress toward meeting the goals set out in the student's IEP. On the date the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of the code of student conduct, the school system will notify the parents of the decision and provide the procedural safeguards notice to the parents. Within ten school days of the decision to change the placement of the student with disabilities because of a violation of the code of student conduct, a manifestation determination is held. The school system, the parent, and relevant members of the student's IEP team must review all relevant information in the student's file, including the IEP, teacher observations, and relevant information provided by the parents to determine if the conduct was caused by, or had a direct and substantial relationship to, the student's disability, or if the conduct was the direct result of the school systems failure to implement the IEP. If the behavior is found to be a manifestation of the student's disability, a functional behavior assessment is conducted with parent permission and a behavior intervention plan developed or reviewed. The student is returned to the current placement from which the student was removed unless the IEP team, including the parent, agrees to a change of placement as a part of the behavior intervention plan.

When a student with disabilities violates the code of student conduct under special circumstances due to a weapon, drugs, or serious bodily injury, the St. Clair County school personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability.

When the student with a disability is considered for expulsion from the St. Clair County school system, the IEP team convenes to discuss the seriousness of the offense, conducts a functional behavior assessment, develops or reviews the behavior intervention plan, conducts a manifestation determination and considers alternative instructional placements. If the

school board and superintendent decide to expel the student, St. Clair County Schools provides special education services for the duration of the expulsion period, provided the student remains in the St. Clair County geographical jurisdiction.

The IEP team, including the parents/guardian may agree to a change in placement for disciplinary reasons without following the discipline procedures outlined above.

The special education coordinator provides training on special education discipline policies and procedures annually to all special education personnel.

Administrators in charge of discipline at each local school use the STI Office to track the number of suspensions for each student with disabilities and the number of days suspended. The local school administrator is responsible for contacting the student's special education case manager and the special education coordinator in reference to a pattern of suspensions or the suspension before the accumulation of ten days.

II. The St. Clair County School System 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

Education Agency: St. Clair County School System

IDEA Flow-Through Funds

- I. The public agency will submit an LEA Plan and meet the requirements of federal statutes and regulations [LEA Application and Assurances- 34 CFR §300.200; EDGAR 34 CFR §76.400-401].

Fund Obligation

- II. The public agency will describe how it will use IDEA Part B and Preschool funds by completing the annual budget application data requirement and submitting it to the Alabama State Department of Education for approval prior to the receipt of funds [EDGAR 34 CFR §76.703; 76.707-710; and 34 CFR §80.23].

Fund Obligation during Carryover Period

- III. The public agency will obligate remaining funds during a carryover period of one additional fiscal year if funds have not been obligated by the end of the fiscal year that funds were appropriated. Obligations made during the carryover period are subject to current statutes, regulations, and applications [EDGAR 34 CFR §76.709].

Allowable Activities

- IV. The public agency will ensure its use of Part B IDEA funds to pay for allowable activities of providing special education and related services [34 CFR §300.16 & 300.202; OMB Circular A-87 & A-133].

Allowable Costs/Cost Principles

- V. The public agency will ensure its use of Part B IDEA funds to pay excess cost of providing special education and related services [34 CFR §300.16 & 300.202; OMB Circular A-133] and ensure that costs are necessary, reasonable, and allocable [OMB Circular A-87; EDGAR 34 CFR §80.22].

Excess Cost

- VI. The public agency will use funds provided under Part B of the IDEA only for costs which exceed the amount computed under Appendix A to Part 300- Excess Cost Calculation and that are directly attributable to the education of children with disabilities [34 CFR §300.16 & 300.202; Appendix A to Part 300; EDGAR 34 CFR §80.26 & OMB Circular A-133].

Supplement not Supplant

- VII. The public agency will use funds provided under Part B of the IDEA 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 [34 CFR §300.162(c) & 300.202(a)(3)].
- VIII. The public agency will ensure that it does not commingle IDEA funds with state funds and expend funds appropriately [34 CFR §300.162(b)].

Fiscal Control and Fund Accounting

- IX. The public agency will use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal and state funds [EDGAR 34 CFR §76.702]

Maintenance of Effort (MOE)

- X. The public agency will ensure to maintain effort, including exceptions and adjustments to MOE [34 CFR §300.203-205].

Coordinate Early Intervening Services (CEIS)

- XI. The public agency will ensure that, if significant disproportionality is identified, the LEA will use 15% of its IDEA Part B Preschool allocations for CEIS [34 CFR 300.646(b)(2)] and will track and report the number of children served and, subsequently, the number of children who will receive special education and related services under Part B of IDEA during the preceding two year period for CEIS [34 CFR 300.226].

Equitable Services (Proportionate Share for Eligible Private School Students with Disabilities)

- XII. The public agency will spend its proportionate share of IDEA funds on equitable services for parentally-placed private school children with disabilities [34 CFR 300.132-300.137].
- XIII. The public agency will ensure that the proportionate share funds do not benefit a private school, the appropriate use of public and private school personnel to provide equitable services and the proportionate share funds remain in control of the LEA [34 CFR §300.141-300.142 & §300.144(a)]

CHAPTER 10
ADMINISTRATION

Education Agency: St. Clair County School System

Implementation of State and Federal Laws and Regulations

- I. The public agency ensures that it will implement the Alabama State Plan for Special Education, the Alabama Administrative Code, and all state and federal laws and regulations applicable to children with disabilities [34 CFR §300.200].

Information for SEA

- II. The public agency ensures that it will provide information necessary to enable the ALSDE to carry out its duties under Part B of the IDEA, 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].

Policies, Procedures and Programs

- III. The public agency ensures that it will have in effect policies, procedures and programs that are consistent with state policies and procedures, including the use of any required state forms [34 CFR §300.201].

Reports and Records

- IV. The public agency ensures that it will maintain records and afford the ALSDE access to records which verify the correctness of information submitted [EDGAR 34 CFR §76.722; 76.730; 76.731& 76.740].

School-wide Programs

- V. The public agency will use funds under Part B of the IDEA to carry out school-wide programs under Section 1114 of the ESEA, not to exceed the amount received by the LEA under Part B of this Act for that fiscal year [34 CFR §300.206].

Accessible Instructional Material

- VI. The public agency ensures that it will provide instructional materials in accessible format to blind persons or other persons with print disabilities [34 CFR §300.210(2)-210(3)].

Public Availability of Eligibility Documents

- VII. The public agency ensures that 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 IDEA [34 CFR §300.212].

Records Regarding Migratory Children with Disabilities

- VIII. The public agency ensures that 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 education information regarding those children [34 CFR §300.213].

Local Charter Schools Treated as a Public School

- IX. The public agency ensures that children with disabilities attending charter schools are served in the same manner as the public school children including providing supplementary and related services on site at the charter schools to the same extent as other public schools [34 CFR §300.209(bXi)].