Education Model Policies and Special Education Model Policies and Procedures for Joint Vocational School Districts







Department of Education & Workforce

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*This policy may need to be amended to better reflect and incorporate current operations. Joint Vocational School Districts partner with their member school districts to provide career-technical education that support their community needs. Because of the unique nature of joint vocational school district operations, JVSs should consult with legal counsel before adopting or modifying the Model Policies and Procedures to ensure that the policies and procedures address unique operational and programming needs.

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Free Appropriate Public Education (OAC 3301-51-02)

Policy

The Joint Vocational School (also referred to as the "JVS") collaborates with each student's District of Residence (also referred to as the "DOR") and, when applicable, the District or School of Service ("DOS"), to ensure that a Free and Appropriate Public Education (FAPE) is made available to all students with disabilities between the ages of three and twenty-one who are enrolled in a JVS program, regardless of whether the program is operated on a JVS campus or at another location.

Procedure

In partnership with the District of Residence, the Joint Vocational School makes FAPE available to every child eligible for special education services. The DOR is typically responsible for determining eligibility and ensuring that an individualized education program ("IEP") is developed and implemented for each child with a disability residing in that district's territory. For students who are open enrolled in another district, attend a community school, or are enrolled in a STEM school, these entities may also be part of the student's IEP team which is responsible for providing FAPE. The JVS supports the provision of special education and related services and provides access to appropriate accommodations for eligible students who attend a JVS program as outlined in a student's IEP.

When a student enrolls in the JVS for both academic and lab coursework, JVS staff participate as members of the student's IEP team. IEPs will be drafted in collaboration with the DOR, the student, and parent/guardian.

When a student enrolls in a lab only program, which means they are only receiving education from the JVS for their vocational elective, the JVS will designate appropriate staff to participate as members of the student's IEP team. JVS staff collaborate to provide input on development of the IEP, which may include support of IEP goals and provision of accommodations while participating in the lab.

ASSISTIVE TECHNOLOGY

The JVS will support the use of assistive technology devices and/or assistive technology services if determined appropriate by the student's IEP team as a part of the child's special education, related services, and supplementary aids and services. If a student demonstrates a possible need for assistive technology while attending the JVS, the JVS will reconvene the IEP team and may refer the student to the DOR for an evaluation.

The use of school-purchased assistive technology devices may also be made available in a

child's home or in other settings if the child's IEP team determines that the child needs access to those devices in order to receive FAPE.

EXTENDED SCHOOL YEAR SERVICES (ESY)

When the IEP team determines it is appropriate, the DOR or DOS collaborate with the JVS to ensure that extended school year services are available as necessary to provide FAPE. The JVS will assist in the provision of ESY services when appropriate.

NONACADEMIC SERVICES

The JVS takes steps to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity to participate in those services and activities. This includes the provision of supplementary aids and services determined appropriate and necessary by the child's IEP team.

Students enrolled in the JVS have the opportunity to participate in nonacademic and extracurricular services and activities that are available at the JVS as well as the student's DOR or DOS, which include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the JVS or school district, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the JVS and assistance in making outside employment available.

PROGRAM OPTIONS

The JVS ensures that children with disabilities enrolled in a JVS program have equal access to a variety of educational programs and services available to nondisabled children, including vocational education.

The JVS works with the DOR and DOS to provide children with disabilities access to FAPE that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.

SCHOOL DISTRICT OTHER THAN SCHOOL DISTRICT OF RESIDENCE

The JVS ensures that a child with a disability who is eligible to enroll in the JVS in accordance with state law and board policy, receives special education and related services in accordance with state and federal law, even if the student is living in another school district or attending a community school that is not the child's District of Residence, is being served. The child's DOR typically retains responsibility for making FAPE available to the child unless the child is parentally placed in a nonpublic school, STEM or community school.

Notwithstanding the above, the JVS may provide vocational training to facilities other than school districts through a service contract.

The student's DOR is typically determined by the residential address of the student's parents.

Child Find (OAC 3301-51-03)

Policy

The Joint Vocational School will assist each District of Residence that has students enrolled in the JVS to fulfill its obligation to identify, locate and evaluate all children from birth through age 21 who are suspected of being a child with a disability and in need of special education. The JVS will follow the referral procedures adopted by each DOR pursuant to OAC 3301-51-06 for any resident student who is enrolled in the JVS, if there is reason to suspect that the student may be in need of special education. The DOR will determine whether to initiate an evaluation and will obtain parent consent to proceed with an evaluation.

The obligation to identify, locate and evaluate under "Child Find" applies to all children who may be disabled and in need of special education, including:

- Homeless children or wards of the state
- Highly mobile children, including migrant children
- Children who are advancing from grade to grade
- Children with disabilities attending nonpublic schools.

Confidentiality (OAC 3301-51-04)

Policy

The Joint Vocational School ensures it provides adequate notice to fully inform the parents about the confidentiality requirements of IDEA Part B, including:

- A description of the notice given in the native languages of the various population groups in the educational agency, county, or other area served
- A description of the children on whom personally identifiable information is maintained, including:
    - The types of information sought
    - The methods the State intends to use in gathering the information (including the sources from whom information is gathered)
    - The uses to be made of the information
- A summary of the policies and procedures that participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information
- A description of all of the rights of parents and children regarding this information, including the rights under the Family Educational Right and Privacy Act (FERPA) and implementing regulations

The JVS ensures that parental consent is obtained before personally identifiable information is disclosed to parties, other than officials of participating agencies, unless the information is contained in education records, and the disclosure is authorized without parental consent.

The JVS ensures that the parent's consent is **in writing, signed, and dated** and must:

- Specify the records to be disclosed
- State the purpose of the disclosure
- Identify the party or class of parties to whom the disclosure may be made

Procedure

THE JOINT VOCATIONAL SCHOOL:

- Protects the confidentiality of personally identifiable information during use, collection, storage, retention, disclosure, and destruction of information;[1]
- Assumes responsibility for ensuring the confidentiality of any personally identifiable information;
- Ensures all persons collecting or using personally identifiable information receive training or instruction regarding the policies and procedures of the educational agency; and
- Maintains for public inspection a current listing of the names and positions of those employees who may have access to personally identifiable information.

REQUIRED PARENTAL CONSENT

Parental consent is not required before personally identifiable information is released to officials of participating agencies for the purpose of meeting a requirement of confidentiality[2].

Parental consent, or the consent of an eligible child who has reached the age of majority under Ohio law, is obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

DISCIPLINARY RECORDS

The JVS will ensure the following for document that it maintains when a student transfers to another educational agency:

- The transmission of any of the child's records includes the child's current IEP, if maintained by the JVS.
- Any statement of current or previous disciplinary action that has been taken against the child is transmitted to the same extent that the disciplinary information for a child who does not have a disability is transmitted.

[1] 34 C.F.R. 300.610 to 300.628, the Family Educational Rights and Privacy Act of 1974, August 1974, (FERPA) and its regulations at 34 CFR, Part 99
[2] 34 CFR 300.610 Confidentiality

- The statement required shall specify the circumstances that resulted in the disciplinary action and provide a description of the disciplinary action taken if the disciplinary action was taken because of a special circumstance.

The record shall include the following:

- Any information that is relevant to the safety of the child and other individuals involved with the child; and
- A description of any other behavior engaged in by the child that required disciplinary action, and a description of the disciplinary action taken.

The JVS transmits copies of the records only to the extent that the transmission is permitted by FERPA, even if that transmission is to another educational agency.

The JVS will transmit appropriate records in accordance with state and federal law when reporting a crime that may have been committed by a child with a disability.

PARENTAL REQUEST TO AMEND EDUCATION RECORDS

The JVS ensures that a parent can request education records be amended if the parent believes that the education record is inaccurate, misleading, or violates the privacy or other rights of the child.

The JVS ensures that a decision on whether to amend the information is made within a reasonable period of time of receipt of the request.

If the JVS decides to refuse to amend the information in accordance with the request, the JVS ensures the parent is informed of the refusal and advises the parent of the right to a hearing.

HEARING FOR EDUCATION RECORDS

Upon receiving a parental request, the JVS will provide a hearing to review the 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.

A hearing held under this rule must be conducted according to the procedures in 34 C.F.R. 99.22. The records hearing shall be held within a reasonable period of time after the JVS has received the request.

DESTRUCTION OF EDUCATION RECORDS

The JVS notifies parents when personally identifiable information is collected, maintained, or is no longer needed to provide educational services to the child.

Once a parent is notified that personally identifiable information maintained by the JVS is no longer required to provide educational services to their child, or is not otherwise required to

be maintained by the JVS based on State or Federal law or applicable retention schedules, the parent may request that the information be destroyed. However, a permanent record of a student's name, address, telephone number, grades, attendance record, classes attended, grade level completed, and year completed shall be maintained without time limitation.

PARENTAL ACCESS RIGHTS

Parents are permitted to inspect and review any education records relating to their child that is collected, maintained, or used by the JVS and the DOR or DOS. The JVS complies with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing or resolution session and in no case more than forty-five days after the request has been made.

The parent has a right to:

- Make a reasonable request for explanations and interpretations of the records and to receive a response from the JVS within a reasonable time;
- Request that the JVS provide copies of the records if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
- Have a representative of the parent inspect and review the records.

The JVS presumes that the parent has authority to inspect and review records relating to the parent's child, unless the JVS has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce. It is the responsibility of the Parent to provide updated custody records to the JVS.

The JVS ensures that all student information is protected by allowing the parents to inspect and review only the information relating to their child or be informed of that specific information when an education record includes information on more than one child.

CHILDREN'S RIGHTS

The JVS has policies and procedures regarding the extent to which children are afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability.

When the child reaches the age of majority, the rights regarding education records must also be transferred to the student.

PERSONNEL ACCESS TO EDUCATION RECORDS

The JVS keeps a record of parties obtaining access to education records collected, maintained, or used (except access by parents and authorized employees of the participating educational agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

FEES

All special education records must be transferred to the new educational agency or nonpublic school regardless of fees owed to the JVS.

The JVS may charge a fee for copies of records that are made for parents under this rule if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.

The JVS shall not charge a fee to search for or to retrieve information under this rule.

Procedural Safeguards (OAC 3301-51-05)

Policy

The District of Residence and District of Service collaborate with the JVS to ensure that children with disabilities, their parents, and educational agencies are provided an opportunity to resolve disputes regarding identification, evaluation, or educational placement of a child with a disability or the provision of a free appropriate public education (FAPE). The Joint Vocational School assists the DOR/DOS in complying with this section of the Ohio Administrative Code.

Procedure

PRIOR WRITTEN NOTICE

The JVS will coordinate with the DOR to ensure a prior written notice:

- Is provided to the parents within thirty days, any time a prior written notice is required;
- Provides the proposed actions or refusal to act regarding the student's disability identification, evaluation or educational placement and/or provision of FAPE;
- Is provided to the parent prior to implementing any changes regarding its proposals or refusals to initiate services;
- Is provided to the parents prior to a change of placement that is a result of a disciplinary action;
- Is written in understandable language to the general public;
- Is provided 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
- Is completed fully.

The prior written notice includes:

- A description of the action proposed or refused by the educational agency
- An explanation of why the educational agency proposes or refuses to take the action
- A description of each evaluation procedure, assessment, record, or report the educational agency used as a basis for the proposed or refused action

- A statement that the parents of a child with a disability have protection under the procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained
- A description of other options that the IEP team considered and the reasons why those options were rejected
- A description of other factors that are relevant to the school district's proposal or refusal
- An educational agency's contact information for parents to obtain assistance in understanding the provisions of this rule

If the native language or other mode of communication of the parent is not a written language, the JVS in coordination with the DOR or DOS provides written evidence that steps were taken to ensure that:

- The notice is translated orally or by other means to the parent in the parent's native language or other mode of communication
- The parent understands the content of the notice

OPPORTUNITY TO EXAMINE EDUCATION RECORDS

The JVS affords the parent of a child with a disability an opportunity to inspect and review all education records with respect to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child, to the extent that such records are maintained by the JVS. Since students attend the JVS for a limited period of time for the purpose of accessing vocational education, records generated by a prior district, the DOR, or another educational agency may not be accessible to or in the possession of the JVS.

PARENT PARTICIPATION IN MEETINGS

The JVS works with the DOR to ensure the parent of a child with a disability is afforded an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of the child, and the provision of FAPE to the child.

The JVS will coordinate with the DOR to provide the parent invitation notice consistent with the parent participation requirements to ensure that parents of children with disabilities have the opportunity to participate in meetings.

A meeting does not include:

- Informal or unscheduled conversations involving school district personnel
- Conversations on issues such as teaching methodology, lesson plans, or coordination of service provision
- Preparatory activities that school district personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting

PARENT INVOLVEMENT IN PLACEMENT DECISIONS

Federal law ensures that a parent of each child with a disability is a member of any group that makes decisions on the educational placement of the parent's child.

If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the IEP team must use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing.

Staff from the JVS who serve on the student's IEP team will assist the IEP team in making placement decisions for a student with disabilities. A placement decision may be made by the IEP team without the involvement of a parent, if the team is unable to obtain the parent's participation in the decision. In this case, the DOR and JVS will maintain a record of its attempts to ensure their involvement.

INDEPENDENT EDUCATION EVALUATION AT PUBLIC EXPENSE

Although JVS staff may participate in an evaluation, a student's DOR completes initial and reevaluations of students with disabilities in accordance with state and federal law. Parents should refer to the policies and procedures adopted in their DOR for additional information about evaluations, including how to request an Independent education evaluation (IEE).

An IEE means an evaluation conducted by a qualified examiner who is not employed by the educational agency that conducts an evaluation of the child. The IEE may be conducted at public expense.[3] "Public expense" means that the DOR either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.

An IEE at public expense occurs after a parent disagrees with an evaluation completed by the DOR. A parent is entitled to only one IEE at public expense each time the DOR conducts an evaluation with which the parent disagrees, even if the parent had signed the evaluation team report (ETR) in agreement.

PARENT-INITIATED EVALUATIONS

If the parent shares a private evaluation and the evaluation meets the DOR's IEE criteria:

- The IEP team must consider the evaluation in any decision regarding the provision of FAPE to the child.
- The evaluation may be presented by a party as evidence at a hearing on a due process complaint.

[3] The parent can get a parent-paid IEE at any time.

THE SCHOOL DISTRICT OF RESIDENCE AND JOINT VOCATIONAL SCHOOL COLLABORATE TO:

Ensure every parent receives a copy of "A Guide to Parents Rights in Special Education," at minimum:

- To the parents of a child with a disability one time per school year
- Upon the initial referral or parent's request for evaluation, or
- Upon receipt of the first due process complaint in the current school year;
- In accordance with the discipline procedures, and
- Upon request by a parent.

The DOR also makes reasonable efforts to obtain informed consent from the parent in writing:

- For an initial evaluation and re-evaluation to determine whether the child is a child with a disability
- For the initial provision of special education and related services to the child.
- Before making a change of placement of a child with a disability. A change of placement is a change from one option on the continuum of alternative placements to another, that affects the student's least restrictive environment (LRE).

Informed consent means a parent:

- is fully informed of all information relevant to the action the district intends to take
- receives that information in the parent's native language, or other primary mode of communication, and in understandable terms
- understands and agrees in writing to the district's intended action to be carried out by the consent. Whenever applicable, the consent must describe the action to be taken and list any records to be released and to whom
- understands that the granting of consent is voluntary and can be revoked at any time. If the parent revokes consent, the revocation starts on the date the consent was revoked

Informed parental consent does not have to be obtained before:

- A change of placement if the District of Residence can demonstrate that it made reasonable efforts to obtain consent and the parent has failed to respond, or
- The change of placement is the result of a disciplinary action.

REVOCATION OF PARENTAL CONSENT

If the parent of a child revokes consent in writing for the continued provision of special education and related services, the JVS and DOR shall not:

- Continue to provide special education and related services to the child, but shall provide prior written notice before ceasing the provision of special education and related services
- Use mediation procedures or the due process procedures in order to obtain agreement or a ruling that the services shall be provided to the child
- Be held in violation of the requirement to make FAPE available to the child for the failure to provide the child with further special education and related services, and
- Be required to convene an IEP team meeting or develop an IEP for the child for further provision of special education and related services.

SURROGATE PARENTS

Surrogate parents are appointed by the DOR to ensure that children with special education needs who do not have parental representation have the same protections as all other children eligible for special education services.

The surrogate parent has the right to participate just as a parent would, as defined in IDEA and Ohio Administrative Code, in all matters relating to special education decisions.

The DOR creates a surrogate parent selection process

Evaluation (OAC 3301-51-06)

Policy

The District of Residence ensures a referral process is in place to determine whether a child is a child with a disability. Although Joint Vocational School staff may participate in an evaluation, a student's DOR completes initial and reevaluations of students with disabilities in accordance with state and federal law.

The DOR ensures that all initial evaluations are conducted and reevaluations are completed for children residing within the district using the Department's required evaluation team report form (PR-06).

General Information

INTERVENTIONS

Each educational agency including the JVS uses a multi-disciplinary team to determine appropriate interventions to resolve concerns for any school-age child who is performing below grade-level standards. Each educational agency ensures they do not use interventions to delay unnecessarily a child's evaluation and eligibility determination for special education services. The intervention and the evaluation can occur concurrently. If such interventions have not been implemented prior to referral for evaluation, appropriate interventions should be implemented during the same sixty-day time frame during which the school district conducts a full and individual evaluation.

REQUEST/REFERRAL FOR EVALUATION

Either a parent of a child or an educational agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

The DOR will, within 30 days of receipt of a request for an evaluation, either obtain parental

consent for an initial evaluation or provide to the parent a prior written notice stating that the DOR does not suspect a disability and will not conduct an evaluation.

Screening for instructional purposes is not an evaluation. If a teacher or a specialist screens a child for instructional strategies for curriculum implementation, this screening is not an evaluation for special education and related services.

EVALUATION PROCEDURES

A student's DOR is responsible for conducting initial and reevaluations in accordance with state and federal law. JVS staff may participate in evaluations upon request of the DOR and in accordance with the DOR's adopted policies and procedures. Parents should refer to their DOR's policies and procedures for details regarding evaluation process and procedures.

Individualized Education Program (OAC 3301-51-07)

Policy

The District of Residence is responsible for ensuring that an IEP is developed and implemented for each child with a disability and that services identified in the child's IEP are provided as agreed upon. The Joint Vocational School supports the development and implementation of the IEP for students enrolled in a JVS program.

Procedure

CHILDREN ATTENDING THE JVS

Under state and federal law, the DOR:

- Ensures the development and implementation of an IEP for each child with a disability residing in the school district regardless of which educational agency implements the IEP;
- Is responsible for initiating and conducting meetings for the purpose of developing, reviewing and revising the IEP of a child with a disability;
- Follows the same procedural safeguards as it does for all children with disabilities when providing special education services for a child with a disability in another educational agency;
- Keeps on file a copy of the child's current evaluation team report and the IEP;
- Ensures that a child with a disability who is placed in or referred to a nonpublic school or facility by a public school district is provided special education and related services, at no cost to the parents, and the child's education meets the applicable academic standards; and

- Ensures the child maintains all the rights of a child with a disability who is served by a public school district.
- The JVS cooperates with and assists the DOR and other educational agencies that serve children with disabilities in institutions or other care facilities to the extent appropriate.

CONTENTS OF AN INDIVIDUALIZED EDUCATION PROGRAM

IEP contents must include the following:

- A statement that discusses the child's future:
    - The family and child's preferences and interests are an essential part of the planning process. The IEP team will document the planning information in the IEP.
- An acknowledgment of whether there are any special instructional factors.

- A statement of the child's present levels of academic achievement and functional performance, including:
    - How the child's disability affects the child's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children), or
    - For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.
- A statement of measurable annual goals, including academic and functional goals and benchmarks or short-term objectives designed to:
    - Meet the child's needs that resulted from the child's disability so that the child will be involved in and make progress in the general education curriculum; and
    - Meet each of the child's other educational needs that resulted from the child's disability.
- A description of:
    - How the child's progress towards the annual goals will be measured.
    - When periodic reports on the child's progress will be provided (such as using quarterly or other periodic reports, concurrent with the issuance of report cards).
    - How to align the alternate academic achievement standards in benchmarks or short- term objectives, for children who take the alternate assessment.
- A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child
- A statement of the program modifications or supports for school personnel that will be provided to enable the child:
    - To advance appropriately toward attaining the annual goals.
    - To be involved in and make progress in the general education curriculum, and to participate in extracurricular and other nonacademic activities.
    - To be educated and participate with other children with disabilities and nondisabled children in the activities.
- An explanation as to the reason the child will not participate with nondisabled children

in the regular class and activities.

- A statement of appropriate individualized accommodations that are necessary to measure the academic achievement and functional performance of the child on state and districtwide assessments.
- A statement based on the Alternate Assessment Participation Decision Making Tool completed by the IEP team that includes:
    - The reason the child cannot participate in the statewide or districtwide assessment of student achievement; and
    - The particular alternate assessment selected is appropriate for the child.
- The projected date for the beginning of the services and modifications, and the anticipated frequency, location, and duration of those services and modifications.

DEVELOPMENT OF AN IEP

The required IEP form is the PR-07.

In developing each child's IEP, the IEP team must consider:

- The strengths of the child;
- The concerns of the parents for enhancing the education of their child;
- The results of the initial or most recent evaluation of the child;
- The results of the child's performance on any state or district-wide assessment programs, as appropriate; and
- The academic, developmental and functional needs of the child.

The IEP team must consider the following special factors:

- If the child's behavior impedes the child's learning or that of others, then consider the use of positive behavioral interventions and supports (PBIS) and other strategies to address that behavior.
- If the child has limited English proficiency, the child's language needs as those needs relate to the child's IEP.
- If the child is blind or visually impaired:
    - Provide instruction in braille and the use of braille, unless the IEP team determines that based on the results of the evaluation, instruction in braille or the use of braille is not appropriate for the child;
    - Conduct an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in braille or the use of braille); and
    - Ensure that additional requirements for IEPs for children who are blind or visually impaired are implemented.
- The communication needs of the child, and for a child who is deaf or hard of hearing, consider:
    - The child's language and communication needs;
    - Opportunities for direct communications with peers and professional personnel in the child's language and communication mode;
    - Academic level;
    - Full range of needs, including opportunities for direct instruction in the child's

language and communication mode; and
    - Whether the child needs assistive technology devices and services.

Progress reports are provided to parents of a child with a disability at least as often as report cards are issued to all children. The JVS will coordinate with the DOR to provide progress reports on IEP goals to all parents of a child with a disability.

DETERMINING EXTENDED SCHOOL YEAR (ESY) SERVICES

ESY services must be provided only if a child's IEP team determines that the services are necessary for the provision of FAPE to the child.

The IEP team should consider if extended school year services are necessary to:

- Prevent significant regression of skills or knowledge retained by the child to seriously impede the child's progress toward their educational goals.
- Avoid something more than adequately recoupable regression of skills or knowledge

Extended school year services signify special education and related services:

- Are provided to a child with a disability beyond the normal school year of the educational agency, in accordance with the child's IEP;
- At no cost to the parents; and
- Meet the standards of the Department.

Extended school year services:

- May happen at any time the school is not in session;
- Are provided beyond the normal school year of the educational agency which includes both the days of the school year and the hours of the school day;
- Are not the same as summer school, compensatory services or enrichment programs; and
- Shall not:
    - Limit extended school year services to particular categories of disability; or
    - Unilaterally limit the type, amount or duration of those services.

Consideration for the IEP team:

- The IEP team must determine whether the time the student will need to re-learn the skills lost is excessive, particularly compared to the time it takes nondisabled students to regain skills lost during a school break.
- The IEP team may need to collect further data and reconvene later in the school year to determine if extended school year services are needed. The team would then enter the date on the IEP when it plans to reconvene to make the determination based on data collected.

DENIAL OF ESY CAN BE A DENIAL OF FAPE.

POST-SECONDARY TRANSITION

If the child will be 14 years old before the end of an IEP, the DOR must do the following:

- Notify the parent that the purpose of the meeting will be to consider postsecondary goals and transition services for the child.
- Invite the child to the meeting.

- Identify any other agency that will be invited to send a representative, if the parent consents.
- Identify the transition service needs of the child, including the child's courses of study (such as participation in advanced-placement courses or a vocational education program).
- Identify appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills.
- Review and update postsecondary goals annually.

The IEP team may decide to include the child at a younger age, if determined appropriate. Since most students do not enroll in the JVS until high school, this step will most likely be completed by the time the student enrolls.

COMPONENTS OF THE POST-SECONDARY TRANSITION SECTION OF THE IEP

Prior to or by the 14th birthday, the child must complete an age-appropriate transition assessment and the IEP must include:

- Post-secondary training and education.
- Competitive integrated employment.
- Independent living, if applicable.
- Appropriate measurable goals based on the age-appropriate assessment for:
    - Post-secondary training and education;
    - Competitive integrated employment; and
    - Independent living (if assessment data supports the need).
- The courses of study.
- The transition services/activities needed to assist the child in reaching those goals.

FAILURE TO MEET TRANSITION OBJECTIVES

If the student fails to meet the transition objectives described in the IEP, or if a student does not receive the transition services for whatever reason, an IEP team meeting will be convened to identify alternative strategies to meet the transition objectives written in the IEP.

NON-ACADEMIC AND EXTRACURRICULAR ACTIVITIES

All students with disabilities, including students who attend the JVS, are afforded the opportunity to participate in any non-academic and extracurricular activities as their nondisabled peers. Activities may be available at the JVS as well as at the student's DOR or DOS.

LEAST RESTRICTIVE ENVIRONMENT (LRE)

The JVS in partnership with the DOR ensures written least restrictive environment policies and procedures requirements are met.

The JVS shall ensure that to the maximum extent appropriate, children with disabilities are

educated with children who are nondisabled.

Special classes, separate schooling, or other removal of children with disabilities from the regular education environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Notwithstanding this requirement, the JVS may operate a program designed for students with disabilities to support their access to vocational programming and their transition as young adults to competitive employment.

CONTINUUM OF ALTERNATIVE PLACEMENT

Each DOR, with the support of educational agencies such as the JVS, must ensure that a continuum of alternative placement is available to meet the needs of children with disabilities. The JVS helps to provide students with access to vocational programming in the community. The JVS works with each member DOR in the CTPD as well as districts of students who have open enrolled to provide a continuum of alternative placement options that may include instruction in one or more of these environments during the school day:

- Regular classes – general education with or without supplemental aids/services
- Special classes – resource room or self-contained classroom
- Special schools; separate schools
- Home instruction
- Hospitals, residential treatment, and institutions

The JVS ensures provisions are made for supplementary services (such as resource room or itinerant instruction) in conjunction with regular class placement.

EDUCATION PLACEMENT

In determining the educational placement of a child with a disability, including a preschool child with a disability, each IEP team must ensure that the placement decision is:

- Made by a group of qualified professionals, including the parents and other persons knowledgeable about the child;
- Based on the interpretation of the evaluation data, and the placement options; and
- Made in conformity with the least restrictive environment provisions.

<u>The child's placement is</u>:

- Determined at least annually
- Based on the child's IEP
- As close as possible to the child's home; unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that the child would attend if nondisabled. Location does not mean placement. For example, if an educational agency has one multiple disability classroom and it is not in the school building closest to the child's home, that is not a change on the continuum. The services and access to general education peers are not changing.

In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that the child needs, and the child is not removed from being educated in an age- appropriate general education classroom solely because of modifications in the general education curriculum.

Placing a child on virtual school due to behavior is a change of placement because the child is receiving IEP services in an alternate setting.

STATEWIDE AND DISTRICTWIDE TESTING

The JVS must have a procedure for testing all children with disabilities to ensure the provision of their accommodations as written in the IEP.

The JVS ensures that students with disabilities are included in general state- and districtwide assessment programs. Federal laws provide clear expectations that states will align achievement assessments with academic content standards. In Ohio, these are the three ways to assess student achievement of academic content standards:

- Participation in the general assessment with universal or designated supports (most students);
- Participation in the general assessment with allowable accommodations (some students with disabilities and English learners); and
- Participation in an alternate assessment (small number of students with the most significant cognitive disabilities).

Students participating in vocational programs may elect to, or be required to participate in assessments as part of their lab experience and vocational training. These assessments are often developed and regulated by other state or federal agencies or private industries. Accommodations that are available in Ohio Department of Education and Workforce statewide and JVS districtwide education assessments may not be available under the applicable testing protocols for these industry assessments. The JVS staff will provide information about these assessments for consideration by the student's IEP team to support informed decision-making as the student's IEP is developed and amended.

Accommodations for students with disabilities must be documented on the IEPs. Other accessibility features are not required to be documented to be provided. However, if there is an accessibility feature that an IEP team wants to ensure a student receives, the IEP team should document the feature on the student's IEP.

IEP SIGNATURE

The DOR is responsible for obtaining parent consent to implement an IEP when required. Only the initial IEP requires parents' signature to implement the IEP.

IEP annual reviews, revisions, and amendments do not require a parent's signature to implement the IEP, unless there is a change in placement. Ohio does not require a signature

(section 15 of the IEP) but requires the parent to participate in the meetings/decisions. The parent is expected to sign the participant page of the IEP indicating they have participated even if they do not agree with the revisions and amendments.

Initial IEP: A parent may give consent to the full IEP services, for partial IEP services, or refuse all services.

Annual review IEP: A parent may sign in agreement with the implementation of the IEP or sign in disagreement to specific services in the IEP.

The parent is required to provide consent for a change in placement unless a limited exception applies. Informed parental consent need not be obtained before:

- A change of placement if the DOR can demonstrate that it has made reasonable efforts to obtain consent, and the child's parent has failed to respond; or
- A change of placement of a child with a disability that is the result of a disciplinary action taken.

INITIAL IEP

The initial IEP must be developed within 30 calendar days of the eligibility determination that the child needs special education and related services.

For an initial IEP, the parent must provide consent by signing to implement:

- The special education and related services as specified in the IEP;
- Certain areas in the IEP; or
- Not initiating special education and related services as specified in the IEP.

Eye examination for initial IEPs

The DOR ensures that parents are notified that the child is required to undergo a comprehensive eye exam within three months of starting IEP services, unless the child underwent such an examination within the nine-month period immediately prior to being identified with disabilities.

No student shall be prohibited from initiating, receiving, or continuing to receive IEP services prescribed in the student's IEP because he or she has not undergone the required eye examination.

IEP TEAM MEMBERS

Required members of the IEP team include:

- The child's parents.
- At least one general education teacher, if the child is or may be participating in the regular education environment.
- At least one special education teacher of the child or, where appropriate, a special education provider of the child.

- An individual designated by the JVS and the DOR to serve as the district representative. This individual:
    - Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
    - Knows the general education curriculum; and

Knows about the availability of resources of the educational agency. A representative from both the JVS and DOR may be present at the meeting to serve in this capacity collaboratively.

- An individual who can interpret the instructional implications of the evaluation results, who may be one of the team noted previously.
- Individuals who have knowledge or special expertise regarding the child, including related services personnel, can be invited based on the parents, DOR, and JVS's determination.
- The child whenever appropriate.
- Note: The related service provider is not a required team member, unless the related service is the only specially designed instruction that the student receives. Then the related services provider takes the place of the intervention specialist as a required team member.

IEP MEETINGS

Parent participation

The JVS works with the DOR to ensure that one or both parents of a child with a disability are present at each IEP team meeting or are afforded the opportunity to participate, including:

- Notifying the parents of the meeting in a reasonable time to ensure that they will have an opportunity to attend; and
- Scheduling the meeting at a mutually agreed upon time and place.

Parent invitation

A notice to a parent regarding an IEP meeting includes the following:

- The purpose.
- Time and location of the meeting.
- Who will be in attendance.
- If the IEP will be in effect when the child turns 14, when determined appropriate by the IEP team, the notice will indicate:
    - The child will be invited to the meeting.
    - The purpose of the meeting must include:
        - The development of a statement of postsecondary transition services needs.
        - Consideration of the postsecondary goals and transition services.
    - Any other agency identified as a representative of the child.

Other methods to ensure parent participation

If neither parent can attend an IEP team meeting, the JVS and DOR may utilize other methods to ensure parent participation, including individual or conference telephone calls, virtual

meetings consistent with and related to alternative means of meeting participation.

Conducting an IEP team meeting without a parent in attendance

The JVS will coordinate with the DOR to maintain a record of its attempts to arrange a mutually agreed upon time and place, such as:

- Detailed records of telephone calls made or attempted and the results of those calls;
- Copies of correspondence sent to the parents and any responses received; and
- Detailed records of visits made to the parents' home or place of employment and the results of those visits

A meeting can be conducted without a parent in attendance if the abovementioned attempts have been unsuccessful.

General Education Teachers

If a child is participating in or may be participating in the general education curriculum, a general education teacher will be included in the child's IEP team. The general education teacher will participate in the development of the IEP, including the determination of:

- Appropriate positive behavioral interventions and supports and other strategies for the child.
- Supplementary aids and services, program modifications and support for school personnel.

Secondary Transition Services Participants

- A child with a disability will be invited to attend the child's IEP team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals, unless the team determines that the child's attendance is not appropriate.
- If the child does not attend the IEP team meeting, the DOR takes other steps to ensure that the child's preferences and interests are considered.
- The DOR invites a representative of any participating agency that is likely to be responsible for providing or paying for transition services with the consent of the parents or a child who has reached the age of majority.

IEP Team attendance and excusal

Generally, required members of a student's IEP team are mandated to participate in IEP meetings.

- A member of the IEP team is not required to attend an IEP team meeting, in whole or in part, if the parent of a child with a disability and the educational agency agrees, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.
- A member of the IEP team may be excused from attending an IEP team meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if:

- The parent and the educational agency consent to the excusal in writing; and
- The member submits in writing their input into the development of the IEP to the parent and the IEP team prior to the meeting.

Use of interpreters

The JVS and DOR will jointly take necessary measures to ensure that the parent understands the proceedings of the IEP team meeting, such as arranging for an interpreter for parents with deafness or whose native language is other than English or any other necessary accommodations.

IMPLEMENTATION OF IEPS

The DOR in coordination with the JVS ensure that an IEP is developed and implemented for each child with a disability, and the services identified in the child's IEP are provided.

The IEP shall be implemented as soon as possible following the IEP meeting or within 30 days of special education eligibility determination.

Accessibility of IEP to teachers and others

The JVS ensures that each student's IEP is accessible to regular education teachers, special education teachers, related services providers, and support staff who are responsible for implementing any provision of the IEP, and that each staff member is informed of:

- Their specific responsibilities related to implementing the child's IEP.
- The specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

PROGRESS REPORT

IEP and transition progress reports must include:

- A description of progress toward the completion of the IEP goals and transition services provided to the parent at least as often as report cards are issued to all children.
- Progress reports are provided to all parents of a student with a disability concurrent with the issuance of progress reports for students without a disability, to the extent such reports are provided by the JVS.

REVIEW AND REVISION OF IEPS

The JVS, in coordination with the DOR, ensure the IEP team:

- Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved.
- Revises the IEP, as appropriate, to address:
    - Any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate.
    - The results of any reevaluation conducted.
    - Information about the child provided to, or by, the parents.
    - The child's anticipated needs; or

- Other matters.
- In conducting a review of the child's IEP, the IEP team must consider the special factors.
- A general education teacher of the child, when serving as a member of the IEP team, must participate in the review and revision of the IEP of the child.

AMENDMENT AND MODIFICATION OF IEP

If changes need to be made to an IEP after the annual IEP review, the parent of a child with a disability and the school team may agree to not reconvene a full IEP team meeting for the purposes of making those changes to the IEP, but may instead develop a written document to amend or modify the child's current IEP.

If the IEP team amends or modifies the current IEP, the JVS ensures that JVS staff are informed of those changes.

The annual review date for the amended or modified IEP does not change. The review date will change upon a complete review and revision of the child's IEP.

After amending the IEP, the educational agency must send a copy of the amended IEP to the parent within 30 days of the date the IEP was amended.

IEP TRANSFERS

<u>IEPs for children who transfer school districts in the same state</u>

When a child with an IEP in effect transfers within Ohio and enrolls in a new DOR within the same school year, the new DOR (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child's IEP from the previous educational agency), until the new DOR either:

- Adopts the child's IEP from the previous educational agency, or
- Develops and implements a new IEP that meets the requirements of the Operating Standards
  within 30 days.

If the new DOR is not located in the JVS's CTPD, the student may no longer be able to remain enrolled at the JVS. The JVS will assist with the student's transition when appropriate.

<u>IEPs for children who transfer from another state</u>

When a child with an IEP that had been in effect in another state transfers to a school district in Ohio and enrolls within the same school year, the new DOR (in consultation with the parents) ensures FAPE (including services comparable to those described in the child's IEP from the previous out of state school) is provided to the child, until the new DOR decides if it needs to:

- Adopt the out of state IEP (if determined to meet Ohio requirements), or
- Conduct an initial evaluation (if determined to be necessary by the new school district);

and

- Develop and implement a new IEP that meets the requirements of the Operating Standards.

TRANSFER OF RIGHTS AT AGE OF MAJORITY

When a child with a disability reaches the age of majority under Ohio law (eighteen years of age), all rights accorded to parents under Part B of the IDEA usually transfer to the child.

- By the child's 17th birthday, the IEP must include a statement that the child has been informed of the child's rights that will transfer to the child on reaching the age of majority (18 years old).
- The parent and the child must sign and date this section of the IEP.

For children who are incarcerated in an adult or juvenile state or local correctional institution, the DOR must provide notice to the parent and child of the transfer of rights at age of majority.

All education rights that the parent had would transfer at age of majority to the child who is incarcerated in an adult or juvenile state or local correctional institution.

INCARCERATED YOUTH

The IEP team must amend the child's IEP to address placement at the juvenile detention center or adult jails and make amendments to the IEP as necessary to ensure FAPE is provided to the child. A student may be withdrawn from the JVS if they are in a juvenile detention center or adult jail.

TRANSMITTAL OF EDUCATION RECORDS BETWEEN EDUCATIONAL AGENCIES

The new educational agency must obtain the child's education records within 30 days of the child's enrollment, including the IEP and supporting documents, as well as any other records relating to the provision of special education or related services to the child, from the previous educational agency in which the child was enrolled.

All special education records must be transferred to the new educational agency or nonpublic school regardless of fees owed to the educational agency.

The previous educational agency must respond to the request for the education records within 30 days of the notification of the child's enrollment into the new educational agency.

Student Discipline

Policy

The District of Residence ensures that children with disabilities, their parents, and public agencies are provided an opportunity to resolve disputes regarding identification, evaluation, or educational placement of a child with a disability or the provision of a free appropriate public education (FAPE).

Procedure

THE JOINT VOCATIONAL SCHOOL:

REMOVALS

An educational agency may remove a child with a disability who violates the code of student conduct from his or her current placement for not more than 10 consecutive school days. The regulation does not permit using repeated disciplinary removals of 10 school days or less as a means of avoiding the change in placement options.[4]

CHANGE OF PLACEMENT BECAUSE OF DISCIPLINARY REMOVALS

For purposes of removals of a child with a disability from the child's current educational placement, a change of placement occurs if:

- The removal is for more than 10 consecutive school days, **or**
- The child has been subjected to a series of removals that constitute a pattern because:
  - The series of removals total more than 10 school days in a school year;
  - The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
  - Additional factors, such as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

The JVS and DOR determine on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

REMOVAL NOTIFICATION

The JVS notifies the parent of the decision to remove a child from his or her current placement on the date the JVS makes the decision and provides the parent with the procedural safeguard notice.

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[4] Federal register, vol 71 no. 156 page 46715

The JVS also provides prior written notice to the parent of a child with a suspected or confirmed disability prior to a change in placement that is a result of a disciplinary action.

MANIFESTATION DETERMINATION

The JVS and DOR jointly conduct a manifestation determination review within 10 school days of any decision to change the child's placement because of a misconduct violation.

The relevant IEP team members, including parents, must:

- Review all relevant information in the child's file, including the child's IEP, teacher's observations, and any relevant information provided by the parents.
- Determine if the conduct in question was caused by the child's disability, or if it was the direct result of the educational agency's failure to implement the child's IEP.

If the misconduct was determined to be a manifestation of the child's disability, the IEP team must:

- Conduct a functional behavioral assessment (FBA) (conducted by the DOR), **or**
- If an FBA was completed before the behavior that resulted in the change of placement occurred, review the behavior intervention plan (BIP) and modify as needed to address the behavior, and
- Return the child to their prior placement unless the team determined otherwise based on the BIP.

If the change of placement is more than 10 days and the manifestation determination hearing concluded that the child's behavior which resulted in the violation was not related to the disability, then the JVS can proceed as it would with a nondisabled child.

If the removal is a change of placement, the DOR will provide the parent a prior written notice and the child's IEP team must determine:

- The appropriate services.
- The interim alternative educational setting for the child to receive special education and related services.

SERVICES

The DOR must, for a child with a disability who has been removed from the child's current placement:

- Continue to provide educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.
- Conduct a functional behavioral assessment.
- Provide behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

The services required may be provided in an interim alternative educational setting.

After a child with a disability has been removed from the child's current placement for 10 school days in the same school year, if the current removal is for not more than 10 consecutive school days and is not a change of placement under this rule, school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

The JVS and DOR/DOS are only required to provide services during periods of removal to a child with a disability who has been removed from the child's current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who is similarly removed.

SPECIAL CIRCUMSTANCES

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, if the child:

- Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of the Department of Education and Workforce or an educational agency.
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of an educational agency; or
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an educational agency.

PROTECTIONS FOR CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES

A child who has not been determined to be eligible for special education and related services but who has engaged in behavior that violated a code of student conduct may assert any of the protections provided under IDEA if the educational agency had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

AN EDUCATIONAL AGENCY'S BASIS OF KNOWLEDGE

An educational agency has knowledge that a child is a child with a disability before the behavior that precipitated the disciplinary action occurred, if:

- The parent of the child expressed concern in writing that the child is in need of special education and related services to:
    - A supervisory or administrative personnel of the appropriate educational agency; **or**
    - A teacher of the child.

- The parent of the child requested an evaluation of the child; or
- The teacher of the child, or other personnel of the educational agency, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education of the educational agency or to other supervisory personnel of the educational agency.

An educational agency would not be deemed to have knowledge if the parent of the child:

- Did not allow an evaluation of the child;
- Refused services; or
- After an evaluation, the child was determined to not be a child with a disability.

CONDITIONS THAT APPLY IF NO BASIS OF KNOWLEDGE

If the educational agency does not have knowledge that a child is a child with a disability prior to taking disciplinary measures against the child, the child may be subjected to the disciplinary measures applied to children without disabilities who engage in comparable behaviors.

If a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.

Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

The DOR's eligibility determination decision must take into consideration information from the evaluation conducted by the educational agency and information provided by the parents.

If the child is determined to be a child with a disability, the agency must provide special education and related services.

REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

May report a crime committed by a child with a disability to appropriate authorities or state law enforcement and judicial authorities.

Links to JVS Member District Policies and Procedures

The Joint Vocational School works in partnership with each of its member school districts. Most students with disabilities remain duel-enrolled in their home districts. Each school district is required to adopt policies and procedures to support students with disabilities. Links to member school district policies and procedures are included below.

East Guernsey Local - https://eglsd.net

Caldwell Exempted Village - https://www.caldwell.k12.oh.us/

Cambridge City - https://www.cambridgecityschools.org/

Crooksville Exempted Village - https://www.crooksville.org/

East Muskingum Local - https://www.east-muskingum.k12.oh.us/

Maysville Local - https://www.maysvillelocal.org/

Rolling Hills Local - https://rollinghills.k12.oh.us/

Franklin Local - https://www.franklinlocalschools.org/

Noble Local - https://www.gozeps.org/

Northern Local - https://www.nlsd.k12.oh.us/

Tri-Valley Local - https://www.tvschools.org/

West Muskingum Local - https://www.westmschools.org/

Zanesville City - https://www.zanesville.k12.oh.us/

Glossary

CAREER TECHNICAL PLANNING DISTRICT ("CTPD")
The CTPD is the area served by the Joint Vocational School District. It includes the territory of all the JVS's member school districts. Students who reside in the CTPD are entitled to attend a JVS program. A JVS may elect to enroll students who reside outside of the CTPD in accordance with board policy.

DESTRUCTION
Destruction means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

DISTRICT OF RESIDENCE
The District of Residence (DOR) is the public school district where the parent of the student has established their primary residence.

DISTRICT OF SERVICE
The District of Service (DOS) is the public school district which provides special education and related services in accordance with the student's IEP for students who reside or attend school in a district that is different than their district of residence.

EDUCATION RECORDS
Records that are directly related to a student and are maintained by an educational agency or institution or by a party acting for the agency or institution and covered under the definition of "education records" in 34 C.F.R. Part 99 (January 14, 2013) (the regulations implementing the Family Educational Rights and Privacy Act of 1974, August 1974, 20 U.S.C. 1232g (FERPA)).

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)
Free appropriate public education (FAPE) means students receive special education and related services that are provided at public expense, under public supervision and direction, and without charge; those services meet the standards of the Department; include an appropriate preschool, elementary school, or secondary school education; and are provided in conformity with a student's Individualized Education Program (IEP).

INDIVIDUALIZED EDUCATION PROGRAM (IEP)
An IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting.

INITIAL EVALUATION TEAM
The initial evaluation team includes the parents and a group of qualified professionals.

INFORMED PARENTAL CONSENT

The parent:

- Has been fully informed of all information relevant to the activity for which consent is sought, in the parent's native language, or other mode of communication
- Understands and agrees in writing to the carrying out of the activity for which the parent's consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom
- Understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

LEAST RESTRICTIVE ENVIRONMENT (LRE)

Children with disabilities must be educated in the same environment as children without disabilities as much as possible based on the children's needs. For specific requirements of LRE, see Ohio Administrative Code 3301-51-09.

MODIFICATION

Changes what a student is taught or expected to learn; and
Modifications to grade-level learning change the expectation to learn the full breadth and/or depth of content.

PARENT

- A biological or adoptive parent of a child (Exception: unless biological or adoptive parent lacks legal authority to make educational decision for the child)
- A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not if the child is a ward of the State)
- An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare, or
- A surrogate parent who has been appointed.

PARTICIPATING AGENCY

Any agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA.

PERSONALLY IDENTIFIABLE INFORMATION

Information that contains:

- The name of the child, the child's parent, or other family member
- The address of the child
- A personal identifier, such as the child's social security number or student number, or
- A list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

PUBLIC EXPENSE

The district either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent of the student.

PRIOR WRITTEN NOTICE

A written notice provided to the parent of the educational agency's proposals or refusal regarding initiating or changing the identification, evaluation or placement of the children.

RE-EVALUATION TEAM

The re-evaluation team includes the IEP team and other qualified professionals.

STUDENT PROFILES

Summarize all current and relevant strengths, educational needs and performance levels of the child.

TRANSFER OF STUDENT RECORDS

Requires schools to provide a transfer student's records to the new school within 5 days of the request. Schools can withhold records if a student owes $2,500 or more.