



*Atlantis Charter School
Special Education Process and Procedure Manual*

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Section 1: Introduction

The Atlantis Charter School Special Education Process and Procedure Manual was created to ensure accuracy and consistency of special education practices across the district. All information contained in this manual reflect the provision of special education and related services according to 603 CMR 28.00.

All required forms and documents can be found on EStar and the shared drive under "Special Education Resources". All special education personnel responsible for the implementation and/or coordination of the special education evaluation and services should become familiar with the procedures within this manual.

The manual will be reviewed at least annually and revisions to content will be made as deemed necessary. District administration and staff will be notified of any changes.

Section 2: Referral and Evaluation

The Atlantis Charter School utilizes a Response to Intervention (RTI) approach to address the needs of struggling students through general education. Our RTI team is a group of educators who meet regularly to discuss struggling students and develop intervention strategies. These strategies are documented on an RTI Intervention Plan (**Appendix A**). RTI Intervention Plans are shared with families. The K-6 and 7-12 Site Leaders are responsible for coordinating the RTI process and monitoring student progress.

RTI Intervention Plans are designed to be implemented before students are referred for special education evaluation. Ideally, when concerns arise regarding student progress, the district would have first convened the RTI Team to develop, implement, and document the effectiveness of accommodations and interventions to support the student within general education. However, the evaluation process cannot be delayed because the district has not fully explored supports through general education.

A student may be referred for an evaluation by a parent or any person in a caregiving or professional position that is concerned with the student's progress in school.

School Referral:

When the RTI Team determines that all efforts have been made to support the student through general education and these efforts have not been successful, the Site Leader should refer the student for an initial evaluation to determine eligibility for special education.

The Site Leader shall contact the Special Education Coordinator to initiate the referral. The Site Leader will also notify the parents that a referral for special education evaluation was made and they will receive a call from the Special Education Coordinator within 5 days. The Site Leader will submit the student's RTI Intervention Plan and any relevant supporting documentation to the Special Education Coordinator. The Special Education Coordinator will complete the Referral Form using the information provided by the RTI Team. The Special Education Coordinator will also contact the student's parents to discuss the referral and obtain their input on the student's strengths and needs.

Parent/Caregiver Referral:

If a parent or caregiver makes a request for evaluation orally or in writing, the Special Education Team Coordinator must be notified immediately. The Special Education Coordinator will contact the parent to set up a testing request meeting within 5 school days to discuss reason for the referral, explain the evaluation process, determine the appropriate evaluations and answer any additional questions.

Within 5 school days of receiving the referral for evaluation, the Special Education Coordinator or Special Education Records Clerk will provide the parent/guardian with a referral packet containing:

- Notice of Proposed District Action (N1)
- Evaluation Consent Form (N1-A)
- Notice of Procedural Safeguards

The evaluation cannot begin until the district receives the signed evaluation consent form from the parents.

If the parent does not return the Evaluation Consent Form within 30 calendar days, the Special Education Records Clerk calls the parents. A second referral packet will be sent home if/when appropriate. In addition, the district's Special Education Coordinator will be notified if parental response to the proposed evaluation is not received within 30 calendar days after the second attempt.

Any and all efforts to obtain parental consent will be made and documented.

Upon receipt of signed Evaluation Consent Form, the timeline for the evaluation process begins. **The evaluation must be completed within 30 school days. A team meeting must be scheduled within 45 days of receipt of the signed consent form.** The Special Education Records Clerk notifies all examiners that the consent has been received and they may begin their evaluations via a Notice of Evaluation form (**Appendix B**). The Special Education Records Clerk also contacts the parents to set up the Team meeting. A Team meeting Invitation (N3) and Attendance Form (N3A) are sent home to parents.

Upon request, all evaluations are made available to parents at least 2 days prior to the Team meeting. The Special Education Records Clerk is responsible for sending the evaluation reports to parents if requested.

Receipt of evaluation consent forms at the end of the school year:

If consent is received within 30-45 school days before the end of the school year, the district must ensure that a Team meeting is scheduled so as to allow for the provision of the proposed Individualized Education Program (IEP) or written notice of finding of no eligibility no later than 14 days after the end of the school year. For consents received fewer than 30 days prior to the end of the school year, the timeline starts at the receipt of consent and stops on the last day of school, and re-starts the following school year.

Required Assessments:

Evaluations must include assessments in all areas related to the suspected disability. All evaluations are administered and interpreted by trained individuals

An educational assessment by a representative of the school district, including

- Educational Assessment : Part A - a history of the student's educational progress in the general curriculum (to be completed by general education teacher)
- Educational Assessment: Part B - an assessment of the student's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults (to be completed by general education teacher(s)).
- Specific Learning Disability Forms (SLD 1,2,3,4) – when students are suspected of having a learning disability (to be completed by Special Education Team Coordinator).
- Related service assessment – when students are suspected of having a disability in an area of related service (SLP, OT, PT etc)
- Functional Behavior Assessment (FBA) – if student's behavior interferes with his/her learning (to be completed by district School Psychologist).

Optional assessments:

The Special Education Coordinator may recommend or a parent may request one or more of the following:

- A health assessment
- A psychological assessment – all initial evaluations should have a psychological assessment
- A home assessment that includes information on pertinent family history and home situation and may include a home visit, with the agreement of the parent.

Reports of assessment results:

Each person conducting an assessment shall summarize in writing the procedures employed, the results, and the diagnostic impressions to help the Team determine eligibility for special education. Reports should be comprehensive, educationally relevant, and clearly written, so as to be easily understood by others. The examiner may recommend appropriate types of placements, but shall not recommend specific classrooms or schools. Reports should be given to the Special Education Records Clerk 2 days prior to the Team meeting unless otherwise specified.

Reevaluations:

A reevaluation will be conducted for each special education student at least every three years or more frequently if requested. Reevaluations may not occur more than once per year unless parents and the district agree that reevaluation is necessary. The Special Education Records Clerk and Special Education Team Leader are responsible for monitoring reevaluation dates and initiating the reevaluation process.

If the district requests to waive any part of the evaluation, the Special Education Coordinator will contact the parents to discuss the district's recommendation. The parent may either consent to waive the evaluation(s) or choose to complete the evaluation regardless of the districts recommendation.

An Evaluation is required prior to ending an IEP service. The assessment can be a combination of standardized assessments and/or curriculum or classroom based data.

"Outside Evaluation" at parental expense:

When the school district receives an outside evaluation that a parent completed at their expense, the report should be immediately given to the Special Education Coordinator and Special Education Records Clerk. A Team meeting will be held within 10 school days to consider the information and recommendations contained in the report. The Special Education Records Clerk will schedule the meeting with the parents and all relevant school staff. If the student currently receives special education services, the school district has the right to conduct its own evaluation to gain the best understanding of the student's strengths and needs.

Independent Education Evaluations (IEE) at public expense

- If a parent disagrees with evaluations completed by the school district, then the parent may request an independent education evaluation for up to 16 months from the date of the evaluation with which the parent disagrees. The district Special Education Team Leader will respond to any requests for an IEE.

- All independent education evaluations shall be conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the student may justify an individual assessment rate that is higher than that normally allowed.
- If the parent requests an IEE at public expense, the district must either pay for the IEE or, within 5 school days, request determination from the BSEA that the district's evaluation was comprehensive and appropriate.
- When the parent seeks and receives public funding for an independent education evaluation under these provisions, the parent may request independent assessments in one, more than one, or all of the areas assessed by the school district.
- The parent may obtain an independent education evaluation at private expense at any time.

Extended Evaluations:

If the Special Education Team determines that a student is eligible for special education services, but the evaluation information is insufficient to develop an IEP, the Team, with the parents signed consent, may agree to an extended evaluation period. The Team documents their findings and the time period/information needed to develop an IEP on the Extended Evaluation Form. The evaluation period may be longer than one week, but not exceed eight school weeks. Extended evaluations cannot be used to deny services.

Section 3: The Team Process and IEP Development

The Team consists of:

- The student's parents
- At least one general education teacher familiar with the student
- At least one special education teacher familiar with the student
- A representative of the district who is able to commit resources (Special Ed Coordinator)
- Individuals who can interpret evaluation results
- Other individuals who have knowledge or expertise regarding the student
- If appropriate, the student (beginning at age 14) will be invited to the Team meeting. The student's name will appear on the attendance form. Every effort will be made to have the student participate in some or all of the Team meeting and their input will be included.

****for students in a substantially separate classroom who participate in some inclusion opportunities, a general education teacher familiar with the student is required****

The Special Education Records Clerk schedules all Team meetings (initials, reevaluations, and annual reviews) within mandated timelines. A Team meeting Invitation (N3) and Attendance Form (N3A) are sent home to parents. District

staff receive an emailed Notice of Evaluation (NOE) and weekly IEP/504 Meeting Calendar with the meeting date/time. If a staff member receives the NOE and/or IEP/504 Calendar and they know they are unable to attend they must inform the Special Education Records Clerk or Special Education Coordinator immediately otherwise their attendance is required unless they are excused by the student's parents.

Team Member Attendance Excusal Form:

If a Team member is unable to attend all or a portion of the Team meeting, the meeting can be held as long as the parents provide signed permission to excuse the attendance of the Team member. **If a Team member is unable to attend the meeting entirely, they must provide written input prior to the meeting.**

Team Responsibilities:

1. Determine eligibility for special education services (initial or reevaluation)
2. Develop an IEP for eligible students
3. Determine placement

Determining Eligibility:

The Team must review evaluation data, classroom performance, teacher, parent and student input to determine eligibility for special education services. A student may be found eligible for special education if:

1. A student has one or more of the following disabilities

Autism - A developmental disability significantly affecting verbal and nonverbal communication and social interaction.

Developmental Delay - The learning capacity of a young child (3-9 years old) is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: receptive and/or expressive language; cognitive abilities; physical functioning; social, emotional, or adaptive functioning; and/or self-help skills.

Intellectual Impairment - The permanent capacity for performing cognitive tasks, functions, or problem solving is significantly limited or impaired and is exhibited by more than one of the following: a slower rate of learning; disorganized patterns of learning; difficulty with adaptive behavior; and/or difficulty understanding abstract concepts.

Sensory Impairment - The term shall include the following:

Hearing Impairment or Deaf - The capacity to hear, with amplification, is limited, impaired, or absent and results in one or more of the following: reduced performance in hearing acuity tasks; difficulty with oral communication; and/or difficulty in understanding auditorally-presented information in the education environment. The term includes students who are deaf and students who are hard-of-hearing.

Vision Impairment or Blind - The capacity to see, after correction, is limited, impaired, or absent and results in one or more of the following: reduced performance in visual acuity tasks; difficulty with written communication; and/or

difficulty with understanding information presented visually in the education environment. The term includes students who are blind and students with limited vision.

Deafblind - Concomitant hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs.

Neurological Impairment - The capacity of the nervous system is limited or impaired with difficulties exhibited in one or more of the following areas: the use of memory, the control and use of cognitive functioning, sensory and motor skills, speech, language, organizational skills, information processing, affect, social skills, or basic life functions. The term includes students who have received a traumatic brain injury.

Emotional Impairment - the student exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance: an inability to learn that cannot be explained by intellectual, sensory, or health factors; an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; inappropriate types of behavior or feelings under normal circumstances; a general pervasive mood of unhappiness or depression; or a tendency to develop physical symptoms or fears associated with personal or school problems.

Communication Impairment - The capacity to use expressive and/or receptive language is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: speech, such as articulation and/or voice; conveying, understanding, or using spoken, written, or symbolic language. The term may include a student with impaired articulation, stuttering, language impairment, or voice impairment if such impairment adversely affects the student's educational performance.

Physical Impairment - The physical capacity to move, coordinate actions, or perform physical activities is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: physical and motor tasks; independent movement; performing basic life functions. The term shall include severe orthopedic impairments or impairments caused by congenital anomaly, cerebral palsy, amputations, and fractures, if such impairment adversely affects a student's educational performance.

Health Impairment - A chronic or acute health problem such that the physiological capacity to function is significantly limited or impaired and results in one or more of the following: limited strength, vitality, or alertness including a heightened alertness to environmental stimuli resulting in limited alertness with respect to the educational environment. The term shall include health impairments due to asthma, attention deficit disorder or attention deficit with hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, if such health impairment adversely affects a student's educational performance.

Specific Learning Disability - The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language,

spoken or written, that may manifest itself in an imperfect ability to listen, think speak, read, write, spell, or to do mathematical calculations.

AND

2. The student is NOT making effective progress in school (for reevaluations – if student would not make progress without continued special education services)

AND

3. The lack of effective progress is the result of the student's disability

AND

4. The student requires specially designed instruction and/or a related service in order to make effective progress in school.

If a student has a disability but continues to make effective progress or does not require specially designed instruction, the student is not eligible for special education. However, the student may be eligible for a 504 plan.

An eligibility determination form is completed at every Initial and Reevaluation Team meeting. This form documents the evaluation findings and relevant information discussed at meeting. Parents receive a copy of the flow chart at the end of the meeting. **(Appendix C)**

Sec.300.541 Criteria for determining the existence of a specific learning disability: A Team may determine that a child has a specific learning disability if the child does not achieve commensurate with his or her age and ability levels in one or more key areas if provided with learning experiences appropriate for the child's age and ability levels. If the Team finds that a child has a severe discrepancy between his/her intellectual ability and achievement in one or more of the following areas, the Team may determine that the child has a specific learning disability.

- Oral expression.
- Listening comprehension.
- Written expression.
- Basic reading skill.
- Reading comprehension.
- Mathematics calculation.
- Mathematics reasoning.

The District has authority to use a process that determines if the child responds to scientific, research-based intervention as part of the evaluation procedures (See NCLB for definition of "scientific, research-based intervention"). The Response to Intervention Model (RTI) is endorsed and utilized by Atlantis in conjunction. **Extra steps are required when a specific learning disability is suspected. The Team**

must fill out all of the SLD paperwork required by DESE to determine if SLD is an appropriate category.

Team members must certify in writing whether the written report reflects their conclusion of a finding of a specific learning disability. Any individual who disagrees with the written report must submit a separate statement to express their differing conclusions. The Team may not identify a child as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of a visual, hearing, or motor impairment; mental retardation; emotional disturbance; or environmental, cultural, or economic disadvantage.

Finding of No Eligibility

After all assessments have been presented, if the Team makes a Finding of No Eligibility, the student is deemed ineligible for Special Education and the school must provide written notice to the parent within **10 school days** of the meeting (N2 if initial evaluation and N1 if reevaluation). Contained within the notice must be:

- What action is proposed or refused and why the decision was made
- Identify any other options considered and rejected by the Team
- Describe all evaluation tools and other relevant information used in reaching the decision
- Include procedural safeguards and source available to explain those safeguards.

Parents also have the right to appeal any eligibility determination to the Bureau of Special Education Appeals, including a finding of no eligibility. Parents may contact the Bureau directly or request district assistance in contacting this agency.

Eligibility can be determined at any age or grade level as some disabilities become more apparent as children progress through the grades.

A 504 Accommodation Plan may be appropriate.

Section 504 of the Rehabilitation Act of 1973 is a civil rights law that prohibits discrimination on the basis of disability in programs and activities that receive federal financial assistance. This law protects a person who has a physical or mental impairment that substantially limits one or more major life activities. Major life activities include learning. The Team can make a referral to the 504 Coordinator/Site Leader if they feel that the student requires such a plan to be developed.

IEP Development:

Once a student is found eligible for special education, the Team works collaboratively to develop an IEP. The IEP is a formal agreement between parents and the Atlantis Charter School District. An IEP is tailored to the specific needs of the student. The Team should consider the following areas when developing the IEP:

- Parent concern
- Student strengths
- Vision for the next 1-5 years
- Impact of disability on a student's progress in general ed curriculum and areas of other educational need (including accommodation and/or modifications)
- Current level of performance and goals/objectives that are measurable and reflect high expectations
- Service delivery needs
- Modifications to length of school day/year and non-participation justification if applicable
- Transportation requirements if applicable
- Participation in State and District-Wide Assessments
- Social skill development and a student's ability to avoid or respond to acts of bullying, harassment, and teasing
- Other information related to the disability that the Team deems necessary
- Transition planning for student's 14 and older

The IEP should be individualized, internally consistent, and assist the student in gaining independence.

Extended School Year (ESY):

According to Special Education Regulations, a student with an IEP is eligible for special education ESY services if he/she is likely to demonstrate substantial regression of skills and he/she is going to require a longer time to recoup the skills lost over an extended period such as a vacation.

Decisions about ESY eligibility are made yearly as part of the Team process. ESY recommendations are documented on the student's IEP.

The DESE interprets a child's difficulties with recoupment to be an aspect of significant regression. Regression and recoupment consist of the following:

1. Loss of performance levels that were attained before a break in service
2. The child's limited learning rate, which lengthens the amount of time the child requires to review and/or relearn previously obtained skills
3. The time it takes for the child to accomplish such recoupment is greater than the period of time the school district allows all other children for review and/or relearning.

Along with significant regression and limited recoupment, the DESE has also outlined other criteria that can also be considered:

1. The degree of impairment
2. The child's rate of progress
3. Lack of progress over 2 marking periods

Transportation:

The Massachusetts charter school statute, M.G.L. Ch. 71 § 89(cc), requires that students who reside in the school district in which the charter school is located shall be provided transportation to the charter school by the resident school district in the same manner as transportation is provided to students attending its local district schools. For disabled students enrolled in a charter school and who reside outside of the district in which the charter school is located, the charter school is obligated to provide these services.

State and district-wide assessments

Special education students must be included in state and district-wide assessments. The IEP Team is responsible for determining how a student will participate in these types of assessments.

For each district or statewide assessment, the Team must first decide whether the student can take the on-demand test as given. If not, Team members must determine whether the student can take the on-demand test with accommodations. Team members should ensure that their accommodation recommendations on the state and district-wide assessment section coincide with their earlier recommendations included in the IEP PLEP A&B pages.

If the Team feels the student should not take any one of the on-demand assessments even with accommodations, then the Team may recommend the student to be assessed through an alternate assessment. Since Massachusetts has adopted state models for alternate assessments, after recording the reason for such assessment, Teams need only indicate that state alternate assessment models will be used.

All students must be included in the statewide assessment system. No student can be exempt even if a parent prefers the student not be included.

The Team meets at least annually to review student progress and rewrite the IEP. Input of parents and students (14 years and older) is a valuable component of the IEP. If the student is not making progress or meets their goals before the annual meeting date, the Team should reconvene. Parents or the district can request a meeting to discuss the IEP at any time.

In most instances, The Special Education coordinator facilitates all initial, reevaluation and review Team meetings. **(Appendix D)**

Special Education Coordinators bring a draft IEP to the annual meeting. This is a **working document** which is used to facilitate discussion. It is revised during the

meeting based on the Team's discussion. Parents receive a copy of the draft service delivery grid with goal focus areas along with any changes made during the meeting listed.

SPECIAL CONSIDERATIONS WHEN DEVELOPING AN IEP

Eligible Students with Behavior Problems:

If an eligible student's behavior affects performance in the general curriculum, then the interfering behavior should be reflected on IEP 2. If an eligible student's behavior affects other areas of educational need, then the interfering behavior should be reflected on IEP 3. If an eligible student's behavior affects performance in the general curriculum and in other areas of educational need, then the interfering behavior should be reflected in both locations on the IEP. Teams are reminded that IDEA-2004 requires pro-active steps in behavior management and in the provision of positive behavioral supports for eligible students whose behavior impedes their learning or the learning of others.

Requirements for Students with disabilities on the autism spectrum:

Whenever an evaluation indicates that a child has a disability on the autism spectrum, which includes autistic disorder [autism], Asperger's disorder, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Rhett's Syndrome as defined in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV, 2000), the IEP Team shall consider and shall specifically address the following and document that these were discussed on the Autism Spectrum Disorder Checklist (**Appendix E**)

- 1) the verbal and nonverbal communication needs of the child; the need to develop social interaction skills and proficiencies;
- 2) the needs resulting from the child's unusual responses to sensory experiences;
- 3) the needs resulting from resistance to environmental change or change in daily routines;
- 4) the needs resulting from engagement in repetitive activities and stereotyped movements;
- 5) the need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder; and
- 6) other needs resulting from the child's disability that impact progress in the general curriculum, including social and emotional development.

Bullying prevention and intervention law and identifying eligible students' needs:

IEP Teams must determine whether the sections 7 and 8 provisions of the Massachusetts bullying prevention and intervention law apply to eligible students. The provisions apply if the student's disability (a) is on the autism spectrum, or (b) affects social skills development, or (c) makes the student vulnerable to bullying, harassment, or teasing.

For students on the autism spectrum, protection under the law will be automatic. Due to the nature of Autism Spectrum Disorders (ASD), progress in positive social

skill development is already a likely focus within the IEP of every student with ASD. Social skills instruction should be at the student's skill level and appropriate for his/her age. The focus of the IEP in relation to the bullying intervention and prevention law will be to aid the student in accessing social and emotional learning to handle more effectively challenges in his/her academic, social, and communication realms.

For students in the other categories, the Team must make a determination as to whether the student's disability affects social skills development or renders the student vulnerable to bullying, harassment, or teasing. Teams should be aware that students with emotional impairments, developmental delays, health impairments, communication disorders, and neurological impairments are likely to have a disability that affects their social skills development. However, Teams should carefully evaluate whether students with any type of impairment have delays in social skills development or are otherwise vulnerable to bullying, harassment, or teasing because of their disability.

The IEP Team's discussion focuses comprehensively on the student's educational needs and on the student's overall involvement in the school, including participation in the general curriculum and in extracurricular and other nonacademic activities. In this process, the IEP Team considers the student's disability and the impact of the disability on the student's interaction and communication with others. After the IEP Team has identified a student's needs, the Team should have a discussion of what goals, objectives services, supports, instruction, and accommodations should be included in the student's IEP. The IEP Team must consider the student's skills in the following areas: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.

Transition Planning

Transition services means a coordinated set of activities that:

1. Is designed with an outcome process, which promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment, continuing and adult education, adult services, independent living or community participation
2. Is based on the student's needs, taking into account the student's preferences and interests
3. Includes instruction, related services, community experiences, the development of employment and other post-secondary adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.

Transition planning is required under Federal Law and becomes a major Team focus when a student reaches fourteen years of age. The IEP vision statement aids Team members in determining the student's transition needs, transition goals and transition services. The Special Education Coordinator works

collaboratively with students, parents, and special education staff to develop a transition plan for students (14 years and older). The transition plan is reviewed annually. Transition plans are developed by the Special Ed Coordinator with input from the student, parents, and other Team members. Transition plans are attached to the IEP document.

As a student approaches graduation, the Team must also consider the student's graduation status, the possibility of a referral for Chapter 688 services (services from adult human service agencies) and the involvement of adult service agencies. The Team is required to write IEPs that prepare students with disabilities for independence and employment and other post-school activities. According to regulations Chapter 688 referrals are made for students who are eligible for special education, have a severe disability, and are unable to work 20 hours/week. The Special Education Coordinator will make any required Chapter 688 referrals.

Age of Majority:

At the age of 18, all rights under Special Education Law transfer from the parents to the student, except in specific cases provided by law. A notification letter is discussed and shared with the student and his/her parents at the IEP meeting that is one year in advance of the student's 18th birthday. The Special Coordinator is responsible for reviewing this notice with the student and his/her parents. Special procedures are available for students who voluntarily elect to share or delegate decision-making responsibilities. **(Appendix F)**

Placement:

Once the IEP is developed, the Team determines the placement. Placement is always discussed after development of the IEP.

According to special education regulations, **the first placement option considered for each student with a disability must be the general education classroom with the provision of needed supports and services.**

Placement decisions must be consistent with the IEP and provide a student with FAPE in the least restrictive environment. The general education classroom is assumed to be the least restrictive unless the unique needs of the student determine otherwise.

An in-district placement should always be considered and recommended before an out-of-district placement is considered. If the Team determines that an out-of-district placement is necessary, the Team must be mindful of the requirement to give preference to approved programs located in Massachusetts.

Note: According to regulations, a specialized or substantially separate

program operated in a public school building that serves students with and without disabilities is NOT considered out of district.

The proposed IEP, Placement Page, and N1 are sent to parents within 2 calendar weeks after the Team meeting. If the Team is unable to come a decision about IEP goals, services, and/or placement, the Special Education coordinator will determine the recommendation of the district and parents will be notified of their rights under due process.

Out of District Placement Recommendations

If the Team determines that the student cannot be serviced appropriately within an in-district program after several documented efforts to meet the student's needs, the IEP Team shall write the IEP to meet the needs of the student and end the meeting. ***Within 2 school days after the meeting the Team must schedule a meeting to determine placement and invite a representative from the sending school district. The sending school district must be given at least 5 days notice of the placement meeting and the meeting must be held within 10 school days of the IEP meeting.***

Timeline for Parents Response to Proposed IEP

No later than 30 calendar days after receipt of the proposed IEP and placement the parents shall:

- accept or reject all or a portion of the IEP or
- request a meeting to discuss the rejected portions of the IEP
- accept or reject the proposed placement

If the district does not receive a response from a parent within 30 calendar days the Special Education Records Clerk implements the following procedures:

After 35 days -telephone call made to parents as a friendly reminder and another copy of the IEP is offered. Also notify Special Education Coordinator to follow up with parent.

After 45 days – telephone call and written notice is mailed to parents along with a second copy of the IEP.

After 60 days – a follow up call by the Special Education Coordinator and a second written notice

After 80 days – another copy is sent home certified mail

After 90 days – TEAM convenes to determine best course of action. This may include a referral to BSEA

All attempts to obtain parent's response to the IEP are documented in the student's file.

Receipt of signed IEPs:

Parents are provided a self-addressed envelope with **2 copies** of the proposed IEP to sign and return to the Special Education Department. The Special Education Records Clerk stamps the IEP as received, logs the parent's response

in EStar and on a tracking spread sheet, notifies appropriate staff of the parent response, and files the IEP in the student file. All accepted parts of the IEP are implemented immediately.

Partially or Fully Rejected IEPs

When the district receives a rejected IEP (partial or full), the Special Education Records Clerk notifies the Special Education Coordinator and Special Education Team Leader. The Special Education Coordinator contacts the parents to discuss their concerns. At times, parent concerns are minimal and can be addressed directly over the phone. If their concerns cannot be resolved over the phone, the Team is reconvened. If after the 2nd Team meeting a resolution cannot be made the Special Education Team Leader notifies the BSEA in writing of the rejected IEP. The letter to the BSEA contains the reason for the rejection, the district's plan to resolve the parent's concerns, the Administrative Data page, and all rejected pages of the IEP.

During staff orientation week (August) or common planning meetings (during the school year), special education teachers are responsible for reviewing students' IEPs with general education teachers and answering questions about the students with disabilities on their caseload. Each general education teacher is responsible for acknowledging they have read and understand the IEP for students in their class. The special education teacher is responsible for keeping staff informed of any amendments or changes to the IEP over the course of the year.

Stay-Put Provision:

In accordance with state and federal law, during the duration of any dispute regarding placement or services, the eligible student shall remain in his or her current education program and placement unless the parents and the school district agree otherwise.

If the parents are seeking initial placement in the public school, and the child is at least five years old, however, the child shall be placed in the public school program.

Progress reports:

Progress reports reflect steps taken towards annual goals. Progress reports must be sent to parents at least as often as parents are informed of their nondisabled children's progress (once per quarter along with report card). Progress reports must answer the following two questions for each goal:

1. What is the student's progress toward the annual goal?
2. Is the progress sufficient to enable the student to achieve the annual goal by the end of the IEP period?

Progress reports may prompt the Team to amend an IEP. If a lack of expected progress continues past the first progress report, the Team should make IEP

adjustments and may want to consider rewriting a goal to set a different and more attainable standard. **(Appendix G)**

If a student is making more progress than projected, progress reports may make recommendations on next steps.

Progress reports run the life of the IEP, not the school year.

All progress reports are signed by service providers. Special education teachers or service providers are responsible for submitting a copy of the progress report to the Special Education Coordinator/Site Leader to review which will then be attached to the student's report card and a copy is given to the Special Education Records Clerk to be filed in the student's special education file.

Amendments:

The Individualized Education Program (IEP) Amendment is designed to be used in conjunction with other IEP pages. The form should be used for minor IEP adjustments that do not change the type of placement.

The explanation of a proposed change should include the IEP section(s) that the change will affect. Team members must attach the IEP page(s) to the amendment to help clarify the recommended adjustment. For instance, if an IEP goal is being altered, IEP 4 with the reworded goal should be attached or if service delivery is being altered, IEP 5 with the adjusted services should be attached.

The Team may be convened during the school year to consider evaluation reports and/or to modify or amend a student's current IEP. The IEP may also be amended or modified without the need to reconvene the Team by agreement of the parents and District.

Section 4: Educational Services in the Home or Hospital

The Massachusetts regulation requiring educational services in the home or hospital is 603 CMR 28.03(3)(c). It reads as follows:

Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal shall coordinate such services with the Administrator for Special Education for

eligible students. Such educational services shall not be considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.

Once the student's personal physician (for example, a pediatrician, internist, medical specialist or psychiatrist) determines that a student's medical condition will require either hospitalization or home care for not less than 14 school days, the physician must notify the school district responsible for the student in order to begin the home/hospital instruction process. The student's physician must complete a Department of Elementary and Secondary Education form 28R/3 (or equivalent signed statement) and submit it to the student's *building principal or other appropriate program administrator*. At a minimum the physician's signed notice must include information regarding:

- the date the student was admitted to a hospital or was confined to home;
- the medical reason(s) for the confinement;
- the expected duration of the confinement; and
- what medical needs of the student should be considered in planning the home or hospital education services

Section 5: Discipline:

Students with disabilities may be suspended for up to 10 days in any school year as typical peers.

In the case of a student with a disability a ***suspension of more than 10 days (or a suspension that would, with previous suspensions that year, total more than ten days) or expulsion (which is viewed as a change of placement) requires an emergency Team meeting.*** The purpose of this Team meeting is to make a manifestation determination.

Manifestation Determination Meeting:

Relevant members of the Team shall review all relevant information in the student's file, including the IEP, teacher observations, and any information provided by the parents to determine if the conduct in question is caused by or had a direct and substantial relationship to the child's disability or was the direct result of the district's failure to implement the IEP. If any of these circumstances are found, long-term suspension or expulsion may not be imposed.

The IEP/504 Team must determine if there is a relationship between the school discipline policy violation and the student's disability in order to make decisions about the consequence for the misconduct, as well as the student's continuing educational and behavioral needs. If the behavior in question is not a manifestation of the student's disability, the student may be disciplined under the general conduct code of the school. The IEP/504 Team considers all relevant information, including evaluation/diagnostic results, observations of the

student, written teacher feedback, parent input and the student's IEP/504 and placement.

The Team must consider:

- Is the IEP appropriate, including the Behavior Management Plan (BMP)? **(Appendix H)**
- Is the IEP implemented as written, including appropriate behavior management procedures?
- Did the disability prevent the student from understanding the impact and consequences of the behavior in question?
- Did the disability prevent the student from controlling the behavior in question?

As part of the Manifestation Determination Process **(Appendix I)** a Functional Behavioral Assessment will be conducted, within the current school year if one has not previously been completed.

Functional behavioral assessment (FBA) is a process for addressing student problem behaviors, the settings under which the problem behaviors may or may not be observed, and the function (the why) of the problem behaviors. This information is obtained by collecting data from direct observation and is used to develop an effective plan to reduce the frequency or severity of the problem behavior. If a behavior management plan has not been developed one will be created utilizing the most current assessments. If one has been created, the TEAM will revise the behavior management plan based on the most current results.

If the TEAM concludes that the student's conduct had a direct and substantial relationship to the student's disability, the TEAM should reevaluate the student's IEP and the appropriateness of the placement.

If after review of all the assessments, observations and parent/teacher feedback the TEAM concludes the behavior is **not a manifestation of the disability** then the school's standard disciplinary procedures will be applied; and the student will continue to receive educational services with access to the general education curriculum and progress towards IEP goals. If the student has a repeated pattern of change in placement beyond ten days, due to disciplinary action, then the TEAM must meet and re-write the IEP or 504 plan and determine appropriate placement if needed.

The TEAM will present the alternative plan to the student's parents/guardians along with the written notice as required by state and federal laws and regulations. Refusal or failure of the parents/guardians to consent to the provision of services under the alternative plan shall not prevent the suspension from being implemented.

If the student's parents/guardians request a hearing before the Massachusetts Department of Education Bureau of Special Education Appeals, the student shall continue in the last agreed upon placement pending the hearing, unless another placement is agreed to by the parties or a court order permits the school to change the student's placement for up to forty five school days, based on a showing that the student's continued presence in school presents a substantial likelihood of injury to students or others. After an expedited hearing before the Massachusetts Department of Education Bureau of Special Education Appeals, the hearing officer may order a change in the placement of the student to an appropriate interim educational setting determined by the TEAM for not more than 45 days.

In all instances when a change in placement or a suspension of 10 or more days will be imposed, the student must be provided with a free appropriate public education.

The Team may determine a change in placement, with or without the parents/guardians' permission to an interim educational setting for a period not to exceed 45 days, as long as a free appropriate public education is provided, and a functional behavior assessment and manifestation determination is conducted in any of the following instances:

- a student carries a weapon to school or to a school function
- a student possesses or sells illegal drugs and/or controlled substances while at school or at a school function
- a student inflicted serious bodily injury upon another person while at school, on school premises, or at a school function
- on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is "substantially likely" to injure him/herself or others.

No school shall suspend or exclude a student for more than 10 school days during any school year during the pendency of a Massachusetts Department of Education Bureau of Special Education Appeals process or judicial proceeding brought to challenge a suspension, proposed suspension, or any proposed disciplinary action, unless a court order has been obtained authorizing a temporary change in the student's educational placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or others.

Parents of students with a disability will be given written notice of procedural safeguards.

Use of Physical Restraint

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the Atlantis Charter School District. Physical restraint shall be used as a last resort in emergency situations after other interventions have been attempted and there is an imminent safety concern. District Staff are required to contact the main office and seek immediate assistance for staff trained in physical restraint if a situation arises. (**Appendix J**)

Section 6: SEPAC

Special Education Parents Advisory Council (SEPAC)

SEPAC is a group of individuals focused on special education issues. It is comprised primarily of parents, but interested community members are welcome to attend. The Atlantis Charter School SEPAC is governed with a co-chair system with set by-laws (**Appendix K**). SEPAC is supported by Atlantis through payment of dues in MASSPAC and by providing space for meetings and resources/workshops upon request. Audio visual and other resources are available through a request to the Family & Community Resource Center Coordinator. The Special Education Team Leader periodically attends SEPAC meetings. Participation in the planning, development and evaluation of the district's special education programming, and advising the district on matters pertaining to the safety and education of students with disabilities are functions of SEPAC. The school district and SEPAC conduct at least one workshop annually within the district on the rights of students and their parents and guardians under federal and state special education laws. All special education families are encouraged to participate.

Appendix A



Rtl Initial Meeting

Student Name: _____ Date: _____

Teacher Name: _____

Prior to the Meeting

	Initial Rtl Paperwork (Parent Contact, documentation of classroom intervention)
	Grades
	Work Samples

Describe the students' strengths.

Area of concern. Academic Behavior
 Writing Reading Math Organization Other _____

Please share the evidence to support your area of concern.

What are the two target areas for intervention?

1. _____ 2. _____

What is the goal for target area 1?

What is the intervention plan?

Intervention	Frequency/Duration	Data To Be Collected	Person Responsible

What is the goal for target area 2?

What is the intervention plan?

Intervention	Frequency/Duration	Data To Be Collected	Person Responsible

Other Notes:

Other Supports/Assessments:

- Home Assessment
- Connors' Rating Scale
- ASRS
- Parent Partner
- Counseling Referral
- OT Observation
- Speech Observation
- OT Evaluation
- Speech Evaluation
- Ed./Psych. Evaluation
- KTEA
- Add+Vantage Testing
- SPED Observation
- BMP
- Other: _____

Next Meeting: _____

Appendix B



**2501 South Main Street, Fall River, MA 02724
Telephone – (508) 672-1821 FAX – (508) 672-1397**

NOTICE OF EVALUATION

Date:

To:

From: Jessica Lee

Re:

GRADE:

DOB:

This student has been referred for:

- Initial—
- Re-evaluation-
- IEP Review-
- Amendment
- Review of testing
- Other—to prepare for next year

Parent/ Guardian Consent was received on:

(For Initials/ReEvals/Amendments Only)

The Testing Assessment Deadline is:

All Written Teacher/Faculty Assessments are due to the Student Services Staff by at least two days prior to IEP meeting

Date of the IEP/504 TEAM Meeting:

ASSESSMENT ASSIGNMENTS:

Part A: EDUCATIONAL STATUS:

(Initials and 3 yr. ReEvals)

Part B: TEACHER ASSESSMENT:

(All IEP & 504 Reviews/Initials/3 yr ReEvals/Amendments)

PSYCHOLOGICAL:

SPEECH/LANGUAGE:

PHYSICAL THERAPY:

OCCUPATIONAL THERAPY:

HEALTH ASSESSMENT:

(Nursing Office)

HOME ASSESSMENT:

CLASSROOM OBSERVATION:

Special Education Eligibility/ Initial and Reevaluation Determination

Meeting Date: _____

1. Does the student have one or more of the following types of disability?

Yes No

- Autism
- Sensory/Vision
- Communication
- Developmental Delay
- Sensory/Deaf-Blind
- Physical
- Intellectual
- Neurological
- Specific Learning
- Sensory/Hearing
- Emotional
- Health
- Multiple Disabilities

If NO, student is NOT ELIGIBLE for special education but may be eligible for other services in other programs.
If YES, continue with Question 2a.

Primary Disability: _____

2a. Is the student making effective progress in school? (For reevaluations: would the student continue to make progress in school without the provided special education services?)

Yes No

If YES, student is NOT ELIGIBLE for Special Education but may be eligible for accommodation(s) for disability(ies) under Section 504 of the Rehabilitation Act or may be eligible for other services in other programs.

If NO, continue with Question 2b.

2b. Is the lack of progress a result of the student's disability?

Yes No

If NO, student is NOT ELIGIBLE for special education but may be eligible for accommodation(s) for disability(ies) under Section 504 of the Rehabilitation Act or may be eligible for other services in other programs.

If YES, continue with Question 2c.

2c. Does the student require specially designed instruction in order to make effective progress in school OR does the student require related services in order to access the general curriculum?

Yes No

If NO, student is NOT ELIGIBLE for Special Education but may be eligible for accommodation(s) for disability(ies) under Section 504 of the Rehabilitation Act or may be eligible for other services in other programs.

If YES, the student IS ELIGIBLE for special education.

Is parent satisfied with school evaluation?

Yes No

If YES, continue forward as previously discussed.

If NO, discuss Extended Evaluation and rights to an Independent Educational Evaluation.

Key Evaluation Finding and/or Next Steps



Protocol for Facilitating Special Education Initial/Re-evaluation/Review Meetings

1. Introductions for parents to the entire school team
 - Team should consider physical placement of parents/guardians at the meeting and be strategic if necessary; often near Coordinator is best
 - Team members should introduce themselves and their role within the school
2. All team members should sign-in at the start of meeting, including the student if he/she is present
 - Allow parent to sign-in before Coordinator begins to discuss IEP meeting. This will allow parents to be fully focused on the Coordinator when speaking.
3. Coordinator shares blue folder with parent containing Part B assessments and any testing/assessment documents that have been completed
4. Review purpose of meeting (Initial/Re-Eval/Review) and brief overview of the agenda
 - Review necessary criteria for student to receive specialized instruction (can also be done after review of assessments are complete)
5. Coordinator asks parents to share current concerns
 - Coordinator needs to insure that parent concerns are addressed in the content of the IEP meeting.
6. Coordinator reviews most recent student MCAS scores, attendance and grades
7. Review of health and home assessments (Initial and Re-evals)
8. Review of teacher Part B assessments
 - Regular Ed and Special Ed teachers should speak to the progress of the student in their particular content area taking in to consideration child's goals and accom/mod.'s
 - Parents should be given the opportunity to ask teachers questions pertaining to child's academic/behavioral progress
9. Review of observation performed by special ed. teacher (if applicable)
10. Review of speech, OT,PT, SAC assessments (if applicable)
11. Comprehensive review of testing completed by school psychologist (Initials and Re-evals)
 - Based on testing, determination is made on whether student has a disability and if criteria to receive specialized instruction has been met
 - If student does not meet criteria, the Coordinator sends a no eligibility finding letter home to the parent
12. Team identifies student disability
13. Team develops the student's IEP
 - Service level and in what content area, keeping in mind LRE
 - Accommodations/Modifications- should be based on testing and collected student data
 - Placement
14. Completion of SLD form (Initials/Re-evals)
15. Coordinator should summarize key points of the meeting and ensure that parents/guardians have had their questions answered and are clear on the outcomes of the meeting
16. Coordinator gives parent a copy of the service delivery grid draft (with written accom/mod.'s) and explains that Student Records Clerk will mail home completed IEP for review and signature.

Appendix E:

School District Name:Atlantis Charter School
School District Address:37 Park St., Fall River, MA 02721
School District Contact:Jessica Lee 508-646-6410

Student: _____ **Grade:** ___ **DOB:** _____ **LASID#:** _____ **SASID#:** _

Autism Spectrum Disorder Checklist

On IEP Dated: _____ to _____

For students with an Autism Spectrum Disability, please check to verify that each of the needs listed below has been considered and specifically addressed by the IEP Team:

- The verbal and nonverbal communication needs of the student
- The need to develop social interaction skills and proficiencies
- The needs resulting from the student's unusual responses to sensory experiences
- The needs resulting from resistance to environmental change or change in daily routines
- The needs resulting from engagement in repetitive activities or stereotyped movements
- The need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from Autism Spectrum Disorder
- Other needs resulting from the child's disability that impact progress in the general curriculum, including social and emotional development

Appendix F

School District Name:Atlantis Charter School
School District Address:37 Park St., Fall River, MA 02721
School District Contact:Jessica Lee 508-646-6410

Student: _____ **Grade:** __ **DOB:** _____ **LASID#:** _____ **SASID#:** __

Notice of Transfer of Parental Rights

Date: _____
Dear _____ (Parent/Guardian) and _____
_____ will turn 18 on _____

The state of Massachusetts transfers rights to individuals at the age of majority. Therefore, all parental rights will transfer to the student and he/she becomes responsible to make all decisions regarding future educational services, unless a legal guardian or conservator has been appointed. If a guardian or conservator has been appointed, please notify the *Special Education Team Leader*. Parent(s) will continue to receive any future notices required by state and federal laws and rules regarding educational programming. If you have questions, you may contact *Jessica Lee* at 508-646-6410.

Jessica Lee
Special Education Team Leader

cc: Evaluation Team Leader
Student
Parent/Guardian

The Atlantis Charter School does not discriminate on the basis of race, color, gender, gender identity, religion, national origin, sexual orientation, age or disability in admission to, access to, employment in or treatment in its programs and activities.

School District Name:Atlantis Charter School
School District Address:37 Park St., Fall River, MA 02721
School District Contact:Jessica Lee 508-646-6410

Student: _____ **Grade:** ____ **DOB:** _____ **LASID#:** _____ **SASID#:** ____

Notice of Transfer of Parental Rights

Transfer of Parental Rights at Age of Majority and Student Participation and Consent at the Age of Majority

1. One year prior to the student reaching age 18, the district informs the student of his/her right at age 18 to make all decisions in relation to special education programs and services.
2. Upon reaching the age of 18, the school district implements procedures to obtain consent from the student to continue the student's special education program.
3. The district continues to send the parent written notices and information but the parent will no longer have decision making authority, except as provided below:
 - a. If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority. The parent does not have authority to override any decision or lack of decision made by the student who has reached the age of majority unless the parent has sought or received guardianship or other legal authority from a court of competent jurisdiction.
 - b. The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his/her parent, or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness, and is documented in written form and maintained in the student record.
 - c. The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to share decision-making with his/her parent (or other willing adult), including allowing the parent to co-sign the IEP. Such choice is made in the presence of the Team and is documented in written form. The student's choice prevails at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making.

cc: Evaluation Team Leader
Student
Parent/Guardian

The Atlantis Charter School does not discriminate on the basis of race, color, gender, gender identity, religion, national origin, sexual orientation, age or disability in admission to, access to, employment in or treatment in its programs and activities.

School District Name:Atlantis Charter School
School District Address:37 Park St., Fall River, MA 02721
School District Contact:Jessica Lee 508-646-6410

Student: _____ **Grade:** ____ **DOB:** _____ **LASID#:** _____ **SASID#:** ____

Age of Majority Notice

From: Jessica Lee, Special Education Team Leader, 508-646-6410
Date: 10/03/2017
Re: Student Rights Upon Reaching Age 18 (Age of Majority)

As you approach your 18th birthday, your rights and responsibilities under Massachusetts and federal special education laws will be changing, and we are writing to inform you of those changes. Please read this letter carefully. I will be happy to sit with you and explain anything you might want to have clarified.

When you reach your 18th birthday, you will be considered an adult under special education law, and you will be asked to make a choice. You may decide to make all decisions yourself, without the consent of your parents. You may choose to share decision-making with your parent(s) or guardian, or any other adult of your choice, including allowing your parents to co-sign your IEP. Or you may decide to continue to have your parents make education decisions for you. We will ask you to convey your choice to the TEAM in writing at the time of your birthday.

There is one exception: if your parent(s) or guardians have sought and received guardianship from a court, they will continue to have authority. If they do not obtain guardianship, they cannot override any decision you make after your 18th birthday.

These important responsibilities reflect your status as an adult, and we know that you will make these decisions wisely. Please discuss with your parents, and be assured we will be happy to help you with this decision in any way that we can.

A copy of the *Parent's Notice of Procedural Safeguards* is included with this memo. All the rights described in the brochure will transfer to you upon your eighteenth birthday. Please take the time to review this brochure and discuss the contents with your parent/guardian. If you have any questions or concerns about this letter or the contents of the enclosed Parent's Notice of Procedural Safeguards please contact *Jessica Lee, Special Education Team Leader at 508-646-6410*.

cc: Parent/Guardian
Student file

Enclosure: 2 copies of Age of Majority Notice
Notice of Transfer of Parental Rights Form
Parent's Notice of Procedural Safeguards

AGE OF MAJORITY NOTICE RECEIPT
Please sign & return one copy of this letter within ten days

(Student's Signature)

(Date)

Parent/Guardian Signature

(Date)

The Atlantis Charter School does not discriminate on the basis of race, color, gender, gender identity, religion, national origin, sexual orientation, age or disability in admission to, access to, employment in or treatment in its programs and activity

School District Name:Atlantis Charter School
School District Address:37 Park St., Fall River, MA 02721
School District Contact:Jessica Lee 508-646-6410

Student: _____ **Grade:** ___ **DOB:** _____ **LASID#:** _____ **SASID#:** _

Age of Consent Decision Form

I understand my rights under Massachusetts special education regulations regarding the Age of Consent, as explained in the letter attached. I have made the following decision.

1. I wish to retain decision-making authority myself.

2. I wish to share decision-making authority with:

a. My parent(s) _____

b. Another adult (name and role): _____

3. I wish to delegate decision making authority to:

a. My parent(s) _____

b. Another adult (name and role): _____

(Student's Signature)

(Date)

(TEAM member signature)

(Date)

(Witness signature)

(Date)

Copy to: Student file
Student
Other named above

Enc: Parent's Notice of Procedural Safeguards



Grading of Students on IEPs

All classroom teachers have the responsibility of ensuring that they are familiar with the Individualized Education Plans for the students they are working with and grading. If a special education student is not making academic progress, and is in danger of failing a subject, the classroom teacher must be able to demonstrate that they have followed best practice in trying to address the needs of that student. A special education student may receive an “F” in a particular subject if the classroom teacher has accomplished the following:

1. Teacher has consistently provided for all of the accommodations and modifications listed in a student’s IEP
2. Teacher has met with the student to discuss concerns
3. Teacher has communicated and documented concern to the parent regarding the student’s lack of progress and the potential reasons behind it (homework, classwork, assessments, effort level, etc.)
4. Teacher has provided appropriate materials at the student’s functional reading level for the student to use at home and school
5. Teacher has consulted with the special education teacher/team regarding appropriate strategies and expectations for the student
6. Teacher has consulted with the RtI team if appropriate (student is not making progress in a subject area in which the student is not receiving services in)

If a student continues to not make progress, and/or has failing grades despite the above actions, a consult meeting consisting of the regular education teacher, special education teacher and/or para, special education coordinator, and other staff if appropriate, should be held. The classroom teacher should bring work samples and the Special Education Checklist to determine if an RtI referral is necessary or an IEP meeting should be scheduled.



Special Education Checklist for Students who are Failing

	Teacher	Date	Comments
1. Teacher of content area has reviewed that all of the accommodations and modifications listed in the student's IEP are consistently being followed. Teacher has provided student work samples.			
2. Teacher of content area has consulted with the special education teacher (or special ed para)/team regarding appropriate strategies/expectations.			
3. Teacher of content area has met with student to discuss concerns.			
4. Teacher of content area has communicated and documented concern to parent regarding student's lack of progress.			
5. Teacher of content area has provided appropriate materials at the student's functional reading level for the student to use at home and school.			
6. Teacher of content area Rtl's student when appropriate (student does not receive special ed services in the subject)			



Tier 2 Behavioral Management Plan

Date: _____

Team Members:

Student: _____ DOB: _____ Grade: _____

Is this student on an IEP? _____

If Yes please identify the disability: _____

Health/Emotional/Social Issues: _____

Teacher(s): _____

Parent: _____

Site Leaders: _____

Counselor: _____

Behavior	Intervention	Person(s) Responsible	Goal

Other relevant student information:

Follow Up review scheduled for:



Tier 3 Behavioral Crisis Management Plan

Date: _____

Team Members:

Student: _____ DOB: _____ Grade: _____

Is this student on an IEP? _____

If Yes please identify the disability: _____

Health/Emotional/Social Issues: _____

Teacher(s): _____

Parent: _____

Site Leaders: _____

Counselor: _____

Target Crisis Behavior	Crisis Intervention (Focus on safety planning, de-escalation, safe learning environment)	Person(s) Responsible	Crisis Management Goal

Other relevant student information:

Follow Up review scheduled for:

A. NATURE OF DISABILITY

- 1. What is the student's disability? (Specify behavioral characteristics and severity).**
- 2. What major life functions are impacted? (Include a description of how the disability influences academic and/or social performance).**
- 3. To what extent are those major life areas impacted? (Include a description of the student's strengths, deficits, and coping strategies).**
- 4. To what extent, if any, does the disability preclude the student from having the capacity to know that engaging in the behavior was wrongful?**
- 5. To what extent, if any, does the disability impair the student's awareness and understanding of the impact and consequences of such behavior?**

C. ROLE OF IMPULSIVITY

1. **To what extent, if any does the disability impair the student’s behavioral control? (Include a description of specific characteristics related to the disability and the student’s ability to consider long range consequences before acting).**

2. **To what extent, if any, does the student’s behavior demonstrate a pattern of impulsivity?**

3. **What are the discrepancies between the student’s behavior in the home setting and the school setting?**

4. **To what extent, if any, are the current and previous act(s) of misconduct related to impulsivity?**

—

D. FINAL DETERMINATION

Based on the above factors, is there a relationship between the student’s misconduct and his or her disability?

YES NO

If **YES**, the IEP Team should reevaluate the student’s IEP, including the appropriateness of the placement.

If **NO**, the student is subject to the same discipline procedures applicable to non-disabled students (except that under the IDEA 97 educational services may not cease).



Physical Restraint Protocol

1. The use of physical restraint on a student is to be used when the student is presenting with behaviors that constitute imminent physical danger to themselves or those around him or her.
2. The administration of a physical restraint should be done only by those staff members certified in the nationally accredited CPI Nonviolent Crisis Intervention Program, which is the restraint training program endorsed by Atlantis Charter School (ACS).
3. All physical restraints should be terminated as soon as the student is no longer an immediate danger to themselves or others around them. In addition, a restraint must be terminated if the student verbalizes that he or she is having difficulty breathing or is experiencing severe physical distress.
4. A student needing to be restrained for a period longer than 20 minutes needs the approval of the Site Leader or their designee.
5. Whenever possible, the use of physical restraint shall be conducted by two or more trained staff members. There should always be an identified lead staff facilitator in the restraint. The lead facilitator is also responsible for communication with the student during the restraint.
6. After a student has been released from a restraint, the student should go through a debriefing period with the appropriate school personnel.
7. The Site Leader, if they have not already been involved in the incident, should be notified immediately upon the completion of the restraint that a restraint occurred.
8. All staff members involved in a physical restraint will conduct a follow-up debriefing where the events of the restraint are reviewed and reflected upon.
9. The Restraint Report Form is to be completed by the end of the school day that the restraint occurred. The reporting form should be completed by the staff member first to begin engagement with the student and should be submitted to the Site Leader and District Leaders. Other staff members engaged in the restraint can assist with the documentation.
10. The parent/guardian of the restrained student will be notified of the physical restraint either by phone or in person by the end of the school day in which the restraint occurred. This notification will be completed by a Site Leader. In addition, the parent will be provided with a written report notifying them of the events of the restraint either by e-mail or post marked mail within 3 working school days.
11. If a physical restraint results in physical injury to a student or staff member, the school must provide the MA DOE with a written report of the restraint within 3 working school days. This notification will be completed by District Leaders.
12. At the completion of each school year, all physical restraint data across the district will be submitted annually to the MA DOE per state regulations, by the District Leader.



SEPAC BY-LAWS

Atlantis Charter School Special Education Parent Advisory Council By-laws

Article I: Name

The name of this organization shall be the _Atlantis Charter School Special Education Parent Advisory Council, also known as Atlantis Charter School Special Education Advisory Council (hereinafter referred to as "SEPAC").

Article II: Purpose

The SEPAC receives its statutory authority from the Chapter 71B, Section 3 of the Massachusetts General Laws. This authority is also codified in the Code of Massachusetts Regulations (CMR), 603 CMR 28.07(4).

The SEPAC's duties include, but are not limited to:

- Advising the district on matters that pertain to the education and safety of students with disabilities;
- Meeting regularly with school officials; and
- Participating in the planning, development, and evaluation of the school district's special education programs.

The mission of the SEPAC is to work for understanding of, respect for, and support of all children with special needs in the community. To that end, they will work to:

advise the School Committee on matters that pertain to the education and safety of students with disabilities;

meet regularly with school officials to participate in the planning, development and evaluation of the School Committee's special education programs;

assist the district in coordinating the presentation of at least one workshop annually within the school district on the rights of students and their parents and guardians under state and federal special education laws.

promote a support network of parents of children with special needs, and provide the forum to share information;

promote communication between SEPAC members, local, State and National organizations, councils and groups

promote communication and programs within the community to encourage understanding, acceptance and inclusion of special needs children..

provide educational/informational forums to parents, educators, students and professionals.

Article III: Membership

Section One: General membership

General membership shall be open to any interested person.

Section Two: Voting membership

Voting membership shall be limited to any general member who

- a) is a parent or guardian of a special needs student residing in or attending school in (District), with or without an Individual Education Plan (IEP) or Section 504 Plan'
- b) who has attended at least one meeting of the SEPAC during the past twelve months.

As used in these by-laws, the word "member" means general members, voting members or both, as the context indicates.

Article IV: Executive Board

Section One: The Executive Board of the SEPAC shall be comprised of a Chair/President and Vice Chair/Vice President, or two equal Co-Chairs (Co-Presidents), Secretary and Treasurer. All Executive Board members shall be voting members of the SEPAC, elected per the provisions of Article VI. Officers may, from time to time, delegate any of their duties to another officer.

Section Two: The duties of the Executive Board shall include:

Chair/President

Set the agenda for each general meeting.

Preside at all meetings of the SEPAC.

Recommend the organization and monitor the function of committees and subcommittees and appoint committee members

Act as liaison between parents of students with disabilities or suspected disabilities and the Administrator of Special Education.

Prepare periodic reports for the Special Education Administration regarding SEPAC activities and needs Represent and speak on behalf of the SEPAC at meetings of the School Committee

Make an annual presentation to the School Committee.

Co-Chair/Vice-President

Preside at meetings in the absence of the President, or at the request of the President.

Coordinate public communications (if needed), not including those communications that are the Secretary's.

Assist the President as appropriate and perform those responsibilities of the President at his/her request.

Secretary

Coordinate all communication between SEPAC and its membership

Maintain a list of the voting members and a list of general members

Coordinate the recording, filing and posting of minutes of the SEPAC and its committees.

Collect and review all correspondence of the SEPAC.

Treasurer

Shall keep a full and accurate account of receipts and expenditures, and in accordance with the budget adopted by the organization.

Shall arrange disbursements as authorized by the Executive Board or SEPAC. Disbursement for non-budgeted items must be approved by the Executive Board and is limited to \$50.00.

Disbursement for non-budgeted items exceeding this amount must be approved by a majority vote of the members at the monthly SEPAC meeting.

Shall present a financial statement at all SEPAC meetings and at other times when requested.

Coordinate efforts to apply for grants, donations, reimbursements or any other funds for which the SEPAC be eligible

Article V: Voting/Quorum

A quorum of no less than 4 voting members must be present to constitute a meeting. (A quorum is usually a simple majority of the members of a public body. A quorum is the minimum of members who must be present for official decisions to be made. Individual SEPACs should set realistic quorums based on their practice and membership.)

Article VI: Elections*

Officers of the SEPAC are elected by the voting membership and hold office until the next annual meeting.(for one year or two years in some towns, each SEPAC decides). Elections shall occur annually at the first monthly meeting of the school year. All voting members are eligible to make nominations. No vote taken by a public body, either in an open or in an executive session, shall be by secret ballot.

If any office becomes vacant, an election for that office shall be held (by special meeting, at the next monthly meeting, provided notice is posted), with term to expire at the (state end of term – next annual meeting/elections).

(* it is a good idea to have elections before the end of the school year so you can be operational at the beginning of the subsequent year)

Elections shall be decided by a simple majority vote of the voting membership, subject to the presence of a quorum. New officers shall take office immediately following their election.

Any officer may resign by delivering a written notice of resignation by mail, in person, or by email to the Administrator of Special Education. Resignation shall be effective immediately upon such delivery unless the resignation is slated to be effective at another time. An officer may be removed with or without cause by vote of the voting members.

The SEPAC will inform the school district of the outcome of the annual elections and the names, addresses and phone numbers of the new board by June 1st of each year.

Article VII: Meetings

Meetings are defined as any SEPAC meeting or sub-committee meeting at which a quorum is present. The number of meetings to be held each year and the dates of those meetings shall be determined annually by the Executive Board. Advance notice of any and all meetings and elections will be

published/posted with a minimum of 48 hours advance notice and comply with the MA Open Meeting Law regulations.

Minutes of all SEPAC meetings shall be recorded and posted in accordance with the MA Public Records law.

The SEPAC shall hold an Annual Meeting of the voting members each year for the purpose of electing officers and to vote on any matters as shall be specified in the notice of such meeting.

Article VIII: Conflict of Interest

Any member of the Executive Board who has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the SEPAC, of such nature that it prevents or may prevent that member from acting on the matter in an impartial manner, will offer to the Board to voluntarily excuse him/herself and will vacate his seat and refrain from discussion and voting on said item.

Article IX: Amendments

These by-laws may be amended by a simple majority of the voting members at a general meeting, but by-law changes may not be voted upon in the same meeting as they are proposed, unless a quorum (as described in Article V) votes unanimously to approve the change.

Article X: Procedures

Roberts Rules of Order are the default procedures for this organization.

Approved: (Date) 06-15-2017