

Monument Academy Public Charter School



Specialized Education

Administrative Procedures

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Special Education Department

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Introduction

The Special Education Handbook of Administrative Procedures is intended to provide Monument Academy Public Charter School personnel with procedures in order to ensure a Free Appropriate Public Education (FAPE) to all eligible students, ages 3 to 22, who are residents of the District of Columbia. The provisions of FAPE include the identification, evaluation, and placement of eligible students with disabilities in appropriate programs at no cost to parents.

Federal and the District of Columbia regulations require Local Education Agencies (LEA) to have written procedures for their staff. The policies, procedures, and programs described in this handbook are developed in accordance with the Individuals and Disabilities Education Improvement Act (IDEIA Resolutions) Amendments of 2004; (P.L. 108-446) 2005 and Chapter 30 of Board Rules (Title 5 of D.C. Municipal Regulations). Policies described in this handbook are on file with the Monument Academy Public Charter School Special Education Office.

MISSION

Our mission is to provide students, particularly those who have had or might have contact with the foster care system, with the requisite academic, social, emotional, and life skills to be successful in college, career, and community, and to create an outstanding school that attracts, supports, and retains exceptional and caring people.

Our philosophy for educating our students is rooted in a belief that all students have the capacity to succeed at high academic levels and experience positive life outcomes. While many students may have been subject to adverse childhood experiences, these events do not define who they are or predetermine their trajectories.

We also believe in a growth mindset, where adults and students value hard work, persistence, and the process of learning, and understand that valuing dedication and effort, not “talent” and “fixed ability,” foster a love of learning and improved outcomes both academically and personally.

Our school is designed with an emphasis on personalized learning, experience-based learning, and social-emotional well-being to ensure that students with disabilities or who are English Language Learners will benefit from our school.

The Special Education Compliance Manager provides leadership for the planning, development, implementation, and evaluation of programs for students with disabilities as mandated by the IDEA. The Special Education Department works with the school administrative and instructional staff to ensure that all students with disabilities receive Free and Appropriate Public Education (FAPE) within the Least Restrictive Environment (LRE).

Under the leadership of the Head of Schools, the Academics, Well-Being and Student Life Teams provide ongoing supervision and monitoring of the special education services. Further, the department responds to guidance and compliance support provided by the Office of the State Superintendent of Education (OSSE). The department also develops reviews, and evaluates annual goals and objectives in accordance with the school goals, objectives, and curriculum standards.

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Response to Intervention (RTI)

Purpose:

Response to Intervention (RTIs) embody the spirit of helping every scholar succeed – particularly those who are struggling. RTIs offer us all an opportunity to unlock learning potential. Parents, friends, teachers, aides and scholars are all invited to contact a teacher, administrator or Special Education Team and ask for a referral form to the RTI. The Team leaders will meet regularly, at least once per month, and other times as necessary depending on the scholar and the time of referral.

1. To review available diagnostic data and assist in the evaluation and implementation of RTI plans.
2. To provide additional diagnostic services to identify student needs more clearly.
3. To make decisions relative to special placement, modified programs, and evaluation for special education services.

Membership:

Math/ELA Interventionist	Principal or administrative designee
Well-being Counselor/Psychologist	Other School Personnel as appropriated
General Education Teacher	Behavior Specialists

The Chairperson is primarily responsible for the following:

- Assuring the implementation of team recommendations and appropriate feedback to referring staff members.
- Accepting referrals and printing agenda
- Collecting pertinent information from cumulative records
- Obtaining teacher progress reports on student to be discussed
- Obtaining appropriate disciplinary records and related data on individual students including parent contacts previous program adjustments
- Noting decisions, responsibilities and target dates (both implementation and reevaluation) on the RTI action plan forms
- Maintaining a file of RTI action plan forms and making appropriate notations in student cumulative folders.

Team Organization:

The Chairperson schedules a specific meeting time with a minimum of one meeting each month. It is recommended that meetings be as brief as possible and not to exceed one-hour duration. One member of the team is designated to keep notes on the RTI action plan for confirming discussions and decisions and including responsibilities. An agenda is printed prior to the meeting to ensure informal participation of all members, which consist of the names of students being referred for discussions. The RTI action plan forms are submitted and used to make up the agenda.

In general, the team conference agenda is structured in the following order:

1. Review of previous notes
2. Review of previous case
3. New cases
4. Summary of responsibilities

Implementation:

The RTI is organized by the Grade Level Team presented by a referring teacher. Other team members also may present a case if the need arises. Input is accepted from all personnel involved in the student's program. Anecdotal records and empirical data are essential for providing appropriate placement. After the full discussion of available information, the team cooperatively plans the initial step in assisting a student. This may include providing supplementary instruction for appropriate available information or specific research based interventions. Responsibility for implementing such a plan for each student is assigned and recorded in action plan form.

Child Find Policy

In compliance with federal regulations, it is the policy of the Monument Academy Public Charter School to locate and identify any child who contacts or enrolls in the Charter School who may have a disability and be in need of special education and related services, regardless of the severity of the disability, in accordance with the policies and procedures described by the Office of the State Superintendent of Education (OSSE).

Public Awareness

Monument Academy is committed to ensuring that our entire school community has the information needed to collaboratively provide excellent academic and emotional support to all of our students, including those who have specific learning needs.

In support of this commitment, Monument Academy staff will receive ongoing training in recognizing when a student may have a disability, how to best serve Students with Disabilities, intervention programs, the SPED process, etc.

We encourage parents, staff, and the whole school community to stay informed on how to access the SPED evaluation process and to be empowered to proactively participate in the process. If there is a concern that a student may have a disability, parents and staff should begin the evaluation process by submitting a referral form to the Special Education Department. The evaluation and eligibility process is outlined further below in this document.

Referral of students for a full and individual initial evaluation for possible special education services shall be a part of Monument Academy's overall, general education referral or screening system. Prior to referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as tutorial, remedial, compensatory, and other services. This is done by referring students to our Response to Intervention. If the student continues to experience difficulty in the general classroom after the provision of interventions, district personnel must refer the student for a full and individual initial evaluation. This referral for a full and individual initial evaluation may be initiated by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student.

Monument Academy also utilizes school wide data collection of reading and math achievement which is assessed throughout the year through local standardized assessments. Students 2 or more grade levels behind are identified as possibly needing additional support. Monument Academy also utilizes school wide discipline data to monitor whether students might be eligible for further evaluation of social, emotional, and behavioral functioning.

Transfer Students

Monument Academy reviews the records of any new student transferring from another school system whether transferring from DCPS or from out of state. If the records indicate that the student has been identified as a student with disabilities and that the student requires special education and related services, the student is given an appropriate program including services comparable to those described on the student's IEP within the first 20 days of enrollment. Within 30 days of enrollment, the IEP team will meet to adopt the current IEP or to revise the IEP as necessary.

For students transferring from another state, Monument Academy may also conduct an evaluation if determined to be necessary and develop a new IEP, if appropriate. If the IEP team determines that an evaluation is necessary, the eligibility process will be completed in no more than 60 days.

Specialized Education Process

Multidisciplinary Team (MDT) Responsibilities & Membership

MDT Responsibilities:

- Receive written referrals from school personnel, parents, and agencies who have concerns regarding students suspected of having a disability;
- Identify students suspected of having a disability;
- Conduct an evaluation before the initial provisions of special education;
- Conduct a reevaluation of a student with a disability;
- Develop, review, and revise a student's Individual Education Program (IEP);
- Determine placement in the Least Restrictive Environment (LRE); and
- Determine the student's need for Extended School (ESY) services.

Membership:

- The parent/guardian/surrogate parent of the student;
- The Chairperson, who is the Principal or the Principal's designee;
- At least one regular education Teacher of the student, if the student is participating in the regular education environment;
- At least one special education teacher, or at least one special education provider of the student;
- An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above. When the MDT convenes for the purpose of reviewing assessment reports and conducting an evaluation or reevaluation of the students, the individuals who administered the assessments, or individuals qualified to conduct and interpret the results of the individual diagnostic results must be present;
- Appropriated related service provider;
- Other individuals, at the discretion of the parent or school, who have knowledge or special expertise regarding the student, including related services personnel, as appropriate;
- The student, as appropriate.

Role of the MDT Chairperson:

- Serve as a representative of the school;
- Is qualified to provide or supervise the provisions for specially designated instruction to meet the unique needs of students with disabilities;
- Is knowledgeable about the general curriculum;
- Is knowledgeable about the availability of resources within the school system; and
- Has the authority to commit the school's resources.

Role of the Special Education Teacher:

- Develop, review and revise the IEP in collaboration with the MDT participants;
- Provide information to the MDT regarding the student's current level of functioning as well as strengths and weaknesses;
- Provide information regarding effective strategies utilized in assisting students acquisition of specific skills;
- Make recommendations based on professional knowledge of methods in curriculum to accommodate the educational and emotional needs of the individual student;
- All special education teachers are responsible for implementing the goals and objectives set forth in the IEP;

Role of the General Education Teacher:

- Assist in the development, review, and revision of the student's IEP;
- Assist in determining appropriated positive behavioral interventions and strategies for the student;
- Participate in discussions and decisions about how to modify the general curriculum in the regular education classroom in order to ensure the students' involvement and progress in the general curriculum and participation in the regular education environment;
- The teacher participation in the meeting should be a teacher who is, or may be, responsible for implementing a portion of the IEP, so that the teacher can participate in discussion about how best to teach the student;
- All regular education teachers are responsible for implementing the IEP;
- All regular education teachers are responsible for implementing the IEP, including accommodations and modifications, must have working knowledge of the contents of the IEP, as well as their role in implementation; and
- The MDT will arrange for teachers to become knowledgeable about the IEP's of students.

Role of the Parent/Guardian/Surrogate Parent:

- Participation in meetings with respect to the identification, evaluation, IEP development, an educational placement of the student and the of FAPE to the student;
- Provide critical information regarding the strengths and needs of the student and express concerns for enhancing the education of the student;
- Provide pertinent information that may be relevant to the student's needs for special education, such as medical, developmental, audio logical, vision or other information;
- Participate in discussions about the student's need for special education related services, and supplementary aids and services;
- Join with other participants in deciding what services will be provided to the student and in what setting;
- Shall be regularly informed, as specified in the student's IEP, of the student's progress toward the annual goals in the IEP and the extent to which the progress

is sufficient to enable the student to achieve their goals by the end of the school year; and

- May request a MDT meeting for any of the above stated purposes.

Role of the Student:

- The student must be invited to participate in the meeting if the purpose of the meeting is to consider the student's transition service needs;
- The school must inform the parent that the student is invited to participate (MDT Letters of Invitation)
- If the student does not attend, the team must take other steps to ensure that the student's preferences and interests are considered.
- When parents agree in writing, a team member may be excused from attending the meeting if input is submitted in writing prior to the meeting.

Procedural Safeguards, Notifications, Notice & Consent

The MDT Chairperson shall ensure that a copy of the Procedural Safeguards, Parental Rights document has been provided to the parent of a student with a student with a disability when the MDT:

- Addresses disciplinary issues;
- Receives the initial referral for an assessment;
- Conducts an evaluation;
- Provided parents with notice of a MDT meeting;
- Conducts a reevaluation;
- Receives a request for mediation or due process hearing, and;
- Has made a decision to remove the student for disciplinary reasons.

Notification:

- The MDT Chairperson must ensure that the parent is notified ten (10) days prior to the meeting unless an expedited meeting is being conducted to:
 - Address disciplinary issues;
 - Determine the placement of a student with a disability not currently receiving educational services; or
 - Met other urgent needs of the student to ensure the provision of FAPE

Summary of MDT or Proposed Action:

The Chairperson must ensure that the MDT gives the parent written notice before the team proposes or refuses to initiate or change the identification, evaluation, or educational placement of a student on the provision of a FAPE

Consent:

- The MDT must ensure that the parent provides informed consent before the student begins to receive special education and related services for the first time. Consent for evaluation does not qualify as consent to receive service. Informed

written consent must also be obtained before any school records are released to any other agency or person who is not employed by the school system. The consent must describe the activity for which consent is obtained (e.g. assessments) and list the records, if any, that will be released and to whom.

- The MDT shall obtain written parental consent before conducting assessment procedures. If the parent refuses consent for initial assessment procedures or assessment procedures as part of a reevaluation, the MDT may request a due process hearing to obtain permission to conduct the assessment. The MDT is not required to obtain consent for assessment as part of a reevaluation if the MDT can demonstrate that reasonable measures have been taken to obtain consent, and the parent has failed to respond.
- The MDT must make at least three attempts to contact the parent to obtain consent before conducting an assessment.

Confidentiality:

Monument Academy Public Charter School is responsible for ensuring that student records are maintained in accordance with all applicable federal and district statutes and regulations. The Special Education Office will maintain IEP records and ensure that:

- All IEPs and assessment information are kept locked in a secure location;
- Parents have a right to access their child's IEP;
- Parents have a right to request a copy of their child's IEP;
- Teachers have a right to access a student's IEP.

Evaluation and Eligibility Determinations

- The following provides clarifications and additions related to initial evaluations.
- Either a parent of a child, Monument Academy Public Charter School staff or local education agency, may initiate a request for an initial evaluation to determine if a child is a child with a disability.
- The determination, whether or not a child is a child with a disability, will be made within sixty (60) days of receiving parental consent.
- If the parent refuses to consent to the receipt of special education and related services, or the parent fails to respond to a request to provide such consent, Monument Academy Public Charter School will not be required to convene an IEP meeting or develop an IEP for the child.

Multidisciplinary Team (MDT) Decision Making Process:

- The MDT shall meet at least annually, and more often as necessary, to address a student's individualized education needs.
- They will provide written notification at least ten (10) days prior to the meeting;
- The notification will be in the parents' native language unless clearly not feasible. If not, the team shall ensure that the parent has had all documents orally translated;
- Meetings are to be scheduled at a time and place agreeable to the students' parents and school

- If the parent cannot attend the meeting at the time and place indicated by the MDT Meeting Notification, the meeting shall be rescheduled so that the parent can attend.
- If it not possible for the parent to attend, the team can conduct the meeting without the parent and shall maintain a record of at least three attempts to schedule a mutually agreed upon time and place such as:
 - Detailed records of telephone calls or attempted and results of three calls;
 - Copies of correspondence sent to the parent and any responses received; or
 - Detailed records of visits made to the home or place of employment and results of those visits.

MDT Determination of the Need for Assessment (Timeline)

- From the date of a referral, the MDT must complete the evaluation, conduct the determination meeting, and develop the IEP, if needed, within 90 days.
- A student with a suspected disability who may need special education shall be referred in writing to the MDT. Forms will be kept in the main office. The MDT shall promptly meet to review:
 - Existing assessment data, both formal and informal, that is contained in the student's Cumulative, Limited Access, and Health folders;
 - Assessment, medical, and other information provided by the parent;
 - Instructional interventions, strategies, and outcomes;
 - Current classroom-based assessments; and
 - Observations by teachers, related service providers, and other school personnel.
- The MDT shall document their findings on the MDT meeting notes form that addressed the Referral Review/Assessment Determination.
 - In addition to the review and documentation of information, the MDT shall:
 - Refer the student for assessments in all areas identified above as related to the suspected disability. All assessments are to be completed within the timeline described in these administrative procedures;
 - Provide the parent with a written description of the proposed action to conduct assessment, within ten (10) days of the meeting (MDT Meeting Notes)
 - Record in the MDT Meeting Notes all options considered, including those presented by the parent, and determine whether each option was accepted or rejected. The team will document the reasons for accepting or rejecting any options;
 - Secure written informed parental consent prior to administering any assessments (Consent for Evaluation Form); and
 - Document all attempts to secure parental consent.

Reevaluations:

- Reevaluations shall be conducted if the MDT determines that the educational or related service needs, including improved academic achievement and functional performance of the child warrant a reevaluation or if the child's parent or teacher requests a reevaluation. A reevaluation will occur not more frequently than once per year, unless the parent and the school agree otherwise and at least once every three (3) years, unless the parent and school agree that a reevaluation is unnecessary. Monument Academy may initiate a reevaluation without the parental consent if the parent fails to respond to documented school attempts to request consent for a reevaluation.
- Monument Academy will evaluate a student before determining that he or she is no longer a child with a disability or to recommend that the child receives reduced service hours.

Special Education Related Disabilities

1. Developmental Delay: Restricted for use with students ages 3-7 transitioning from Infant/Toddler Programs; identified by child find; identified by early childhood centers at re-evaluation; or enrolled in kindergarten only.
 - Developmental Delay students are experiencing delay of at least 25% in one or more of the following developmental areas; cognitive development; physical development, including vision and hearing; communication development; social or emotional development; adaptive development; or
 - Manifest atypical development or behavior, which is demonstrated by abnormal quality of performance and function in one or more of the above developmental areas that interferes with current development, and that is likely to result in subsequent delay, even when diagnostic instruments and procedures do not document a 25% delay.
2. Autism Spectrum Disorder: A developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3, this adversely affects a student's educational performance.
3. Deaf-Blindness: Concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and education needs, that they cannot be accommodated in special education programs solely for students with deafness or students with blindness.
4. Deafness: A hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing with or without amplification, and that adversely affects the student's educational performance.
5. Emotional Disturbance: A condition exhibited by one or more of the following characteristics, over a period of time and to a marked degree, that adversely affects a student's 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 peer and teachers;
 - Inappropriate types of behavior or feelings under normal circumstances;
 - A general pervasive mood of unhappiness or depression; and
 - A tendency to develop physical symptoms or fears associated with personal or school problems.
6. Hearing Impairment: Impairment in hearing that adversely affects the student's educational performance but is not included under the definition of deafness;
 7. Intellectual Disability: Significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affects the student's educational performance.
 8. Multiple Disabilities: Concomitant (such as attention deficit hyperactivity disorder, blindness, emotional, hearing impaired), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments.
 9. Orthopedic Impairment: Having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli.
 10. Other health impairment: Limited strength, inability or alertness including a heightened alertness to environmental stimuli that result in limited alertness with respect to the educational environment that is to chronic or acute health problems such as asthma, attention deficit disorder or attention hyperactivity disorder, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, turrets syndrome which adversely affects a child's educational performance.
 11. Specific Learning Disability: A disorder in one or more of the basic psychological processes involved in understanding or n 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.
 12. Speech or Language Impairment: A communication disorder, such as stuttering, impaired articulation, language impairment or a voice impairment that adversely affects a student's educational performance.
 13. Traumatic Brain Injury: An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment.
 14. Visual Impairment, Including Blindness: Impairment in vision that, even with correction, adversely affects a student's educational performance.

Individualized Education Program (IEP)

The IEP is a written statement for a student with a disability that is developed, reviewed, and revised in a MDT meeting. An IEP must be developed:

- For each eligible student enrolled in Monument Academy Public Charter School
- Within 30 school days of the Evaluation MDT at which the student was found eligible;
- Annually; and

- In place at the beginning of each school year

Team members may develop a draft IEP prior to convening the MDT. The draft IEP must be clearly labeled as a draft and may be forwarded to the parent prior to the MDT, in order to facilitate greater parental participation. The team must make it clear to the parent at the outset of the meeting that the services proposed are only recommendations for consideration. The MDT must make final decisions regarding the IEP.

Considerations: The MDT shall consider each of the following when developing the IEP:

- The strengths of the student;
- Concerns of the parent for enhancing the education of the student;
- Results of the evaluation;
- Communication needs of the student; and
- Whether the student requires assistive technology devices and services, documented on the IEP

Assistive Technology:

- The MDT must consider and document whether the student is in need of assistive technology. If the MDT determines that the student may be in need of assistive technology or the parent requests assistive technology:
 - The team will refer the student for an assessment of needs;
 - The Special Education Compliance Manager or designee for Special Education will be consulted regarding the referral and will provide technical assistance regarding the determination of the educational necessity for assistive technology

Contents of the IEP:

The contents of each student's IEP are drawn from information from a variety of sources. This includes all information reviewed during the evaluation or reevaluation MDT.

- The following required contents of the IEP are listed by location on the IEP:
 - A description of the student's present levels of educational performance;
 - How the student's disability affects the student's involvement and progress in the general curriculum.
- Present levels of performance are not limited to assessment data and should include current levels of performance in the classroom;
- Measurable annual goals, including short term objectives, that:
 - Are measurable, specific, and descriptive;
 - Enable the student to be involved in and progress in the general curriculum; and
 - Meet each of the student's educational needs that result from the student's disability.

- Appropriate objective criteria and/or evaluation procedures for determining whether the annual goals are being achieved;
- Special education and related services and supplementary aids and services to be provided to the student;
- The projected dates for initiation of services, including the anticipated frequency, duration, and location of each service;
- The schedule for reviewing the student's progress toward mastery of the goals and objectives, at least as frequently as the schedule for notifying parents without disabilities of their student's progress (IEP Report Card);
- An explanation of the extent to which the student will not participate with non-disabled students in regular class and in extracurricular activities;
- Test accommodations
- Transportation as a related service, when appropriate;
- Transition Services, as appropriate
- A statement of eligibility for Extended School Year (ESY) services

Educational Placement

Monument Academy Public Charter School will ensure that the educational placement decisions for a child with a disability are:

- (a) Made by a group of persons, including the parents and other persons, knowledgeable about the child, the meaning of the evaluation data, and the placement options;
- (b) Made in conformity with the Least Restrictive Environment (LRE) provision of the Act
- (c) Made within timelines consistent with applicable local and Federal law;
- (d) Determined at least annually after his or her initial placement;
- (e) Based on the child's IEP; and
- (f) Is as close as possible to the child's home.

Unless the IEP of a child requires some other arrangement, the child shall be educated in the school that the child would attend if not disabled.

Monument Academy Public Charter School will also be sure to, when selecting the least restrictive environment, include a written discussion explaining the consideration given to any potential harmful effects on the child.

Monument Academy Public Charter School will also make available additional services, as determined by the IEP team including specially designed or adaptive physical education services, extended school year services, Assistive Technologies, **non-public**

and residential placement (see explanation below) if deemed appropriate by the IEP team.

Non-Public and Residential Placement for Students with Disabilities

It is the policy of Monument Academy Public Charter School to ensure that a continuum of services is provided for all qualified students with disabilities. As such we believe that it is best practice to include students with disabilities and work diligently to provide the full continuum of services to students, with a focus on allowing students with disabilities to be educated with their general education peers to the maximum extent appropriate, and will exhaust all services and resources to do so. In the event that the team concludes that a more specialized or therapeutic education setting is, in fact, the least restrictive environment for the student, then the team may proceed with the process for seeking a non-public placement for the student.

What is a Non-Public Placement?

As defined in the DCMR, a non-public school is an educational program that is governed and operated by an individual or entity, not including the Federal government or any state, county, or municipal agency, or any division thereof. These schools often provide highly intensive, specialized environments for students who require significantly more than what can be achieved in a traditional school setting. Should the team feel that such a setting is indeed the least restrictive environment for the student, the team may move forward with the process of placing a student in such a setting. These placements are at no cost to the parents or guardians of the student.

What is the process for a Non-Public Placement?

If a team decides to seek a non-public placement for a student, the team chair must submit a Justification for Removal Statement to the Office of the Superintendent of Education. The following information must be included in the submitted document:

1. Description of the student's special education and related service needs;
2. Description of the services that have been considered by the team and implemented as strategies for success in the general education environment;
3. Description of specific placements and/or locations under consideration;
4. Description of provisional plans for reintegration into the less restrictive

environment.

In addition to the JRS, all of the student's records must be sent to OSSE, including:

- ☐ Current and historical IEPs
- ☐ Evaluations
- ☐ Eligibility Report
- ☐ IEP progress reports
- ☐ Report Cards
- ☐ Attendance records
- ☐ Discipline/Behavior records
- ☐ FBA and BIP plus any data collected
- ☐ Meeting Notes
- ☐ Student Schedule

**See Justification for Removal Statement Template- Index Form F*

Once the JRS is received by OSSE, a preliminary meeting should be scheduled between the LEA and OSSE to discuss the information provided and decide whether more information should be accumulated prior to the placement meeting.

The placement meeting should be scheduled by the IEP, and should include a representative from OSSE. It is at the placement meeting that the team will make a final decision. If the team decides to move forward with placement in a more restrictive setting, OSSE will issue a location assignment. The following schools are provided as a list of available options. The lists of approved schools are provided, as a courtesy, from the OSSE and can be found at the following URL:

<https://osse.dc.gov/publication/osse-approved-nonpublic-schools-and-programs-list>

What happens after a child is placed in a nonpublic facility?

We believe that the goal of a non-public placement is to provide students with disabilities a temporary more intensive set of services, with a focus in preparing students to return to the regular school setting with their general education peers. As such, it is our policy to provide ongoing monitoring of our students who attend Nonpublic schools, and to actively participate in the development maintenance, and execution of their Individualized Education Programs. Below are the steps that we take to monitor and track progress for our students with disabilities who attend nonpublic school facilities:

1. We continue to facilitate and actively participate in all IEP meetings

It is our policy that an LEA representative (from Monument Academy Public Charter School) all IEP meetings for enrolled students. An LEA designee will sign off as participants on all IEPs, unless the LEA designee participates by phone which will be noted on the front page of the finalized IEP.

2. We Monitor student's academic and social-emotional progress

It is our expectation that non-public facilities comply with federal and state regulations governing reporting of student progress. As such it is expected that the guardians of Monument Academy Public Charter School Students, who attend nonpublic schools receive written progress reports on IEP goals at the same frequency at which the students without disabilities receive report cards. We actively monitor to ensure that progress reports are finalized for each student by the appropriate and agreed upon quarterly due dates. Should this information not be finalized in the Special Education Data System in a timely fashion, the nonpublic school is given written notice that the item is not complete and that the correction be made within 5 business days. Appropriate Monument Academy Public Charter School staff will also contact parents and guardians to ensure that IEP Progress Reports have been received.

3. We ensure that all student-level data contained in SEDS is accurate, complete, and timely and provide full access, training and TA around use of SEDS.

All nonpublic school staff who work with students in our LEA receive technical training from designated Monument Academy Public Charter School Staff. Training provided includes, but is not limited to guidance on how to enter SEDS Data, Write Standards Based IEP Goals and Present Levels of Academic Performance, and how to write Summaries of Performance. The LEA will monitor progress of performance and make adjustments as needed. Nonpublic staff will be provided with reminders, at the beginning of the child's time in the nonpublic program, regarding required timelines and types of data to be entered for all levels of the IEP process, including the completion of related service trackers, manifestation determination reviews, and documentation of incidents such as seclusion and restraint. If at any time, the nonpublic is observed to be non-compliant with timelines, data entry, or documentation in any way, Monument Academy Public Charter School will provide written notification to nonpublic personnel and request that any corrective action be taken within 5 business days.

4. Monitoring student attendance (in SEATS)

It is expected that all students who attend nonpublic schools adhere to expectations regarding attendance. As such, we continue to monitor student attendance at the nonpublic placement in the Special Education Attendance Tracking System. We also request that the nonpublic facility notify both the sending school and the parents/or guardians, in writing, with two instruction days after the accrual of 5 unexcused absences in a marking period. The same is required after the accrual of 10 unexcused absences during the period under review.

5. Correcting student-level noncompliance

Should any instances of noncompliance be identified by either the Office of the State Superintendent of Education or the local education agency (Monument Academy Public Charter School), we require that necessary steps toward correction be taken within 5 business days of notice. All notices regarding the need for corrective action will be provided in writing to the nonpublic facility hosting the student.

**See Nonpublic Memorandum of Agreement Form Appendix G*

Medicaid Eligibility

- The MDT must determine and document Medicaid eligibility on the IEP. Reimbursement is for medically necessary health-related services, service coordination, or transportation services furnished by the school. Reimbursable services must be part of the IEP. Services covered include:
 - Audiology
 - Nursing
 - Nutrition
 - Occupational Therapy
 - Physical Therapy
 - Psychiatric Evaluations
 - Psychology
 - Social Work
 - Speech-language Therapy
 - Transportation as a related service

Transition Services

Transition services must be included in the IEP at age fourteen and updated annually as a statement of service needs that focuses on a student's course of study. The MDT Chairperson will ensure that all students age sixteen and older have an appropriated Individual Transition Plan (ITP) developed as part of the IEP.

Reevaluation

A reevaluation means any evaluation conducted after the initial evaluation. A reevaluation is conducted at least once every three (3) years, or more frequently, if conditions warrant; if the student's parent or teacher requests a reevaluation; or, before determining that a student is no longer eligible for special education.

- The MDT shall schedule a meeting for the purpose of reviewing all existing data, including assessment data. On the basis of the review, and with input from the student's parents, the MDT shall determine:
 - What, if any additional data, including assessment data, are needed to determine whether the student continues to be a student with a disability;
 - Present levels of educational performance;
 - Educational needs of the student;
 - The content of the student's IEP; and
 - Whether conditions or modifications to special education and related services are needed to enable the student to meet the measurable annual goals in the student's IEP and to participate in the general curriculum.
- If the team determines that additional data is needed, appropriate professionals shall conduct assessment procedures.
 - Assessments will be conducted and assessment reports written so that they are available at the MDT meeting.
 - The Reevaluation MDT shall be held within three years from the last evaluation or sooner if needed unless reevaluation is deemed unnecessary by the MDT
 - Parent consent must be obtained for any new assessment
 - The Reevaluation MDT shall review all data, including new assessment data.
 - A student may not be dismissed from special education unless the MDT determines through data from assessment procedures and other relevant data that the student no longer has a disability.

IEPs Received for Other Jurisdictions

- When the current IEP is available at the time of enrollment at Monument Academy Public Charter School, the MDT shall:
 - Immediately implement the IEP to the extent possible;
 - Schedule a MDT meeting to determine whether the IEP is appropriated and if so, the MDT will implement the IEP.
- When the current IEP is not available or when the parent or school team do not believe the IEP is appropriate:

- The MDT will convene within 30 days to review the child's assessment
- The team will utilize all available data to determine the student's needs, develop and IEP, and determine placement.

Extended School Year

The MDT will consider the student's eligibility for Extended School Year (ESY) at the Annual Review meeting of each student and must document the consideration. All ESY eligibility decisions shall be made NLT May 30th.

Extended School Year services are not summer school. ESY is an individualized extension of the existing 189 day school year, which is provided as part of a Free Appropriate Public Education (FAPE) for the student who exhibits the need for the continuation of one or more instructional and/or related services objectives. Not all special education students will require ESY. Only those students who demonstrate that a critical life skill requires intervention beyond the typical school year in order to facilitate the student's overall educational process by meeting one or more of the following criteria will qualify for ESY services:

Substantial Regression of Critical Life Skill: The MDT shall determine whether there is a likelihood of substantial regression of critical life skills caused by the normal school break and a student's inability to recover those lost skills in a reasonable time.

The Student's Degree of Progress toward Mastery of IEP goals Related to Critical Life Skills: The MDT shall determine if the student's degree of progress toward student's annual goals and objectives on critical life skills will prevent the student from receiving benefit from his/her educational program during the regular school year.

The Presence of Emerging Skills or Breakthrough Opportunities: The MDT shall determine whether annual goals and/or objectives targeting critical life skills are at a breakthrough point. When critical life skills are at this point, the MDT determines whether, without ESY services, the interruption of instruction on those objectives caused by the school break, is likely to prevent the student from receiving some benefit from his/her educational program during the regular school year.

Interfering Behaviors: The MDT shall determine whether or not, without ESY services, any interfering behaviors such as stereotypic, ritualistic, aggressive, or self-injurious behaviors that are targeted on the IEP objectives have prevented the student from receiving some benefit from his/her educational program during the current school year. The MDT also determines whether the interruption in programming that addressed the interfering behaviors caused by the summer school break is likely to prevent the student from receiving some benefit from his/her educational program during the school year.

Nature and/or Severity of the Disability: The MDT shall determine whether or not, without ESY services, the nature and/or severity of the student's disability is likely to

prevent the student from receiving some benefit from his/her educational program during the school year.

Special Circumstances: The MDT shall determine whether, without ESY services, there are any circumstances that will prevent the student from receiving some benefit from his/her educational program during the regular school year.

If the student is found eligible for ESY, the MDT shall:

- Document on the MDT meeting notes and the IEP those annual goals and short term objectives (where appropriate) from the current IEP under review that address the specific critical life skills that will be the focus of the ESY services.
- Document on the IEP, the services, frequency, and location of t services for the ESY period noting the initiation and the end dates.
- Determine and record placement for ESY services, including all LRE considerations.
- Document all determinations of eligibility and recommendations for ESY services, including all options considered and the reasons for rejecting on the MDT meeting notes.
- Approve the IEP

Procedural Safeguards and Complaint Policy:

The procedural safeguards notice shall be given to parents only one time per year except a copy shall be given to the parents upon initial referral or parental request for evaluation, upon the first occurrence of the filing of a complaint and upon request of the parent. The notice will not be given automatically with each notification of an IEP meeting or reevaluation.

Monument Academy Public Charter School will adhere to procedures provided in the Administrative Procedures Handbook Special Education Mediation (Due Process) Hearing. A Mediation and Due Process hearing may be initiated to review the identification, evaluation, or educational placement, or the provision of FAPE to the student. A Mediation or Due Process Hearing may be initiated by the parent, their representative or counsel, or by the school.

Mediation

- Mediation involves matters that arise before as well as after the filing of a complaint.
- Monument Academy Public Charter School will offer parents the opportunity to choose not to use the mediation process and an opportunity to meet with a disinterested party,

- Monument Academy Public Charter School may convene a resolution meeting within 15 days after the parent files the hearing request.
- If a parent files a due process complaint notice, Monument Academy will respond to the parent within ten (10) days of receiving the complaint. The response will include:
 - An explanation of why Monument Academy Public Charter School proposed or refused to take action raised by the complaint.
 - A description of other options that the IEP team considered and the reasons why those options were rejected.
 - A description of each evaluation procedure, assessment, record or report used by the Monument Academy Public Charter School as the basis for the proposed or the refusal of such action and,
 - A description of the factors that are relevant to Monument Academy Public Charter School's proposal or refusal.

Due Process Hearing

Under the new IDEA regulations, Monument Academy has fifteen days after a parent files a hearing request to hold a resolution meeting with the parent.

Resolution Session

The specific components of the Resolution Session are as follows:

- Prior to the opportunity for an impartial due process hearing, the local educational agency may convene a meeting with the parents and the relevant member or members of the IEP team who have specific knowledge of the facts identified in the complaint:
 - Within 15 days of receiving notice of the parent's complaint;
 - Including a representative of the agency who has decision-making authority on behalf of the agency;
 - Which may not include an attorney of the local educational agency unless the parent is accompanied by an attorney, and;
 - Where parents of the child discuss their complaint, and the facts that form the basis of the complaint, and the local educational agency is provided the opportunity to resolve the complaint, unless the parents and the local educational authority agree in writing to waive such meeting, or agree to use the mediation process.
- If the local educational agency has not resolved the complaint to the satisfaction of the parents within 30 days of the receipt of the complaint, the due process hearing may occur, and all the applicable timelines for a due process hearing shall commence.
- In the case that a resolution is reached to resolve the complaint at the meeting, the parties must execute a legally binding agreement signed by both the parent and a representative of the agency who has the authority to bind the agency and enforce

it in any state court competent jurisdiction or in a district court of the United States.

- If the parties execute an agreement; a party may void the agreement within 3 business days of the agreement's execution.
- The Principal or administrative designee will attend all resolution meetings. The settlement agreement will only be signed by the Executive Director or designee.

Timeline for Requesting Hearing (**Section 615(f) (3) (C), (D)**)

- A parent or agency must request an impartial due process hearing within 2 years of the date the parent or agency knew or should have known about the alleged action that forms the basis of the complaint, or, if the state has an explicit time limitation for requesting such a hearing, in such as the state law allows.
- The timeline shall not apply if the parent was prevented from requesting the hearing due to specific misrepresentations by the agency that it had resolved the problem forming the basis of the complaint or the agency's withholding of information from the parent that was required to be provided to the parent.

Timely Data Submission

Monument Academy primarily utilizes the SEDS to ensure that information regarding student services is entered in a timely and compliant manner. All students who have been referred to special education are entered into SEDS. Once entered, the Special Education Manager ensures that the specialized education process is followed to ensure completion of tasks prior to deadlines.

Once data requests from the OSSE are received by the principal and/or special education manager, the administrative team meets within 3 days to develop a plan of action. For reports, drafts are due from the Special Education Compliance Manager at least 1 day before (when feasible) for review by the supervisor and any other relevant administrators.

Under *Blackman/Jones* the OSSE monitors the implementation of Hearing Officer Decisions (HODs) and Settlement Agreements (SAs) to ensure implementation in a timely manner. The OSSE utilizes the Blackman/Jones database to monitor Monument Academy compliance with HODs and SAs. The Special Education Compliance Manager, in turn, uploads required documents to the Blackman/Jones database to ensure compliance.