

SPECIAL EDUCATION PLAN FOR CHILDREN WITH DISABILITIES

EDUCATION AGENCY NAME: _____

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

Special Education Coordinator

Date

Superintendent/Director

Date

APPROVED:

State Superintendent of Education

Date

CHAPTER 1

FULL EDUCATIONAL OPPORTUNITY GOAL

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

CHAPTER 2

CHILD IDENTIFICATION

- I. **(Public Education Agency Only)** This public education agency ensures that all children residing within the jurisdiction of the public education agency, birth to 21, regardless of the severity of their disability and who need special education and related services, are identified, located, and evaluated. Child Find applies to children who attend private schools, including children attending religious schools within the public education agency's jurisdiction, highly mobile children with disabilities (i.e., migrant and homeless children), and children who are suspected of having a disability and are in need of special education even though they are advancing from grade to grade. Child Find also includes a practical method of determining that eligible children with disabilities are receiving needed special education and related services. Child Find activities will be conducted on a continuous basis as described below:
 - A. Procedure used to identify and locate children.
 - B. Procedure used to determine which children with disabilities, ages 3-21, within the public education agency's jurisdiction are currently receiving needed special education and related services.
 - C. Procedure used to determine which children with disabilities housed in jails/detention centers/boot camps within your jurisdiction that were eligible to receive special education services from the public education agency.
 - D. Procedure for meeting yearly with representatives of private schools regarding special education services to be provided to eligible children with disabilities who have been placed by their parents in a private school.
 - E. Procedure for ensuring participation in the transition conference for children with disabilities who participated in early intervention programs.
- II. Name, title, address, and telephone number of the person responsible for the Child Find activities.
- III. Procedure to ensure that a tracking system is in place to ensure that identification, evaluation, eligibility, and Individualized Education Plan (IEP) development are completed within the time frames allowed by state and federal regulations.
- IV. This agency ensures its commitment to implement the *Alabama Administrative Code* (AAC) 290-8-9-.01 and 34 CFR §300.111; 34 CFR §300.124; 34CFR§300.101-102; 34 CFR§300.130-131, and 34 CFR §300.201.
- V. This agency ensures its commitment to implement the AAC 290-8-9-.10(7) and 34 CFR §300. 130-144.

CHAPTER 3

EVALUATION

- I. Procedure used to evaluate children for special education services including vision and hearing screening.
- II. List the persons and/or agencies that can provide independent educational evaluations.
- III. This agency ensures its commitment to implement the AAC 290-8-9-.02 and 34 CFR §300.121-122; 34 CFR §300.131; 34 CFR §300.201; 34 CFR §300.300-301; and 34 CFR §300.303-305.
- IV. This agency ensures its commitment to implement the AAC 290-8-9-.03 and 34 CFR §300.8; 34 CFR §300.15; 34 CFR §300.201; 34 CFR §300.301; and 34 CFR §300.303-305.

CHAPTER 4

ELIGIBILITY

- I. Procedures used in determining a student eligible for special education.
- II. This agency ensures its commitment to implement the AAC 290-8-9-.03-.04 and 34 CFR §300.8; 34 CFR §300.201; and 34 CFR §300.306-308.

CHAPTER 5

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

- I. Procedure utilized in developing IEPs.
- II. Procedure utilized for ensuring parental involvement in IEP meetings.
- III. Procedure utilized for ensuring parental involvement in IEP development.
- IV. Procedure to ensure that hearing aids used by children with disabilities are functioning properly.
- V. Procedures to ensure transition services for secondary students are addressed.
- VI. This agency ensures its commitment to implement the AAC 290-8-9-.05 - .07 and 34 CFR §300.5-.6; 34 CFR §300.34; 34 CFR §300.101-102; 34 CFR §300.104-108; 34 CFR §300.110; 34 CFR §300.114-118, 34 CFR §300.201; 34 CFR §300.320-325; and 34 CFR §300.327-328.

CHAPTER 6

PROCEDURAL SAFEGUARDS

- I. Confidentiality procedure for:
 - A. Access to Records
 - B. Records on More Than One Student
 - C. List of Types and Locations of Information
 - D. Fees for Copying
 - E. Disclosure Procedures Pertaining to Special Education Records
 - F. Transfer of Records
 - G. Amendment of Records at Parent's Request
 - H. Opportunity for a Hearing
 - I. Result of Hearing
 - J. Hearing Procedures
 - K. Consent
 - L. Destruction of Information
 - M. Disciplinary Information
 - N. Rights for Children
 - O. Parental Notice and Consent
- II. Name, title, address, and telephone number of the person responsible for ensuring the confidentiality of all personally identifiable information.
- III. List of types and locations of educational records maintained and collected.
- IV. Procedure for:
 - A. Identification of children in need of a surrogate parent.
 - B. Appointment of a surrogate parent.
 - C. Training surrogate parents.
 - D. Rescission of a surrogate parent.
 - E. Tracking the requirements of AAC 290-8-9-.8(1) (h) (Internal Monitoring of Surrogate Parent Services).
- V. Procedure for maintaining records that demonstrate that complaint resolution, mediation agreements, and due process hearing decisions are implemented.
- VI. This agency ensures its commitment to implement the AAC 290-8-9-.08 and 34 CFR §300.9; 34 CFR §300.32; 34 CFR §300.121; 34 CFR §300.123; 34 CFR §300.150-153; 34 CFR §300.201; 34 CFR §300.229; 34 CFR §300.300; 34 CFR §300.500-504; 34 CFR §300.530-536; 34 CFR §300.610-627; and 34 CFR Part 99 (*Family Educational Rights and Privacy Act*).

CHAPTER 7

SYSTEM OF PERSONNEL DEVELOPMENT

- I. Qualified Personnel.
 - A. This agency ensures that qualified personnel will be provided to implement special education services.
 - B. Procedure to recruit and retain qualified personnel.
- II. Procedures to fully inform teachers and administrators of their responsibilities for implementing least restrictive environment requirements.
- III. Procedures to fully inform general educators and administrators of the special education process.
- IV. This agency ensures its commitment to implement the AAC 290-8-9-.01-.07; and 34 CFR §300.119; 34 CFR §300.119.156, and 34 CFR §300.704(iv) (4).

CHAPTER 8

DISCIPLINARY PROCEDURES

- I. Procedures for the suspension and expulsion of children with disabilities.
- II. This agency ensures its commitment to implement the AAC 290-8-9-.09 and 34 CFR §300. 520 and 34 CFR §300.530-537.

CHAPTER 9

FINANCIAL REQUIREMENTS

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

CHAPTER 10

ADMINISTRATION

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