



SPECIAL EDUCATION POLICIES AND PROCEDURES



Special Education Due Process Procedures Packet

Special Education Due Process Policy and Procedures

Special Education Files

Educational records are the type of records covered under the definition of “education records” in the Family Educational Rights and Privacy Act (FERPA) (16.02.2), and there are provisions for confidentiality of these records under FERPA and IDEA. The district must keep a record of people who have obtained access to a child’s special education records. The Record of Access form must be used to document individuals who obtain access to the child’s records; however, parents and authorized district employees are not required to sign the Record of Access.

Permanent Files: *Permanent files containing all original documentation will be located at the Office of the Director of Special Services for the Institute for the Creative Arts. These records include but are not limited to: IEP paperwork, Evaluation Reports, Progress Monitoring data, Assessment data, and Behavior Plans. The Director of Special Education will file documentation in the student's permanent file at the Registrar's office.*

Working Files: *Teachers should maintain a working file in a locked location within their classroom. The working file should only contain copies of the current IEP, work samples, assessment data, progress monitoring, and behavior plans.*

Referral Files: *Special Education Referral documentation will be maintained in manilla folders in the Office of the Director of Special Services until an evaluation decision is made. If it is determined that an evaluation is needed, a permanent Special Education file will be created and maintained following the above procedures. If it is determined that the student will not be evaluated for Special Education and the student will not receive services, a permanent Special Education file will still be created and maintained following the same procedures. If the student will not be evaluated for Special Education, copies of the referral will also be filed in the student's permanent general education file in the office of the Registrar.*

Internal Monitoring of Due Process Files

The Institute for the Creative Arts High School has developed internal compliance measures to ensure Due Process procedures are being implemented with fidelity. As part of this process, Special Education Resource binders have been created and will be maintained by the Director of Special Services, and all special education teachers that may be on staff. The binders contain policies and procedures that all special education staff members must follow. The procedures within the binders include a system for assuring compliance for all students with IEPs.

Due Process Campus files will be reviewed annually using the DESE Special Education Student Folder Checklist. Any areas found to be non-compliant with the IDEA and Arkansas Regulations will be brought to the attention of the Director of Special Services at ICA High School, and will be brought into compliance as soon as possible.

Minor revisions to the IEP, including clerical corrections, may be necessary after the Annual IEP meeting. If minor changes to an IEP need to be considered, a revision or amendment to the current IEP may be made without a meeting, if both the parent and the LEA agree. A copy of the amended IEP will be provided to the parent if requested, and other team members will be notified of the changes. The annual review date does not change with an amendment. (8.07.1.40). A Notice of Action will document these revisions, be provided to the parent, and placed in the student's files.

When revisions to the IEP are more significant, or when the parent requests it, changes to the IEP must be made through an IEP conference. A Notice of Action will document these revisions, be provided to the parent, and be placed in the student's files.

[DESE SPED Process Guide-](#)



Eligibility and Initial Evaluation Packet

Referral, Eligibility, and Evaluation Procedures

The Institute for the Creative Arts School District will conduct evaluations as needed for our students in a timely manner, within the timelines set forth in the Individuals with Disabilities Education Act (IDEA) and the Arkansas Special Education and Related Services Procedural Requirements and Program Guidelines for Children with Disabilities Ages 3-21. The Director of Special Services for the Institute for the Creative Arts (ICA) will work with a licensed evaluator to test students.

Eligibility and Evaluation Policy: A full comprehensive evaluation must be conducted in all areas related to the suspected disability of the child before determining that a child is a child with a disability under IDEA.

Special Education Referrals

A referral for special education can be made verbally or in writing by parents, teachers, or anyone else with knowledge of the child. Once the district receives the request, the LEA must document it on the Special Education Referral form, including the date the referral was first made. The date the request is made begins the referral timeline. Referral conferences must be scheduled within seven (7) days of the referral date and held within twenty-one (21) days of the referral being received.

Referral Conference Steps:

1. Scheduling the Conference: Once the referral is received, the LEA must contact the parent to schedule a Referral Conference within seven (7) days of the date of the written or verbal referral. The conference must be held within twenty-one (21) days of the referral. The parent can agree to meet sooner than the twenty-one (21) days. Prior to the conference, data must be collected.

***Procedure:** When a referral is made, the Director of Special Services for ICA will document the request on the State Required Special Education Referral form, being sure to use the date the written or verbal referral was made, and collect available data prior to the conference, including: interim and standardized testing data, work samples, grades, attendance, behavior logs (if applicable), Rtl data (if applicable), etc.*

2. Notice of Conference (NOC): The Notice of Conference is used by the LEA to take steps to ensure that parent(s) have the opportunity to meaningfully participate in the special education process. The parent must be provided reasonable meeting notice (at least fourteen days is considered reasonable per Arkansas Regulations). The parent(s) and the district may agree to meet sooner at a mutually agreeable date, time, and location. The parent(s) should be informed of his or her role as a team member. The Contact Log portion of the Notice of Conference provides documentation of the manner in which notice is

provided to the parent/guardian and/or child. The first Notice must be in writing and sent via certified mail or regular mail. The required participants for a referral conference include the principal, the child's general education teacher, and the parent.

Procedure: *The Director of Special Services for ICA will contact the parent to schedule a Referral Conference at a mutually agreeable time within two (2) days of receiving the referral. The Notice of Conference will be completed and mailed along with the Parent Input form within one (1) day of the scheduling conference. Documentation of contact will be noted on the Contact Log. The Director of Special Services for ICA will place the conference on the Google Calendar, notify all team members of the conference, and send out email invites within one day of the scheduling conference. The Director of Special Services for ICA will confirm the meeting with parent(s) and document a second notice on Contact Log.*

3. Referral Conference: The Referral Conference is held within 21 days to review the referral, current data, and other concerns. The team will provide the parent with a copy of and explain the Procedural Safeguards: "Parent Rights Under IDEA" and decide if evaluations are needed to determine if the student has a disability as defined by IDEA.

Data Review: As part the referral conference, members of the Referral team (the Dean / LEA, a teacher directly involved in the education of the child, and the Director of Special Services for ICA) review all relevant existing information about the child. When reviewing existing data, the team must consider the validity and reliability of the information and the resulting interpretations. This includes evaluations and information provided by the parent(s), current classroom-based, local, or state assessments, and observations by teachers and other qualified related services personnel.

Conference Decisions: The Referral Conference Decision form (second page of the Special Education Referral form) will document the team's decision and that the parents were provided a copy of the Procedural Safeguards. If the team decides that evaluations are needed, written parental consent must be documented on the Notice of Action. The evaluation must be comprehensive and address all suspected areas of disability.

If the team determines the student does not need an evaluation, a Notice of Action documents the reasons for the decision.

Procedure: *The Director of Special Services for ICA, along with the Referral Conference team will follow the steps on the Referral Conference Agenda. A Notice of Action must be completed after the meeting. If the team decides to evaluate, the remainder of the Referral Packet will be completed. The checklist*

will then be filed by the Director of Special Services within two (2) days of the conference.

Initial evaluations must be conducted within **sixty (60) calendar days** of written parental consent. The timeframe begins on the date of receipt of parental consent to conduct the evaluation and ends with the completion of the last evaluation component (not the evaluation report). This consent must be in the mode of communication or language that the parent can understand.

Procedure: *The Director of Special Services will notify the evaluator that parental consent has been obtained and that the evaluation can begin. The Director of Special Services will track the 60 – day timeline, and ensure the required evaluation components for the disability category are present.*

Special Education Eligibility Criteria and Program Guidelines

4. Notice of Action (NOA) - Parent Consent: The Notice of Action will be completed by the Director of Special Services at ICA, and provided to the parent(s) to inform them of the committee's decision and the reason for the decision. The NOA is used to obtain informed written consent for the proposed evaluations or to notify the parent(s) of the decision not to conduct an evaluation. The purpose of providing written notice to the parents is to ensure they understand what action the LEA, along with the Director of Special Services at ICA are proposing or refusing (in this case, to conduct an initial evaluation) and what that decision was based on. The Notice of Action should be in the parent's preferred language or mode of communication.

The NOA must include:

- A description of the action proposed or refused by the Institute for the Creative Arts (ICA);
- An explanation of why the Institute for the Creative Arts (ICA) proposes or refuses to take the action;
- A description of each evaluation procedure, assessment, record, or report the Institute for the Creative Arts (ICA) used as a basis for the proposed or refused action;
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- Sources for parents to contact to obtain assistance in understanding the provisions of this part;
- A description of other options that the IEP Team considered and the reasons why those options were rejected; and

- A description of other factors that are relevant to the Institute for the Creative Arts (ICA)'s proposal or refusal.

Procedure: *The Director of Special Services for ICA will complete a NOA at the end of each Referral Conference. The NOA will document the actions discussed at the conference and why or why not those actions were acted on. If evaluations are requested, the specific evaluation components will be specified on the NOA. Parental consent is only needed for actions in Box A. A copy of the NOA will be provided to the parent at the end of the conference.*

If the team decided that no evaluation is needed, the referral process is complete once the NOA is provided to the parent.

5. Notice of Conference - Once the last evaluation component is complete, the team must schedule an Evaluation Programming Conference (EPC) within 30 days of the last evaluation component to review the data and determine eligibility. The conference must include: the parent, the LEA representative, a person to interpret evaluation data, the child's general education teacher, and the child's special education teacher. The parent must have a minimum of 14 days notice prior to the conference date.

Procedure: *The Director of Special Services for ICA will send the NOC within 7 days of the last evaluation component to review the data and determine eligibility, and contact the parent to schedule a conference at a mutually agreeable time. The Notice of Conference will be completed and mailed within one (1) day of scheduling the conference. Documentation of contact will be noted on the Contact Log. The Director of Special Services for ICA will place the conference on the Google Calendar, notify all team members of the conference, and send out email invites within one day of scheduling the conference. The Director of Special Services for ICA will confirm the meeting with parent(s) and document a second notice on Contact Log. The Director of Special Services for ICA will track all timelines and ensure that they are met.*

6. Evaluation Programming Conference (EPC) - Determining Eligibility: Upon completion of the evaluation, including all required evaluation components, the IEP team must meet to determine whether the child is a child with a disability and whether the child is in need of special education and related services. The IEP team should have enough information to support the decision, and regardless of eligibility, this information should assist the team in determining appropriate instruction and supports for the child.

The Evaluation/Programming Conference Decision Form/Notice of Decision documents the conclusions and determination of the IEP team. The results of any evaluation activities must be contained in the body of a written report.

After conducting an initial evaluation, the following should be considered to determine the student's eligibility:

- ☐ If the child is a child with a disability;
- ☐ Whether the child needs special education and related services;
- ☐ The educational needs of the child;
- ☐ If the child is an English learner, how their English proficiency impacts their learning

If the team determines the student has a Specific Learning Disability, the SLD report must be completed as part of the eligibility determination. The team members must sign the report and indicate their agreement or disagreement with the decision.

If a child is determined eligible for special education and related services by meeting the criteria above, an IEP must be developed.

Procedure: *The Director of Special Services for ICA will follow the Pre-Conference Checklist, EPC (Initial Evaluation) Agenda, and Post-Conference Checklist. The completed checklists will be assembled and filed by the Director of Special Services within two (2) days of the EPC.*

Evaluation results inform the child's present levels of academic achievement and functional performance. See the IEP section in this guide for more information on IEP development.

6. Notice of Action - Parent Consent: The parent must provide written informed consent before the child can receive special education services.

The purpose of providing written notice to the parents is to ensure they understand what action the IEP Team is proposing or refusing (in this case, initial eligibility and placement) and what that decision was based on. The Notice of Action should be in the parent's preferred language or mode of communication. The parents will sign the Notice of Action to provide written consent for placement if the child is eligible.

The NOA must include:

- A description of the action proposed or refused by the Institute for the Creative Arts;
- An explanation of why the Institute for the Creative Arts proposes or refuses to take the action;

- A description of each evaluation procedure, assessment, record, or report the Institute for the Creative Arts used as a basis for the proposed or refused action;
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- Sources for parents to contact to obtain assistance in understanding the provisions of this part;
- A description of other options that the IEP Team considered and the reasons why those options were rejected; and
- A description of other factors that are relevant to the Institute for the Creative Art's proposal or refusal.

Procedure: *The Director of Special Services for ICA will complete a NOA at the end of each conference. The NOA will document the actions discussed at the conference and why or why not those actions were acted on. Parental consent is needed for actions in Box A: Initial placement. A copy of the NOA will be provided to the parent at the end of the conference.*

Throughout the evaluation process, it is the responsibility of the Director of Special Services at ICA to ensure that the parent(s) of a child are given the opportunity to fully participate.



IEP Development and Implementation Packet

Policy and Procedures for IEP Development and Implementation

Individualized Education Program Process

The Individualized Education Program (IEP) is the written record of the decisions reached by the team members at the IEP team meeting. It is based on data and designed to provide a Free Appropriate Public Education for the student. This guide provides administrators, teachers, children, parents, and other IEP team members with practical information about the development and implementation of an IEP that is effective and meets the requirements of the Individuals with Disabilities Education Act (IDEA) and the Arkansas Special Education and Related Services Procedural Requirements and Program Guidelines for Children with Disabilities Ages 3-21.

The IEP team is responsible for planning special education services that enable the child to receive educational benefits in the least restrictive environment (LRE) based on the child's disability related needs. Services and placement decisions should be based on the individual evaluation data collected, not on the category of disability. All members of the IEP team are expected to work toward consensus regarding the services and educational placement that will be included in the child's IEP to ensure that he or she receives a free appropriate public education (FAPE). Consensus means that all members are in general agreement regarding what is written and can support the decisions made.

There are four types of IEPs with specific requirements:

- ☐ Initial - developed within thirty calendar days of the completion of the initial evaluation.
- ☐ Temporary – developed as a result of a referral for evaluation conference when the committee determines the child requires immediate intervention or diagnostic data gathering. A temporary IEP may not exceed 60 calendar days, during which time the evaluation must be completed. Parental consent is required.
- ☐ Annual – must be developed/reviewed annually by the date of the last annual review IEP conference (365 days).
- ☐ Amended – Revisions to the IEP may be necessary after the Annual IEP meeting for a school year. If minor changes to an IEP need to be considered, a revision or amendment to the current IEP may be made. Each district determines whether making minor changes to an IEP without a meeting is permissible district practice. The parent and the LEA may agree that changes can be made without an IEP meeting. When an amendment is done without a meeting, a copy of the amended IEP will be provided to the parent, and other team members will be notified of the changes. The annual review date does not change with an amendment. (8.07.1.40).

In the case of a transfer child, the existing IEP will be implemented with comparable services until the new LEA either adopts the existing IEP as written or develops, adopts, and implements a new IEP.

Procedure: *The Director of Special Services at ICA will hold Annual IEP Conferences following the steps in the Annual IEP Conference Packet. These checklists will be completed and filed by the Director of Special Services within two (2) days of the Conference. (Pre-Conference Checklist, Annual IEP Conference Agenda, Post-Conference Checklist)*

1. Notice of Conference: The parent must be invited to the IEP meeting in order to meaningfully participate. The parent has a right to at least a fourteen-day written notice, but the parent and the district may agree to meet sooner at a mutually agreeable date and time. The parent should be informed of their role as a team member. When post-secondary transition is discussed, the child must also be invited to the meeting. The Notice of Conference must state the time, location, and purpose of the meeting. It must notify the parents of who will be invited to the conference. The required attendees include:

- The parent of the child
- The regular teacher of the child
- The special education teacher or provider of the child
- A representative of the public agency who—
 - Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - Is knowledgeable about the general education curriculum; and
 - Is knowledgeable about the availability of resources of the public agency.
- A person to interpret evaluation data

The parent, child (as appropriate), LEA personnel, and other IEP team members should come prepared to discuss specific information about the child's individual strengths and needs, and the type of services to be provided. The meeting format should encourage open discussion that allows participants to identify and consider all the relevant needs of the child related to their disability.

Procedure: *The Director of Special Services at ICA will hold the Annual IEP Conference at least two (2) weeks prior to the annual review date, and will contact the parent 4-6 weeks prior to the annual review date to schedule the meeting at a mutually agreeable time. The Notice of Conference will be completed and mailed along with the Parent Input form within one (1) day of*

scheduling the conference. Documentation of contact will be noted on the Contact Log. The Director of Special Services will place the conference on the Google Calendar, notify team members of the conference, and send out email invites within one day of scheduling the conference.

The Director of Special Services will confirm the meeting with parents and document a second notice on Contact Log. Prior to the conference, the Director of Special Services will gather relevant data, consult with general education teachers, and draft the IEP.

2. Annual IEP Conference: Each child's IEP is reviewed at least annually and must be in effect at the beginning of the school year. The annual review conference date must be on or before the date that the previous IEP was developed (8.04.3.1). In addition to the annual meeting, IEP meetings may be held any time throughout the school year, such as when a committee member has a concern or the IEP needs to be reviewed based on the child's progress. An Annual IEP may be conducted prior to the anniversary date of the current IEP if there is new evaluation data that indicate the child's needs have changed or if the team determines the IEP needs to be reviewed/revised sooner than the annual date. If a child transfers to a district and the IEP team at the receiving district determines that current data indicates substantial changes need to be made to the IEP, the Annual Review may need to be conducted prior to the anniversary date.

The LEA must provide the parents a copy of the Procedural Safeguards Notice: Your Rights Under IDEA, annually and in the parent's preferred language or mode of communication.

Procedure: *A draft IEP will be presented at the IEP Conference and updated to reflect the decisions made based on the data reviewed during the meeting. The Director of Special Services at ICA will use the Annual IEP Conference Agenda to conduct all annual reviews. These checklists will be completed and filed by the Director of Special Education within two (2) days of the Annual IEP Conference.*

3. Parental Involvement: Document any parent input for enhancing the education of the child. The team should consider any concerns when addressing relevant components of the IEP. If the child participates in the conference, include the child's input as well (8.07.1.1.A). Parents should be encouraged to provide input regarding their child's success as well as concerns they have about their child's progress. Further, if the parent is not in attendance, but the committee is aware of the parents' concerns

based on information provided through conversations, include that information in this section.

Procedure: *At the Institute for the Creative Arts, parents are encouraged to be an active participant in the IEP process. They are the experts on their child. Parent input will be included in the IEP process and documented on the IEP. If the parent is not in attendance, the Director of Special Services will communicate with the parent to get their input prior to the meeting, if at all possible. Input can include information shared during parent teacher conferences, emails, or other information the parent has shared during the year.*

4. Present Level of Academic Achievement and Educational Performance

(PLAAFP): The PLAAFP lays the foundation for all of the other components in the IEP. There should be a clear and direct correlation between the most recent evaluation and current assessment data, the educational needs identified, and the goals, services, and accommodations determined to be necessary for the child's progress. In developing the PLAAFP, the IEP team should consider the child's strengths and all aspects of the child's disability related needs. The Present Levels of Academic Achievement and Functional Performance (PLAAFP) must

- ☐ describe academic performance.
- ☐ describe functional performance.
- ☐ contain areas of strength.
- ☐ contain areas of need.
- ☐ explain how the student's disability affects age-appropriate activities
- ☐ contain data sources.
- ☐ include achievement of annual goals.
- ☐ contain a statement of any significant lack of progress.

These PLAAFP components can be addressed in paragraph form or in bulleted format. The PLAAFP must include a description of the skills the child has that can be built upon, as well as a description of the student's needs, including accommodations. These statements are based on data and progress.

Procedure: *The Director of Special Services at ICA will address each of the required components in the PLAAFP. Each component will be supported by current data and documented in the PLAAFP section of the IEP.*

5. Post-Secondary Transition: Post-Secondary Transition Goals and Services are to be in place beginning no later the child's 16th birthday, or younger if determined

appropriate by the IEP Team. Once the transition plan is developed, it must be updated annually. The child must be invited to the IEP meeting if transition is being discussed.

Once a child with a disability reaches age 18, the public agency must provide notice of the transfer of rights to both the child and the parent. The parent retains the right to notice unless severed by a court order. All other rights transfer to the child unless he or she has been determined incompetent or incapacitated by a court order.

Post-Secondary Transition Services must be designed to prepare the child in reaching his/her post-secondary goal(s). The statement about the child's strengths and needs (based on age-appropriate transition assessments) as they relate to transition describes the child's performance at the time of the IEP development.

For additional information on post-secondary transition planning, please visit <https://arkansastransition.com/>.

Procedure: *The Secondary Transition plan will be developed at the Annual Review Conference of the student's 9th grade year at the Institute for the Creative Arts, or during the year that the student will turn sixteen (16), whichever happens first. The plan will contain all components including assessments, goals and services, and a Course of Study. The Course of Study must be projected out through graduation and reviewed and updated annually.*

6. Special Factors: Consideration of Special Factors must be considered annually for all students. (8.07.1.2). If a district emails accommodation pages to general education teachers, the district is responsible for ensuring the email is secure.

Procedure: *The Director of Special Services at ICA will address each component of the Special Factors needed for student success. Special factors will be aligned with information in the PLAAFP. **Assistive technology must be considered for all students.***

Accommodations do not change what a student is taught but are provided to enable the student to progress in the general education curriculum. Accommodation pages are to be hand-delivered to all general education teachers. A receipt of receiving is to be signed by the teacher and placed in the student's Permanent and Campus files.

Ensure that all accommodations and modifications are specific to each student's individual needs. For example, when giving students extra time to complete

assignments and/or testing, indicate the amount of extra time and skill area (in appropriate) that will be given to the student.

7. Extended School Year services: Extended School Year (ESY) services must be considered annually and on an individual basis. An IEP team may meet to develop an IEP for a child but decide to make the ESY decision later in the school year (19.07.1). When the decision is to discuss later, the Director of Special Services at ICA must ensure the team does re-meet prior to the end of the school year to review the student's ESY needs. ESY eligibility is based on the student's need for FAPE, an analysis of regression/recoupment data, as well as consideration of additional factors (19.08.1):

- ☐ Degree (nature and severity) of the child's impairment
- ☐ Degree of regression experienced by the child (relative to IEP annual goals and short-term instructional objectives)
- ☐ Recovery/recoupment time from this regression
- ☐ Ability of the child's parents to provide the educational structure at home
- ☐ Child's rate of progress
- ☐ Child's behavioral problems
- ☐ Child's physical problems
- ☐ Availability of alternative resources
- ☐ Ability of the child to interact with nondisabled children/youth
- ☐ Area(s) in the child's curriculum, which need continuous attention
- ☐ Child's vocational (training) needs • Whether the requested service(s) is/are extraordinary for the child's condition, as opposed to an integral part of a program for those with the child's condition
- ☐ Other relevant factors as determined by an IEP Team.

Procedure: *At the Institute for the Creative Arts, an extended school year is always considered in the annual IEP. The IEP team will consider each students' need for ESY services annually and document consideration in the IEP. The IEP team makes the determination on whether a student needs ESY and if so, what services will be provided.*

The IEP team must answer the question- Does this student need ESY for FAPE?

If there is a need for ESY, the IEP team must identify:

- 1. What services will be provided?*
- 2. When and where will the services take place?*
- 3. With what frequency and duration will the services be provided?*
- 4. What goal(s) in the **current** IEP are being extended or modified?*

*ESY services indicated on the IEP are provided at no cost to the parents. ESY is **not** the same as summer school, but ESY services may be provided during a part of summer school.*

8. Measurable Goals and Objectives: IEP team members must be knowledgeable in the Arkansas Academic Standards for the grade level in which the child is enrolled as well as the established behavioral and functional expectations for the child's grade and age. Goals should be written to help narrow any gaps between the grade level expectations and the child's current level of performance. Measurable annual goals close the gap for student by outlining the skills a child needs in relation to their disability. There must be a direct relationship between the needs identified in the Present Levels of Academic Achievement and Functional Performance (PLAAFP) and the annual goals. Goals must be meaningful and measurable in order for the student to have educational benefit (8.08.1.2).

The IEP goals should focus on addressing the student's needs outlined in the PLAAFP. Children may have multiple academic, behavioral, and/or functional goals. Each goal should be written to enable the child to be involved in and make progress in the general education curriculum or to meet other educational needs that result from the child's disability.

- ☐ An annual goal is meaningful when the expectation is reasonable, the skill or knowledge the goal represents is necessary for success in school, and the IEP team believes the accomplishment of the goal is important.
- ☐ A goal is measurable when it reflects a skill or behavior that can be observed and recorded in some manner. A goal should describe what a child can be reasonably expected to accomplish within a year.
- ☐ Each academic goal should align with the Arkansas Academic Standards for the grade in which the child is enrolled. IEP teams should ensure that each goal is individualized based on the child's needs and not be a restatement of an academic standard.
- ☐ Measurable goals contain the following components: behavior, condition, criteria, and timeframe.

Short-term objectives or benchmarks are steps designed to assist the child in reaching the annual goal. Objectives or benchmarks are required for children who will take alternate assessments, but may be used with other children (8.08.1.3). One goal may have multiple objectives.

Procedure: *At the Institute for the Creative Arts, each student will have measurable goals and objectives (see Measurable Goals Components resource) based on individual needs. Each goal should contain **ONLY** one skill based on that student's individual need. Each goal should be accompanied by at least two measurable objectives to achieve success toward their goals. Students may have multiple goals in each area if appropriate.*

9. Progress Monitoring: Progress Reports must be provided to the parents at each grading/progress period, as scheduled by the district. Indicate how the child's progress on each of the annual IEP goals will be measured (8.08.1.9). When completing the progress report section, it is important to explain to the parents the method used for progress monitoring. This allows them to make their own determination as to whether the amount of progress will allow the child to achieve the goal within the period of the IEP.

*At the Institute for the Creative Arts, data for the progress of IEP goals will be collected on a weekly basis. A progress report (see resources-binder) will be provided to parents and kept in the student's **working** folder quarterly / every nine (9) weeks. Progress will also be recorded on each student's IEP every nine (9) weeks or by the date noted on the IEP. Quarterly progress reports will be provided to the parent(s) along with report cards. These progress sheets and work samples will be placed in the students **campus** folder on a quarterly basis and **permanent** folder at the end of each school year.*

10. Schedule of Services: Children must be educated in the least restrictive environment (LRE) with nondisabled peers to the maximum extent possible (8.08.1.4). The Schedule of Services is used to document the Special Education Services the child receives. It is not used to specify the child's daily schedule. IEP teams must indicate if related services are required for a child with a disability to benefit from his or her special education services.

Procedure: *At the Institute for the Creative Arts, students will receive instruction, with accommodations and modifications as appropriate, in their general education class with their peers to the fullest extent possible. All services will be documented on the Schedule of Services noting the type of service, frequency, duration, and location.*

11. Least Restrictive Environment: Districts must ensure that to the maximum extent appropriate, children with disabilities are educated with children who are nondisabled.

Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment should occur only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (13.01.1.2).

Procedure: *At the Institute for the Creative Arts, when making setting decisions, the IEP Team must review the instructional needs of the student. The team should review progress, accommodations, and other supplementary aids and services when determining placement.*

12. Assessment Decisions: The team will determine whether the child will participate in the regular administration of the statewide and districtwide required assessments. The standard (general) statewide assessment for grades three through ten is the ATLAS. Accommodations that are necessary for the student on statewide and districtwide assessments must be included. These accommodation decisions must be made on an individual basis. An accommodation may not be used solely during assessments, and the child must be provided the selected accommodations during instruction periods that necessitate their use (8.08.1.6). Only approved accommodations may be used on the ATLAS.

The IEP team should use the Arkansas Alternate Assessment Participation Manual to determine if a student with complex learning needs meets the criteria for participation in the alternate assessment. If the IEP team determines that the child meets the criteria, the team will then decide whether the child will participate in the alternate assessment. Children in Arkansas will participate in either all standard statewide assessments or all alternate assessments. The parent must be informed that the child will not participate in the regular assessment and be aware of any potential effects of this decision. The parent's awareness must be indicated by having the parent sign this section.

Procedure: *The Institute for the Creative Arts will include students with disabilities in general state and system-wide assessment programs, with appropriate accommodations, where necessary.*

In a few cases, the IEP team may determine that a student with complex learning needs may qualify for the Alternate Assessment. These students will participate in the Dynamic Learning Maps(DLM). This decision must be documented on the student's IEP. The DLM assessment process is conducted throughout the school year. Training on the assessment is provided for those teachers who will administer the assessment.

13. Notice of Action

A Notice of Action is written notification that is provided to ensure that a parent understands the special education and related services, which the district has proposed or refused to provide to a child. Notice of Action is required under specific circumstances when the district proposes to begin or change the identification, evaluation or placement of a child or the provision of a Free Appropriate Public Education (FAPE). The Action proposed or refused by the district is most often the result of decisions made in an IEP Team Meeting. The parent is notified of the actions proposed or refused by the district, and allowed a reasonable time to exercise his or her due process rights under IDEA should he or she disagree with the decision before the action is to be implemented. The Notice of Action should be provided in the parent's preferred language or mode of communication. The Notice of Action must include:

- A description of the action proposed or refused by the agency;
- An explanation of why the agency proposes or refuses to take the action;
- A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action;
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- Sources for parents to contact to obtain assistance in understanding the provisions of this part;
- A description of other options that the IEP Team considered and the reasons why those options were rejected; and
- A description of other factors that are relevant to the agency's proposal or refusal.

Procedure: The Director of Special Services at ICA will complete a Notice of Action at the end of each IEP conference. The NOA will document the actions discussed at the conference and explain why or why not those actions were taken. Parental consent is **not** needed for actions in Box B. A copy of the Notice of Action will be provided to the parent(s) at the end of the conference.



Reevaluation and Continued Eligibility Packet

Reevaluation and Continued Eligibility Policy and Procedures

Reevaluations and Continued Eligibility: The process of reevaluation and the determination of continued eligibility of a student with a disability requires evaluation data in all areas related to the suspected disability of the child. This section describes the procedures and processes involved in conducting the reevaluation and determining continued eligibility for special education services. It is the responsibility of the LEA to ensure that the parent(s) of a child are given the opportunity to fully participate in the process. The reevaluation process is required every three years but may be conducted more often, if needed, to determine:

- ☐ If the child continues to be a student with a disability;
- ☐ The educational needs of the child;
- ☐ The child's present levels of academic achievement and functional performance (related developmental needs);
- ☐ Whether the child continues to need special education and related services; and
- ☐ Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP and to participate, as appropriate, in the general education curriculum.

Procedure: The Director of Special Services at ICA will conduct a reevaluation for all students with IEPs at least once every three years following the steps in the Reevaluation Packet. These checklists will be completed and filed by the Director of Special Services within two (2) days of the conference. (Reevaluation Timeline Tracker, Existing Data Review Agenda, Evaluation Programming Conference (Reevaluation) Agenda)

Reevaluation Conference steps:

1. Notice of Conference (NOC): The Notice of Conference is used by the LEA to take steps to ensure that parent(s) are afforded the opportunity to participate in the special education process. In order to meaningfully participate, the parent must be provided reasonable notice (14 days is considered reasonable per Arkansas Regulations). The parent(s) and the district may agree to meet sooner at a mutually agreeable date, time, and location. The parent(s) should be informed of his or her role as a team member. The Contact Log portion of the NOC provides documentation of the manner in which

notice is provided to the parent/guardian and/or child. At least one of the two notifications must be in writing.

The Notice of Conference must state the time, location, and purpose of the meeting. It must notify the parents of who will be invited to the conference. The required attendees include:

- The parent of the child
- The regular teacher of the child
- The special education teacher or provider of the child
- A representative of the public agency who—
 - Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - Is knowledgeable about the general education curriculum; and
 - Is knowledgeable about the availability of resources of the public agency.
- A person to interpret evaluation data

Procedure: *The Director of Special Services at ICA will contact the parent(s) to schedule an Existing Data Review (EDR) at a mutually agreeable time no later than 145 calendar days (4 ½ months) prior to the re-evaluation date. The EDR will be held no later than 105 calendar days (3 ½ months) prior to the reevaluation date. (Refer to Reevaluation Timeline Tracker)*

The Notice of Conference will be completed and mailed along with the Parent Input form within one (1) day of scheduling the conference. Documentation of a contact will be noted on the Contact Log. The Director of Special Services at ICA will place the conference on the Google Calendar, notify team members of the conference, and send out email invites within one (1) day of scheduling the conference, and then will confirm the meeting with parent(s) and document a second notice on Contact Log.

2. Existing Data Review (EDR): The reevaluation process begins with an EDR. Members of the IEP team (general education teacher(s), special education teacher(s), individual to interpret instructional implications of evaluation results, Local Education Agency representatives, related service providers if appropriate, and others) review all relevant existing information about the child. The team must consider the validity and reliability of the information and the resulting interpretations. This includes evaluations and information provided by the parent(s), current classroom-based, local, or state assessments, and observations by teachers and other qualified related services personnel.

The team documents the review of data and evaluation decisions on the Existing Data Review/Notice of Decision form. If the team determines that additional evaluation information is needed, written parental consent for the evaluation must be obtained on the Notice of Action. The additional information may be in the form of assessment(s), observations, medical reports,

or other types of information. If the team determines that no additional evaluation information is needed, they will document the child's continued eligibility and update educational needs to maintain their current special education services

Procedure: *The Director of Special Services will hold the Existing Data Review using the Reevaluation Timeline Tracker, Pre-Conference Checklist, Existing Data Review Agenda, and Post-Conference Checklist. The EDR will be held no later than 145 days (4 ½ months) prior to the reevaluation.*

3. Notice of Action (NOA) - Parental Consent: The purpose of providing written notice to the parent is to ensure that they understand the actions the IEP Team is proposing or refusing, as well as the basis for that decision. Based on the Existing Data Review decision, the committee will document necessary evaluations for the child on the NOA. The Notice of Action should be in the parents' preferred language or mode of communication. Informed written parental consent must be obtained on the NOA prior to any evaluations being conducted.

The Notice of Action must include:

- A description of the action proposed or refused by the Institute for the Creative Arts (ICA);
- An explanation of why the Institute for the Creative Arts (ICA) proposes or refuses to take the action;
- A description of each evaluation procedure, assessment, record, or report the Institute for the Creative Arts used as a basis for the proposed or refused action;
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- Sources for parents to contact to obtain assistance in understanding the provisions of this part;
- A description of other options that the IEP Team considered and the reasons why those options were rejected; and
- A description of other factors that are relevant to the agency's proposal or refusal.

Procedure: *The Director of Special Services at ICA will complete a Notice of Action at the end of each conference. The NOA will document the actions discussed at the conference and why or why not those actions were acted on. Parental consent is needed for actions in Box A. A copy of the Notice of Action will be provided to the parent(s) at the end of the conference.*

4. Evaluation Programming Conference (EPC) - Determining Continued Eligibility:

Within thirty (30) days of completion of the last evaluation component (not the evaluation report date), the IEP team must meet to determine the child's eligibility for special education and related services. The evaluation information should help the team determine the appropriate instruction and support for the child. The EPC documents the conclusions of the IEP team. The results of any evaluation activities must be contained in the body of a written report.

If the team determines the student has a Specific Learning Disability, the SLD report must be completed as part of the eligibility determination. The team members must sign the report and indicate their agreement or disagreement with the decision.

If a child continues to be eligible for services, the IEP must be reviewed and revised in light of the new data. Refer to the IEP section of this guide for more information on IEP development.

If a child is identified as having a disability but there is no adverse effect on educational performance resulting in the need for special education and related services, they will not be determined eligible. If a child is identified as having a disability, but is not found to be eligible for services under IDEA, the child may be referred for evaluation under Section 504 of the Rehabilitation Act of 1973 to determine if any instructional supports are needed.

Procedure: *The Director of Special Services at ICA will follow the Pre-Conference Checklist, EPC Agenda, and Post-Conference Checklist. The EPC will be held within 25 days of when the last evaluation was completed.*

5. Notice of Action (NOA): A Notice of Action is written notification that is provided to ensure that a parent(s) understands the special education and related services, which a Local Education Agency (LEA) has proposed or refused to provide to a child. The Notice of Action is required under specific circumstances:

- Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or
- Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.

The Action proposed or refused by the district is most often the result of decisions made in an IEP Team Meeting, but may be needed at other times as well, such as in the evaluation process or a Manifestation Determination Review.

The parent is notified of the actions proposed or refused by the district and is allowed a reasonable time to exercise their due process rights under the IDEA, should they disagree with the decision before the action is implemented. The NOA should be provided in the parent's preferred language or mode of communication. It helps ensure that the parent is included in and aware of the decisions that impact his or her child. It also helps ensure that there is careful consideration of all factors relevant to the proposed or refused actions before any changes are implemented.

The NOA must include:

- A description of the action proposed or refused by the Institute for the Creative Arts LEA;
- An explanation of why the Institute for the Creative Arts LEA proposes or refuses to take the action;
- A description of each evaluation procedure, assessment, record, or report the Institute for the Creative Arts LEA used as a basis for the proposed or refused action;
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- Sources for parents to contact to obtain assistance in understanding the provisions of this part;
- A description of other options that the IEP Team considered and the reasons why those options were rejected; and
- A description of other factors that are relevant to the agency's proposal or refusal.

Procedure: The Director of Special Services at ICA will complete a Notice of Action at the end of each conference. The NOA will document the actions discussed at the conference and why or why not those actions were acted on. Parental consent is **not** needed for actions in Box B. A copy of the Notice of Action will be provided to the parent(s) at the end of the conference.

ADDENDUM TO THE ICA POLICIES, PROCEDURES AND PRACTICES

Subject: Mandatory Distribution of Family Surveys during Annual Reviews and IEP Transfer Enrollments

1. Purpose

The purpose of this addendum is to formalize and mandate the distribution of **Family Surveys** to ensure continuous feedback, maximize family engagement, and maintain compliance with both parent engagement and student support standards.

2. Policy Mandates

The ICA Policies, Procedures and Practices document is hereby amended to include a dedicated section requiring the mandatory distribution of Family Surveys at these critical junctures:

Annual IEP Reviews

- **Mandate:** A Family Survey must be provided to the parent(s) or legal guardian(s) during or immediately following every scheduled Annual IEP Review.
- **Responsibility:** The Director of Special Services is responsible for ensuring that the Family Survey link and / or QR code is provided to families at every annual IEP review team meeting.
- **Timeline:** The survey must be provided on the day of the review meeting. If the meeting is held virtually, a digital link must be sent via email within 24 hours of the meeting's conclusion.

IEP Transfer Enrollments

- **Mandate:** A Family Survey must be provided to families of all newly enrolled students transferring into ICA with an existing IEP.
- **Responsibility:** The Director of Special Services is responsible for ensuring that the Family Survey link and / or QR code is provided to families within the initial intake or transfer enrollment packet.
- **Timeline:** The survey must be distributed during the official intake meeting or on the student's first day of active enrollment.