

## **SPECIAL EDUCATION POLICIES AND ASSURANCES**

The Lafayette Parish School Board has formally adopted and implemented the following policies and assurances.

1. **Free Appropriate Public Education [1412 (a)(1)]**

The LEA assures that a free appropriate public education is available to all children with disabilities residing within the jurisdiction of the LEA between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school.

2. **Full Education Opportunity and Goal – [1412 (a)(2)]**

The LEA assures that full educational opportunity will be provided to all children with disabilities, aged birth through 21, by the year 2010.

3. **Child Find [1412 (a)(3)]**

The LEA assures that Child Identification activities are conducted in accordance with §410 through §416 of Bulletin 1706, Regulations for Implementation of the Exceptional Children's Act.

The LEA assures that the LANSER data base is maintained as the primary tracking system for all activities pertaining to special education to include all required elements in the initial request, screening, preevaluation, evaluation, reevaluation, IEP/placement, supplemental and instructional services segments. The LANSER information is kept current and operational.

4. **Individualized Education Program [1412 (a)(4)]**

The LEA assures that all procedures for the development and implementation of the Individual Education Program/Placement process detailed in the revised (1998) IEP document and corresponding instructions are followed.

The LEA also assures that all transition services are provided as detailed in the revised (1998) IEP document and corresponding instructions.

The LEA further assures that it uses Bulletin 1870, Determining Eligibility for Extended School Year Services and Bulletin 1871, Program Standards for Extended School Year Services to design and conduct the LEA's ESY Program.

5. Least Restrictive Environment [1412 (a)(5)]

Assurance: Least Restrictive Environment

The LEA assures that children who are disabled are educated to the maximum extent appropriate with their non-disabled peers and that special classes, separate schooling, or other removal of disabled children with disabilities from the regular educational environment occurs only when 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. Students with disabilities are afforded placements that assure physical, social, and academic integration with non-disabled peers. The LEA further assures that all policies and procedures for development and implementation of the Individual Education Program/Placement process detailed in Bulletin 1706, Regulations for Implementation of the Exceptional Children's Act are followed.

6. Procedural Safeguards [1412 (a)(6)]

The LEA assures that it has established and maintains procedures to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education (FAPE). The LEA assures that the procedures include all procedural safeguards contained in 20 U.S.C. Chapter 33 (1415) and Section 500 of Bulletin 1706, The Regulations for the Implementation of the Exceptional Children's Act.

The LEA further assures that each of its prior notification letters meet state requirements and a copy of each is included in this application.

Additionally, the LEA assures that it utilizes the most current edition of the "Louisiana Educational Rights of Exceptional Children," as required, to notify children with disabilities and their parents of all procedural safeguards available to them.

7. Evaluation [1414 (a) - (c)]

The LEA assures that, all evaluations conducted for children suspected of being

exceptional and reevaluations of children receiving special education services are conducted in accordance with Bulletin 1508, the Pupil Appraisal Handbook requirements and the revisions made to Bulletin 1508 in keeping with the IDEA Amendments of 1997, Section 1414 (a) through (c).

8. Confidentiality of Personally Identifiable Information [1412 (a)(8)]

The LEA assures that all policies and procedures regarding the confidentiality of personally identifiable information contained in Bulletin 1706, Regulations for the Implementation of the Exceptional Children's Act, are adopted and implemented as required; and that these same policies and procedures also apply to the electronic transfer of any educational records among educational agencies.

The LEA also assures that a Confidentiality Designee has been appointed and is responsible for coordinating all confidentiality requirements. Additionally, the LEA assures that local internal timelines have been established that are in compliance with the access timeline requirement for not more than 45 calendar days to respond to a request to review and/or inspect an education record.

The LEA further assures that it will conduct an annual inservice training session on confidentiality requirements for all educational personnel in the system who collect or use personally identifiable information.

9. Transition From Part C to Preschool – [1412 (a)(9)]

- a. The LEA assures that it has adopted and implements procedures to ensure that children participating in early intervention programs assisted under Part C and who will participate in Part B preschool programs will experience a smooth and effective transition to those preschool programs in a manner consistent with Section 1437 (a)(8). An individualized education program will be developed and implemented for the child prior to the child's entry into Part B preschool programs.
- b. The Lafayette Parish School System follows the minimum age requirements and children are offered FAPE on their third birthday regardless of when their birthday occurs during the school year.

10. Children in Private Schools [1412(a)(10)]

The LEA assures that to the extent consistent with their numbers and needs,

children with disabilities residing in its jurisdiction, enrolled by their parents in private schools, provision is made for their participation in programs assisted with IDEA funds. The LEA further assures that the amount expended for the provision of services are equal to a proportionate amount of the IDEA funds made available to the LEA.

11. General Supervision [1412 (a)(11)]

The LEA has designated a director or supervisor (position/title) responsibilities for the general supervision of identification, location and evaluation activities/services for students who are suspected of being disabled and the provision of FAPE to students with disabilities within the LEA's jurisdiction. The job description for this position is included in this application. This description and the attached organizational chart show direct line authority for all special education services/programs and activities.

**NOTE: If general supervision responsibilities are divided among several persons (positions), all positions must have designated job descriptions included and the procedures for coordinating mechanisms fully defined.**

12. Interagency Agreement [1414 (12)]

The LEA assures that interagency agreements essential to full compliance for the provision of a free appropriate public education (FAPE) and to ensure fiscal and human resources are developed, signed and implemented as needed. The LEA assures that each interagency agreement is designed to achieve or accelerate the achievement of FAPE for all exceptional children. Nothing in any such agreement may be construed to reduce assistance available or to alter eligibility.

13. Personnel Development [1414 (a)(14)]

The LEA assures that an ongoing program for personnel development is implemented and updated periodically to improve the knowledge and skills of personnel employed to provide special educational services. The program utilizes the Comprehensive System of Personnel Development (CSPD) established by the Louisiana Department of Education and is based on data and information collected from the assessment of personnel supply/demand and training needs for the LEA.

14. Personnel Standards [1412 (a)(15)]

The LEA assures that qualified personnel, as identified by BESE adopted policies and procedures, including personnel requirements established in Bulletin 746, Louisiana Standards for State Certification of School Personnel are employed to provide special education programs and services to children and youth with disabilities under Part B (and Part C) of IDEA.

15. Performance Goals and Indicators [1412 (a)(16) and 601 (d)]

The LEA assures that it has established goals for the performance of children with disabilities in the LEA to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living; to ensure that the rights of children with disabilities and parents of such children are protected; and to ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting systemic-change activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination of information, and support; and technology development and media services.

The LEA further assures that it has established performance indicators the system will use to assess progress toward achieving those goals that, at a minimum, address the performance of children with disabilities on assessments, drop-out rates, and graduation rates; based on its assessment of that progress, will revise its LEA Application as needed to improve its performance, and ensure the effectiveness of efforts to educate children with disabilities.

16. Participation in Assessment [1412 (a)(17)]

The LEA assures that all students with disabilities participate in statewide and district wide assessment. Approximately 80% of the LEA's special education population will participate in LEAP 21 while the remaining 20% will participate in an alternate assessment. Each students IEP will include a statement of any individual accommodations in the administration of state or district wide assessments of student achievement that are needed in order for the child to participate in such assessment.

17. Suspension and Expulsion [1412 (a)(22)]

The LEA assures that data concerning suspensions and expulsions will be kept and reviewed to determine if significant discrepancies are occurring in the rate of long-

term suspensions and expulsions of children with disabilities when compared to such rates for nondisabled children or among local educational agencies in the state [105:17§1412 (a)(22)].

18. Disciplinary Information/Records [1413 (j)]

The LEA assures that all procedures for the transfer of a child's records from one school to another will include both the child's current individualized education program and any statement of current or previous disciplinary action that has been taken against the child as detailed in [20 U.S.C. 30 (1313)(j)].

19. Schoolwide Program Under Title I of the ESEA [1413 (d)]

The LEA assures that for any fiscal year, if IDEA funds are used to carry out a schoolwide program under Section 1114 of the Elementary and Secondary Education Act of 1965, funds used in any such program shall not exceed the number of children with disabilities participating in the schoolwide program: multiplied by the amount

received by the LEA for that fiscal year: divided by the number of children with disabilities in the jurisdiction of the agency.

20. Charter School [1413 (a)(5)]

The LEA assures that children with disabilities enrolled in Charter Schools that are public schools within the local education agency are served in the same manner as children with disabilities are served in its other schools and provides IDEA funds in the same manner as it provides those funds to its other schools.

21. Program Administration [34 CFR 76.301 (c)(1)]

The LEA assures that a comprehensive monitoring of its special educational services is conducted on an annual basis to determine compliance with all applicable federal, state and local statutes, regulations, and procedures; and that all areas related to the provision of a free and appropriate public education (FAPE) are included.

The LEA further assures that its internal monitoring is based on the following minimum guidelines:

Frequency	Sites Selected	Records Per Site
Annually	33.3 % per year	15 %

The LEA assures that all school personnel, including principals and teachers as well as other service providers, receive written notice of non-compliant issues determined through the internal monitoring process. The written notice will include the corrective action required to correct the deficiencies indicated in the report. The LEA further assures that all corrective actions are monitored on a comprehensive and continuous basis to ensure the implementation of the corrective action. The superintendent will receive a written report of deficiencies as well as reports regarding follow-up and implementation of corrective action.

LEAs understand that forms used for collecting and recording information may be forms issued by the SDE, which can be modified to meet local requirements, or forms developed by the local system. The LEA assures that the instruments used include all compliance issues included in and applicable to federal and state statutes, regulations and procedures, including local procedures.

The LEA assures that findings in internal monitoring are used to set priority Indicators/Goals and Objectives/Growth Targets in Section IV of the annual LEA application; as a needs assessment of staff development priority needs; and are to be referenced in the school improvement plans in local schools.

22. Excess Cost [1413 (a)(2)(A)(i)]

The LEA assures that it uses funds provided under the IDEA only for the costs which exceed the amount computed under 1401 (7) or approved alternate formula and which are directly attributable to the education of children with disabilities. The Regulations require that the most recent expenditures for education of children with disabilities which are available be used in verifying that IDEA funds are used for the excess costs of educating children with disabilities. A copy of the IDEA EXCESS COST VERIFICATION FORMULA (prepared in April 1999) will be submitted to the Division of Special Populations.

23. Nonsupplanting [1413 (a)(2)(A)(ii)]

The LEA assures that funds provided under the IDEA are used to supplement and, to the extent practicable, increase the level of federal, state and local funds expended for the education of children with disabilities and in no case to supplant

federal, state and local funds. A copy of the IDEA NON-SUPPLANTING VERIFICATION FORMULA (prepared in April 1999) will be submitted to the Division of Special Populations.

24. In Accordance With Education Department General Administrative Regulations (EDGAR) Subpart G, 76.700–76.783;

- a. The LEA assures that the control of funds provided to it under each program, and title to property acquired with those funds, will be in the LEA and that the LEA will administer those funds and property (CFR 76.701).
- b. The LEA assures that it will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, federal funds paid to the LEA under the IDEA (CFR 76.702).
- c. The LEA assures that it shall make accurate and timely reports to the SDE, BESE and to the Secretary of the United States Department of Education as may reasonably be necessary to enable the SDE, BESE and the Secretary of the United States Department of Education to perform their duties (34 CFR 76.722).
- d. The LEA assures that it will maintain accurate records, and provide access to those records as the SDE, BESE, and the Secretary of the United States Department of Education decides are necessary to perform their duties (34 CFR 76.731).
- e. The LEA assures that any project involving construction shall adhere to the rules contained in 34 CFR 76.600 and the standards prescribed by Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Accessibility Guidelines for Buildings and Facilities and Uniform Federal Accessibility Standards.

25. Alignment With State Policies and Procedures

The LEA assures that no later than sixty (60) days after receipt of final revisions of the state's regulations, policies and procedures, that it will revise all local policies and procedures to make them consistent with the IDEA as amended by the IDEA Amendments of 1997.



LEGAL REF: IDEA P.L. 105-17

Adopted: 5/7/80  
Revised: 12/3/80  
Revised: 4/7/99