

# **SPECIAL EDUCATION PLAN FOR CHILDREN WITH DISABILITIES**

**EDUCATION AGENCY NAME:** Tallapoosa County

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*.

Page T. Cotten  
Special Education Coordinator

Raymond C. Porter  
Superintendent

July 22, 2021  
Date

July 22, 2021  
Date

**APPROVED:**

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State Superintendent of Education

\_\_\_\_\_  
Date

# **CHAPTER 1**

## **FULL EDUCATIONAL OPPORTUNITY GOAL**

- I. Tallapoosa County Schools provides appropriate educational opportunities to children with disabilities ages 3 to 21.
- II. Tallapoosa County Schools 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. Tallapoosa County Schools provides full educational opportunities for children with disabilities ages 3 to 21.
- IV. Tallapoosa County Schools 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. Tallapoosa County Schools 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.
    1. Tallapoosa County Schools provides on-going public notice of the services available utilizing:
      - Notices in local newspapers
      - Posters, flyers, and/or brochures placed in public areas, local schools, and the central office of the school system
      - Notification on Tallapoosa County School website and/or school or system-based social media accounts
      - Notice in the Code of Conduct
      - Participation by the LEA Special Education Coordinator on the local Multiple Needs Children's Facilitation Team
      - Letters to private schools and other agencies
    2. Through letters (with an accompanying flyer), Tallapoosa County Schools contacts individuals and agencies that provide services to children with disabilities, such as:
      - Daycare/preschool centers located in Tallapoosa County Schools' attendance zone
      - Pediatric doctors/clinics in Tallapoosa County
      - Department of Children's Rehabilitation Services
      - Department of Mental Health (East Alabama Mental Health)
      - Department of Public Health (Tallapoosa County Health Department)
      - Department of Human Resources (Tallapoosa County DHR)
      - HeadStart (Chambers/Tallapoosa/Coosa Community Action Agency)

- Auburn University Speech and Hearing Clinic
- Alabama Institute of the Deaf and Blind (AIDB) at Auburn
- Tallapoosa County Detention Center (local jail)

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.

- Problem Solving Teams (PSTs) are utilized to facilitate identifying students who may need to be referred for evaluation for special education services as opposed to those students who are at risk or may not have had exposure to appropriate educational opportunities and interventions in the regular classroom.
- Tallapoosa County Schools uses the state provided electronic tracking system to ensure compliance with timelines for initial referral to IEP development.
- Tallapoosa County Schools uses the state provided electronic tracking system to ensure completion of three-year reevaluations within the required timeline.
- Tallapoosa County Schools uses the state provided electronic tracking system to generate reports in order to monitor and ensure compliance with Alabama Administrative Code (AAC) requirements.

The Special Education Coordinator communicates frequently with the psychometrist(s) and diagnostician(s) to review compliance with timelines and other requirements. Eligibility timeline compliance (initial and reevaluation) is also monitored through a paper or electronic log kept by the Special Education Coordinator, as well as through alerts and reports generated through the state provided electronic tracking system. The IEP compliance dates are reviewed by the LEA Special Education Coordinator and reports are submitted to the state department using the state provided electronic tracking system.

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.

- Tallapoosa County detention facility gives access to Tallapoosa County school personnel in order to provide special education services to qualified inmates. Each year, the Tallapoosa County Board of Education approves a special education teacher or employee to provide special education services to qualified students incarcerated in the Tallapoosa County Detention facility.
- When the school system becomes aware of an eligible inmate, through notification by Child Find activities or other means, the Special

Education Coordinator or designee contacts the student (if age 19 or older) or the parent of the student to inform them of the availability of services.

- If the student did not attend Tallapoosa County Schools prior to incarceration, the LEA will request special education records from the student's previous school. If the student (or the parent) indicates that he/she wants special education services, the LEA will assign a case manager for the student. The case manager will send out an invitation to the meeting and will initiate the IEP process. The IEP meeting will take place at the jail in a timely manner.
- The student will inform the special education teacher or designated employee when the student is about to be transferred. Or, upon arriving at the detention facility to provide services, the teacher or designated employee will be informed by detention staff that the student has been transferred to another facility. The Special Education Coordinator will transfer records as requested to the appropriate correctional facility or the receiving public 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.

- The LEA Special Education Coordinator schedules an annual meeting with private schools located within the Tallapoosa County Schools' jurisdiction each school year
- The headmasters of private schools located within the Tallapoosa County Schools' jurisdiction are invited, as are parents of eligible private-school students.
- At a minimum, the following areas are discussed:
  - Which students will receive services
  - What services will be provided
  - How, where, and by whom the services will be provided
  - Proportionate Share funds
- If a headmaster does not attend the meeting, a follow-up letter, along with a copy of the Private School agreement, is sent to him/her. The headmaster is asked to sign and return the agreement. The headmaster is also asked to contact the Special Education Coordinator with any input/suggestions/recommendations for the agreement.

E. Procedure for ensuring participation in the transition conference for children with disabilities who participated in early intervention programs.

- The Early Intervention (EI) agency makes referrals to the LEA Special Education Coordinator or designated contact person prior to the child's third birthday.

- The Special Education Coordinator or designated contact person contacts the EI agency to set up/confirm the date of the transition meeting. A designated person from the LEA attends the transition meeting. The Special Education Coordinator and special education teacher/SLP monitors the transition timelines. The LEA Special Education Coordinator encourages frequent communication between the EI agency and LEA personnel.
  - The special education case manager or designated contact person is responsible for completion of the special education process, including referral, eligibility, Individualized Education Plan (IEP) development, and IEP implementation by the student's third birthday to ensure compliance with AAC guidelines.
- II. The Special Education Coordinator, 679 East Columbus Street, Dadeville, AL 36853, 256-825-0746 ext. 23, is 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 IEP development are completed within the time frames allowed by state and federal regulations.
- The state provided tracking system is used to create queries, review reports, and track timelines.
  - The case manager for each student is responsible for entering the data not already entered by the psychometrist or diagnostician and monitoring the timelines. The case manager is responsible for monitoring his/her timelines.
  - The Special Education Coordinator or designee reviews the system on a regular basis to determine timeline compliance.
  - The Special Education Coordinator contacts the appropriate case manager to resolve/correct discrepancies.
- IV. Tallapoosa County Schools ensures its commitment to implement the *Alabama Administrative Code* (AAC) 290-8-9-.01 and 34 CFR §300.111; 34 CFR §300.124; 34 CFR§300.101-102; 34 CFR§300.130-131, and 34 CFR §300.201.
- V. Tallapoosa County Schools 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.

Tallapoosa County Schools will:

1. Provide evaluations for any referred or identified child, birth to twenty-one, who may need special education and related services, utilizing qualified personnel and appropriate assessment instruments as outlined by state standards.
  - To ensure required evaluations are completed on a child 0-2, who did not participate in EI, the child is referred to EI. If the child is 30 months of age or older, the child is assigned a case manager, and the special ed. referral process will begin through our LEA. The IEP team will select the appropriate evaluations for the suspected areas of disability according to the AAC. Special Education Coordinator and/or designated school system employee will monitor to ensure that all required evaluations according to the AAC have been administered.
  - To ensure required evaluations are completed on a child 0-2 who participated in EI, at age 30 months or when the LEA is made aware of the child, the child will be assigned a case manager, and the special ed. referral process will begin through our LEA. The IEP team will select the appropriate evaluations for the suspected areas of disability according to the AAC. Special Education Coordinator and/or designated school system employee will monitor to ensure that all required evaluations according to the AAC have been administered.
  - To ensure required evaluations are completed on a child (3-21) who has been referred for special education services, the child is assigned a case manager. The IEP team will select the appropriate evaluations for the suspected areas of disability according to the AAC. Special Education Coordinator and/or designated school system employee will monitor to ensure that all required evaluations according to the AAC have been administered.
  - To ensure required evaluations have been completed for a child who requires a reevaluation, the IEP team will determine if additional data is needed, and if so, will select the appropriate evaluations for the suspected areas of disability according to the AAC. Special Education Coordinator and/or designated school system employee will monitor to ensure that all required evaluations according to the AAC have been administered.
2. Contract and/or arrange for any needed evaluations that are not available within the LEA.

3. Work with other agencies in the area that serve children with disabilities to share evaluation information, as appropriate, and with appropriate consent (Children's Rehabilitation Services, HeadStart, Mental Health, university projects, etc.).
4. Consider the results of all evaluations provided, including those conducted by other agencies or arranged by parents.

II. List the persons and/or agencies that can provide independent educational evaluations.

Name	Phone	Email/Website
<b>Assistive Technology (AT)</b>		
Kelly Cadden, M.C.D. CCC-SLP,ATP	334-209-2009	<a href="http://www.all-forchildren.com">www.all-forchildren.com</a>
Dr. Laura Carpenter	334-868-1118	<a href="mailto:lcarpent@aum.edu">lcarpent@aum.edu</a>
Drs. Linda Johnston & Lawrence Beard	256-630-0931	<a href="mailto:linda-johnston@utc.edu">linda-johnston@utc.edu</a> <a href="mailto:lbeard@jsu.edu">lbeard@jsu.edu</a> <a href="mailto:assistiveta@gmail.com">assistiveta@gmail.com</a>
RehabWorks 4 Kids	334-528-1964	<a href="http://rehabworks.eamc.org/kids">rehabworks.eamc.org/kids</a>
<b>Audio-Verbal Therapy</b>		
ALL for Children	334-209-2009	<a href="http://www.all-forchildren.com">www.all-forchildren.com</a>



<b>Auditory Processing</b>		
Hearing Professionals of AL	334-521-7501	www.hpoal.com
Dr. Beth Hoven, AuD., FAA	334-521-7501	www.hpoal.com
Dr. Allison Kelly, AuD., FAA	334-521-7501	www.hpoal.com
Auburn University Speech and Hearing Clinic	334-844-9600	paxtomw@auburn.edu
AIDB--Karissa Twymon AIDB-Mandy Griffin	1-800-532-4622	griffin.mandy@aidb.org twymon.karissa@aidb.org
<b>Autism</b>		
Psychological Assessment Center, LLC	334-742-9102	pdunn@pacalabama.com
Dr. Robert Simpson	(334)275-5727	simpsrg@auburn.edu
Dr. Caroline Gomez	334-444-3910	caroline4autism@gmail.com
Glenwood, Inc	205-939-1088	www.glenwood.org
Auburn University Psychological Services Center	334-844-4889	aupsc@auburn.edu

Auburn Psychology Group, LLC	334-887-4343	www.auburnpsychology.com
<b>Behavior</b>		
Dr. Robert Simpson	(334)275-5727	simpsrg@auburn.edu
Milestones Behavior Group, Inc.	205-253-6903	ashlie@milestonesaba.com
Auburn University Psychological Services Center	334-844-4889	aupsc@auburn.edu
Clinical Psychologists, PC Drs. Burkhardt and Kelley	334-821-3350	Information@ClinicalPsychAuburn.com
<b>Central Auditory Processing (CAPD)</b>		
(Same as auditory processing above)		
<b>Cognitive</b>		
Dr. Stacy Ladden	205.414.6686	sladden@behavioralpediatricinstitute.com
Auburn Psychology Group, LLC	334-887-4343	www.auburnpsychology.com
Psychological Assessment Center, LLC Dr. Polly Dunn	334-742-9102	pdunn@pacalabama.com

Auburn University Psychological Services Center	334-844-4889	aupsc@auburn.edu
<b>Dyslexia</b>		
ALL for Children (Auburn Language & Learning)	334-209-2009	
<b>Functional Behavior</b>		
Auburn University Psychological Services Center	334-844-4889	aupsc@auburn.edu
Milestones Behavior Group, Inc	205-253-6903	ashlie@milestoneaba.com
<b>Occupational Therapy (OT)</b>		
Auburn TLC	334-734-5511	info@auburntlc.com
Therapeutic Rehab Services	423-310-0555	trspediatric@gmail.com
Rehab Works 4 Kids (EAMC)	334-528-1964	www.rehabworks.eamc.org/kids
<b>Physical Therapy (PT)</b>		
Rehab Works 4 Kids (EAMC)	334-528-1964	www.rehabworks.eamc.org/kids

Human Performance and Rehab Peds	706-320-5482	www.hprc.net
<b>Orientation &amp; Mobility (O &amp; M)</b>		
Rhonda Beadles, Cane and Able	334-787-0697	caneandable@icloud.com
AIDB--Karissa Twymon AIDB-Mandy Griffin	1-800-532-4622	twymon.karissa@aidb.org griffin.mandy@aidb.org
<b>Speech and Language</b>		
ALL for Children	334-209-2009	www.all-forchildren.com
Auburn TLC	334-734-5511	info@auburntlic.com
Auburn University Speech & Hearing Clinic	334-844-9600	
<b>Vision</b>		
AIDB--Karissa Twymon AIDB-Mandy Griffin	1-800-532-4622	twymon.karissa@aidb.org griffin.mandy@aidb.org
Rhonda Beadles, Cane and Able	334-787-0697	caneandable@icloud.com

III. Tallapoosa County Schools 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. Tallapoosa County Schools 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.**

- Tallapoosa County Schools uses the IEP team to determine eligibility during the school year. During the summer, Tallapoosa County Schools may use an eligibility committee comprised of required members, per the AAC, to determine eligibility.
- The case manager has the responsibility of sending out the meeting invitation. It is the case manager's responsibility to invite all required participants. The meeting invitation may be mailed to the parent or sent by the student. A minimum of two documented attempts, including one written attempt is made to contact the parent. Required participants from the school are invited verbally or in writing. Other agency representatives are invited either verbally or through a written invitation. Agencies involved with providing transition services are invited by the case manager once parental consent (or student consent, if the student is 19 or older) is obtained. Alternate methods of participation by the parent may be arranged, such as telephone conferences, prior written input, or interview.
- Training to ensure special education teachers and assessment personnel are familiar with the assessments required for all disability areas is provided at least annually by Tallapoosa County Schools. Additional resources, such as Compliance Verification Forms, Mastering the Maze, AAC, and locally developed checklists, are provided by the Special Education Coordinator to assist IEP or eligibility team members in making appropriate eligibility decisions.

#### **II. Tallapoosa County Schools 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.**

- Once an eligibility determination has been made and within thirty calendar days of the determination, the case manager and other IEP team members will review all pertinent information which may include, but is not limited to, current assessment data; work samples; parent, classroom teacher, and student input; behavioral reports; progress toward previous IEP goals, if applicable; progress toward state standards; and other related information to develop an adequate understanding of the student's strengths and challenges. A written draft of the IEP is developed by the case manager and presented to the IEP team for full consideration and discussion. The IEP team will consider possible revisions, additions, and/or corrections prior to finalization. Parental involvement in IEP meetings, including participation through alternate methods, is solicited.
- To determine eligibility for Extended School Year (ESY) services, the IEP team will review information or data pertinent to the need for ESY services. These services will be provided if the child: (1) demonstrates significant regression in critical skills as a result of a break in instruction that is not recouped during a reasonable (typically 6-9 week) period of time after instruction has resumed, (2) has reached a critical point of development, or (3) has other factors resulting in an inability to recoup critical skills within a reasonable period of time after instruction has resumed.
- For the initial IEP for students placed in private programs where FAPE is an issue, Tallapoosa County Schools convenes the IEP team, including the parents, reviews the data, and develops an IEP. The IEP Team makes the LRE decision. The private program is provided with records from the LEA. The LEA ensures that a representative from the private school or facility attends or otherwise participates in the meeting. The Multi-Needs team may be used as a resource for program options. Tallapoosa County Schools must be invited by the private program to any future IEP meetings that the private program or parent initiates.
- The Special Education Coordinator ensures the provision of annual training on IEP development writing. Training includes, but is not limited to, how to: complete IEP Team Meeting Notices, write standards-based IEP goals, write benchmarks, (when appropriate), address transition needs, complete the Alabama Student Assessment Forms, make appropriate decisions regarding a student's participation in alternate achievement standards and assessments, and write defensible LRE justifications.
- In making determinations regarding the Least Restrictive Environment (LRE), for students with disabilities served in public schools, the IEP team first considers providing special education and related services within the regular education

environment, with the necessary supplementary aids, services, and supports. If FAPE for the student cannot be provided in this environment, then the team considers providing services outside the regular education environment. The team will consider the full continuum of alternative service locations in order to serve students in the least restrictive environment. For students with disabilities served in a public institution, the IEP determines the student's least restrictive environment. For students with disabilities attending private institutions, Tallapoosa County follows its Private School Agreement, and provides services according to stipulations in the agreement.

II. Procedure utilized for ensuring parental involvement in IEP meetings.

- The meeting invitation is sent to the parents by the case manager either by mail or through the student. A minimum of two attempts, written, phone, electronic, or verbal, is utilized to ensure opportunities for parental involvement.
- If parents are unable to attend, alternative methods of participation may be arranged for the parents such as phone conferences, prior written input, interview of parent by special ed. teacher, or sending a copy of the draft IEP home to the parent for review and input.
- Minor changes to the IEP may be made without holding an IEP, as per the guidelines in the AAC. The Special Education Coordinator must be made aware of, and must approve, the proposed changes prior to the changes being made. The case manager is responsible for securing the parent's written agreement to the changes and informing the IEP team of the changes. It is the case manager's responsibility to send the parents a copy of the amended IEP and a Notice of Proposal or Refusal to Take Action form explaining the changes.

III. Procedure utilized for ensuring parental involvement in IEP development.

Tallapoosa County Schools strives to obtain the maximum possible parental involvement in planning programs for students and developing IEPs. In addition to the efforts to provide notice of IEP meetings to parents as described above, some of the strategies for ensuring parental input is obtained in developing IEPs include the following:

- Special education case managers and teachers provide clear information to parents to enable them to adequately participate in the student's IEP meeting. Case managers frequently contact the parent, prior to sending out a meeting invitation, to allow the parent input on convenient meeting times and dates. Meeting invitations are typically sent out at least 10 days in advance of a proposed IEP meeting.
- Many times, parental input is obtained through phone conversations, email correspondence, and/or parent input forms prior to the IEP meeting. Parents are encouraged to provide input, ask questions, and actively participate in the IEP development. When appropriate, teachers provide parents with draft copies of



student profiles and suggested goals prior to the IEP meetings as a means of soliciting parental input.

- Parents of students with disabilities are given the opportunity to participate in school district activities, workshops, and programs designed for all students regarding educational issues. Parents are informed by the special ed. office of state meetings and other district and regional opportunities, designed to enhance their understanding of the IEP process.

IV. Procedure to ensure that hearing aids used by children with disabilities are functioning properly.

- The special ed. case manager, the special ed. teacher, SLP, or general ed. teacher completes an inspection to ensure that hearing aids and/or external components of the cochlear implants are functioning. This is a visual inspection. The visual inspection includes checking for damage to the case, tubing, ear mold, or the external component. This information is logged on a designated form and if there are problems, the parents are notified.
- The special ed. case manager, special ed. teacher, classroom teacher or SLP will check the child's personal hearing aids and/or external components of the cochlear implant on a weekly basis.

V. Procedures to ensure transition services for secondary students are addressed.

- The case manager or special ed. teacher will complete a transition assessment with the student. Information gathered may include: previous work experience, volunteer experience, career goals, progress/participation in career-technical courses, acquisition of a driver's license, transportation needs, money-management skills, readiness for independent living, etc. in order to develop needed transition services and to evaluate services previously provided. It will be the responsibility of the case manager to ensure the needed transition services, as determined by the IEP team, are provided. Tallapoosa County Schools will provide opportunities for students to practice and acquire needed transition skills, including transportation when necessary. During the IEP meeting for all students who will be in the ninth grade or higher during the implementation of the IEP, diploma pathways and program credits will be discussed and determined.
- The information mentioned above, including the information from the transition assessment, will be reviewed by the IEP team and will be used to develop appropriate post-secondary goals in these areas: education, employment, and community living. The information may be gathered by interviewing the student and/or the parents and/or teachers, written input from the student and/or parent, observation by the case manager and/or special ed. teacher/transition aide, or evaluations of student performance in school-or community-based settings.

- During the IEP meeting prior to the student entering ninth grade, parents are given information regarding the various diploma pathways. The form *Selecting the Highest, Most Appropriate Pathway Leading to the Alabama High School Diploma* is reviewed with the parent and student, and is signed by the parent and student, if possible. Diploma pathways are reviewed annually.
- An open discussion is held in the annual IEP meeting, and throughout the year when appropriate, to discuss transition goals and student interests. Parents and students are involved in these discussions. Students are invited to IEP meetings in which transition services, goals, and/or diploma pathways are addressed.
- The Special Education Director provides annual training to secondary special ed. teachers and staff regarding transition issues. Participation in state sponsored or recommended transition training is encouraged.
- Upon receiving parental consent, transition agencies, such as Vocational Rehabilitation (VR) Services, are invited to participate in the student's IEP meeting. Case managers maintain contact with the VR counselors and help to facilitate VR's involvement.

VI. Tallapoosa County Schools 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 [taken from AAC 290-8-9-.08(2) (3) (4)]:
  - A. **Access to Records-** Parents are given the opportunity to inspect and review all of their child's educational records relating to identification, evaluation and educational placement and the provision of FAPE that are collected, maintained, or used by Tallapoosa County Schools. Parents are given the opportunity to review their child's educational records not more than 45 days after the request has been made and before any meeting regarding an IEP or before a due process hearing, or resolution session is conducted. When requested, Tallapoosa County Schools provides parents with copies of their child's records, if failure to do so would effectively prevent the parents from exercising their right to inspect and review records. Upon a reasonable request from the parents, Tallapoosa County Schools provides an explanation and interpretation of the child's records to the parents. Parents may have a representative inspect and review their child's records. Tallapoosa County Schools presumes that parents have the authority to inspect and review the records of their child unless Tallapoosa County Schools has been advised that authority has been removed under state laws governing such matters as guardianship, separation, and divorce.
  - B. **Records on More Than One Student-** When a record contains information on more than one child, the parent may inspect and review that information only as it pertains to their situation. If information on their child cannot be isolated for review, Tallapoosa County Schools may inform the parent of that specific information as it pertains to their child.
  - C. **List of Types and Locations of Information-**When requested by parents, Tallapoosa County Schools will provide parents with a list of the types and locations of educational records collected, maintained, or used by Tallapoosa County Schools.
  - D. **Fees for Copying-** Tallapoosa County Schools may charge parents a reasonable fee for copies of educational records, but not in an amount that would effectively prevent them from exercising their right to inspect and review the records. The fee may not include a charge for the search or retrieval of the educational records.

E. **Disclosure Procedures Pertaining to Special Education Records-**Tallapoosa County Schools will maintain for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information contained in the education records. This list is distributed annually to all schools and central office locations.

F. **Transfer of Records-** To facilitate the transition for a child who has transferred to Tallapoosa County Schools from another public agency in Alabama or from another state, Tallapoosa County Schools will take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous public agency in which the child was enrolled, pursuant to FERPA; and the previous public agency in which the child was enrolled must take reasonable steps to promptly respond to such requests from Tallapoosa County Schools.

Parental consent is not required as a condition for a transfer of special education records from Tallapoosa County Schools to another district where the child has enrolled. However, FERPA requires notice to be provided to the child's parents or the student who has reached the age of 18 when records are transferred.

G. **Amendment of Records at Parent's Request-**A parent who believes that the information in the education records collected, maintained, or used are inaccurate or misleading or violates the privacy or other rights of the child may request that Tallapoosa County Schools amend the record. Tallapoosa County Schools must decide whether to amend the record within a reasonable period of time from receipt of request. If Tallapoosa County Schools decides not to amend the record as requested, written notice will be provided to the parent. The notice will advise the parent of the right to a local hearing before the agency.

H. **Opportunity for a Hearing-** Tallapoosa County Schools will, on request, provide an opportunity for an impartial records hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

I. **Result of Hearing-** If, as a result of the records hearing, Tallapoosa County Schools decides that the information contained in the record is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it will amend the information accordingly and inform the parent in writing. If, as a result of the hearing, Tallapoosa County Schools decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, we will inform the parent of the right to place in the record a statement commenting on the information or setting forth

reasons for disagreeing with the decision of Tallapoosa County Schools. Any explanation placed in the records will be maintained as part of the records as long as the record or contested portion of the record is maintained by Tallapoosa County Schools.

If the record of the child or the contested portion is disclosed by Tallapoosa County Schools to any party, the explanation will also be disclosed to the party.

- J. **Hearing Procedures-** The hearing will be conducted according to the procedures set forth in FERPA.
- K. **Consent-** Tallapoosa County Schools will obtain parental consent before personally identifiable information is disclosed to parties other than Tallapoosa County Schools officials. Parental consent is not required before personally identifiable information is released to:
- Tallapoosa County Schools officials or officials of other school agencies for the purposes of meeting a requirement of Part B of the IDEA. However, the child's parents or eligible child who has reached the age of majority (age 19) must be given prior notice of the transfer of records to another school agency in which the student has enrolled.
  - Authorized state or federal officials in conjunction with monitoring or enforcement of legal requirements that relate to the special education program.
  - Law enforcement and judicial authorities to the extent permitted by FERPA when the child with a disability has committed a crime.

Tallapoosa County Schools will obtain parental consent, or the consent of an eligible child who has reached the age of majority (age 19), before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

If a child is enrolled, or is going to enroll in a private school that is not located in the LEA of the parent's residence, Tallapoosa County Schools will obtain parental consent before any personally identifiable information about the child is released to the school district where the private school is located.

**L. Destruction of Information-** Tallapoosa County Schools will retain a copy of the education records containing personally identifiable information for a period of at least five (5) years after the termination of the special education program for which they were used. However, a permanent education record that may contain the former student's name, date of birth, exceptionality, date of last eligibility meeting, grade level completed, and year completed may be maintained without time limitation.

At the end of the five-year retention period, Tallapoosa County Schools informs the parents generally through public notice in newspapers when personally identifiable information collected, maintained, or used is no longer needed. Information is destroyed in a manner whereby the confidentiality of the information is maintained, generally through incineration or shredding.

**M. Disciplinary Information-** Tallapoosa County Schools may include in the records of a child with a disability a statement of any current or previous disciplinary action that has been taken against the child and transmit the statement to the same extent that the disciplinary information is included in, and transmitted with, the student records of nondisabled children. The statement may include a description of any behavior engaged in by the child that required disciplinary action, a description of the disciplinary action taken, and any other information that is relevant to the safety of the child and other individuals involved with the child. If the child transfers from one school to another, the transmission of any of the child's records will include both the child's current IEP and any statement of current or previous disciplinary action that has been taken against the child to the same extent that disciplinary information is transmitted with the records of nondisabled children.

**N. Rights of Children-** Regarding records, Tallapoosa County Schools will afford to the child, the rights of privacy similar to those afforded to parents, taking into consideration the age of the child and the type and severity of the disability. Although the rights of parents under the IDEA transfer to the student at the age of majority (age 19), the rights of parents regarding educational records under FERPA transfer to the student at age 18.

**O. Parental Notice and Consent-** Tallapoosa County schools will provide notice to parents and obtain consent prior to specific actions.

1. Parental Consent.

(a) Tallapoosa County Schools will obtain informed written consent prior to an initial evaluation; prior to the initial provision of special education and related services; and prior to any reevaluation that requires additional data to be obtained. Consent for initial evaluation will not be construed as consent for the initial provision of services. If the parent of the child with a disability refuses or fails to respond to a request to provide consent for initial evaluation or a reevaluation that requires additional data to be obtained, Tallapoosa County Schools may, but is not required to, pursue consent by using mediation and/or due process procedures. Tallapoosa County Schools does not violate its obligation under Child Find requirements if it declines to pursue an initial evaluation or reevaluation.

(b) Tallapoosa County schools will make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the child. If the parent of the child refuses to consent to the initial provision of special education and related services or the parent fails to

respond to the request to provide such consent, Tallapoosa County Schools will not use mediation or due process procedures in order to obtain agreement or a ruling that services may be provided to the child. However, Tallapoosa County Schools will not be in violation of the requirement to make available FAPE to the child for the failure to provide the child with the special education and related services for which Tallapoosa County Schools requests consent and Tallapoosa County Schools is not required to convene an IEP meeting or develop an IEP for the child for the special education and related services for which it requests such consent.

(c) Tallapoosa County Schools will not use a parent's refusal to provide informed written consent to deny the parent or child any other service, benefit, or activity of the public agency, except as described in paragraphs (a) and (b) above.

(d) Informed written consent is not required:

(i) For reevaluation, if Tallapoosa County Schools can demonstrate that it has made reasonable efforts (at least two attempts) to obtain that consent and the child's parent has failed to respond.

(ii) Before reviewing existing evaluation data as part of an evaluation or reevaluation or administering a test or other evaluation that is administered to all children, unless, before administration of that test or evaluation, consent is required of parents of all children.

(iii) For the type of evaluations listed on the IEP to evaluate the mastery of annual goal(s).

(iv) For initial evaluations only, if the child is a ward of the State and is not residing with the child's parent, the public agency is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if despite reasonable efforts to do so, the public agency cannot discover the whereabouts of the parent of the child; the rights of the parents of the child have been terminated in accordance with State law; or the rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

(e) If a parent of a child who is placed in a private school by the parents at their own expense does not provide consent for the initial evaluation or reevaluation, or the parent fails to respond to a request to provide consent, Tallapoosa County Schools will not use the consent override procedures of mediation or due process and Tallapoosa County Schools is not required to consider the child as eligible for special education and related services.

(f) To meet the reasonable efforts requirement regarding consent for initial evaluation, reevaluation and initial provision of services, Tallapoosa County Schools will document its attempts to obtain parental consent using the same procedures it uses to document attempts to invite parents to participate in IEP meetings.

2. Parental Notice.

- (a) Written notice will be given to parents in a reasonable time before Tallapoosa County Schools proposes or refuses to initiate or change the identification, evaluation, educational placement, or the provision of FAPE to a child. Written notice will be given when a child graduates from high school having earned a diploma through the general ed. pathway or exits because the child has exceeded the age of eligibility for FAPE .
- (b) The parental notice will include a description of the action proposed or refused by Tallapoosa County schools, the reason for the proposed or refused action, a description of other options Tallapoosa County Schools considered and why those options were rejected, a description of each evaluation procedure, assessment, record, or report Tallapoosa County Schools used as a basis for the proposal or refusal and a description of any other factors that are relevant to the proposal or refusal. The notice will also include a statement that the parents of the child have protection under the Special Education Rights and if this notice is not an initial referral for evaluation, the means by which a copy of the rights can be obtained, and sources for parents to contact to obtain assistance in understanding the provisions of the notice. To ensure that parents understand the content of each notice, Tallapoosa County Schools will provide written notice in language understandable to the general public, provide notice in the native language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so, and take the necessary steps to ensure, that when the native language or other mode of communication of the parent is not a written language, that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication. Tallapoosa County Schools will ensure that parents understand the content of the notice and maintain written evidence that the notice requirements have been met. Parents may request to receive notices by electronic mail if Tallapoosa County Schools provides notices by electronic mail.



II. Special Education Coordinator, 679 East Columbus St. ,Dadeville, AL 256-825-0746 ext. 23 is responsible for ensuring the confidentiality of all personally identifiable information.

III. List of types and locations of educational records maintained and collected.

- A complete set of current and archived records for each eligible or ineligible student with a disability is kept in the special education locked file room.
- A copy of each current special education student's file and behavior intervention plan, if appropriate, is kept in the classroom of the student's case manager at the school in a locking file cabinet.
- All records created since the implementation of SETS are maintained through the state approved electronic tracking system.

IV. Procedure for:

**A. Identification of children in need of a surrogate parent-**If a child has been referred for a special education evaluation or the child is receiving special education services, the special ed. teacher or principal will inform the Special Education Coordinator: when: no parent can be identified; Tallapoosa County Schools, after reasonable efforts, cannot locate a parent; or the child is a ward of the State. In the case of a child who is a ward of the State, a surrogate may alternatively be appointed by the judge overseeing the child's case, provided that the surrogate meets the criteria. In the case of an unaccompanied homeless youth as defined in section 725(6) of the *McKinney-Vento Homeless Assistance Act* [42 U.S.C. 11434a(6)], Tallapoosa County Schools will appoint a surrogate. Tallapoosa County Schools will also consider written requests for the need of a surrogate parent from anyone who believes that an appropriate person is not available to represent the student with respect to making special education decisions. The Special Education Coordinator makes the final determination of the need for a surrogate parent and will send out written notification of the decision to the parties involved.

**B. Appointment of a surrogate parent-** Tallapoosa County Schools' Special Education Director will appoint a surrogate parent. Tallapoosa County Schools will ensure that the person selected as a surrogate parent:

- (i) Is not an employee of the Alabama State Department of Education, Tallapoosa County Schools, or any other agency that is involved in the education or care of the child;
- (ii) Has no personal or professional interest that conflicts with the interests of the child he/she represents; and
- (iii) Has knowledge and skills that ensure adequate representation of the child.

In the case of a child who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and

street outreach programs may be appointed as temporary surrogate parents without regard to any of the above provisions, until a surrogate parent can be appointed that meets the criteria for selection of a surrogate parent. Tallapoosa County Schools may select as a temporary surrogate a person who is an employee of a nonpublic agency that only provides non-educational care for the child and who meets the surrogate parent criteria.

The Special Education Coordinator will send written notification of the appointment to the surrogate parent and the person/agency who made the request for the appointment.

**E. Training surrogate parents.**

- Training is completed annually by the Special Education Coordinator
- Training includes information on the special education process, procedural safeguards, the Alabama Administrative Code, and the Surrogate Parent Manual.

**D. Rescission of a surrogate parent.** Rescission shall occur when:

- A surrogate parent sends written notice to the education agency of their resignation; or
- A surrogate parent has been unable or unwilling to perform assigned responsibilities; or
- A student no longer requires a surrogate parent.
- The Special Education Coordinator will send written notification of the rescission to the parties involved.

**E. Tracking requirements**

- A tracking system of students who were considered for or who were appointed a surrogate parent will be maintained by the Special Education Coordinator.
- Copies of letters and other data relative to the student's consideration for surrogate parent services will be maintained by the Special Education Coordinator.
- Documentation of surrogate parent training will be maintained by the Special Education Coordinator.

**V. Procedure for maintaining records that demonstrate that complaint resolution, mediation agreements, and due process hearing decisions are implemented.**

- Special Education Coordinator is responsible for monitoring and ensuring the implementation of complaint resolution, mediation agreements, and due process hearing decisions. The Special Education Coordinator will inform those who have a need to know of the pertinent information.
- The Special Education Coordinator is responsible for ensuring the implementation and submission of documentation to the State Department of

Education, if needed. The Special Education Coordinator will ensure the confidentiality of all personally identifiable information.

- VI. Tallapoosa County Schools 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. Tallapoosa County Schools ensures that qualified personnel will be provided to implement special education services.
  - B. Procedure to recruit and retain qualified personnel.
    - Tallapoosa County Schools may use any of the following methods to advertise positions to be filled: attend job fairs; recruitment brochure for special education teachers; posting of openings at all school and central office sites, and school system website; posting of difficult-to-fill positions with the local university and in newspapers; and Teach in Alabama website.
    - Tallapoosa County Schools works closely with Auburn University to recruit qualified personnel. We provide placements for lab students and student interns. The Special Education Coordinator frequently writes letters of support for various personnel training grants for Auburn University.
    - Tallapoosa County Schools offers continuing professional development, adequate materials and supplies, administrative support, respect for the expertise that special educators provide for the total program, a strong mentoring program, and assistance from paraprofessionals to ensure qualified personnel are retained.
- II. Procedures to fully inform teachers and administrators of their responsibilities for implementing least restrictive environment requirements.
  - Tallapoosa County Schools does not limit the continuum of placements as mandated by LRE. We offer a full spectrum of placements as required and recommended by the IEP Team. Training is provided on alternative placement availability and awareness of options is monitored by the Special Education Coordinator. Special education teachers, related service providers and special education paraprofessionals are available to provide services in a variety of environments.
  - Tallapoosa County utilizes a wide variety of training for general education teachers, special education teachers, and administrators on their responsibility to implement LRE requirements. This includes ongoing professional development and training activities provided in the following ways: trainer-of-trainers models, faculty meetings, principal meetings, activities on professional development or pre-planning days, small group focused presentations, policy and procedure manuals, postings to websites, and handouts, as well as frequent reminders to teachers and administrators.

- III. Procedures to fully inform general educators and administrators of the special education process.
- Professional development for teachers and administrators will include, but is not limited to, training on processes, forms and best practices in special education.
  - Professional development and training activities provided by the LEA may include annual teacher meetings, policy and procedure manuals, handouts, as well as frequent reminders to teachers and administrators. Additional external opportunities will be available for instructional staff and administrators.
- IV. Tallapoosa County Schools 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.
  - Tallapoosa County Schools' board policy states that the LEA will follow the mandates of the most recent reauthorization of IDEA and the Alabama Administrative Code.
  - Suspension/expulsion of students with disabilities is monitored in the individual schools and by the Special Education Coordinator.
  - Manifestation Determination Review:
    - a. Within ten school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, the LEA, parent and relevant members of the student's IEP team will review all relevant information in the student's file, including the student's IEP, any teachers' observations, and any relevant information provided by the parents to determine if the conduct in question was caused by, or had a direct and substantial relationship to the student's disability, or if the conduct in question was the direct result of the LEA's failure to implement the IEP.
    - b. Once the IEP team has reached a manifestation determination, the LEA will follow the guidelines in accordance with the Alabama Administrative Code.
    - c. Parents will be provided a copy of Special Education Rights if the disciplinary removal constitutes a change of placement.
- II. Tallapoosa County Schools 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. Tallapoosa County Schools 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. Tallapoosa County Schools 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. Tallapoosa County Schools 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. Tallapoosa County Schools will describe how it will use Part B funds by completing the annual budget application data requirements and submitting it to the Alabama Department of Education for approval prior to the receipt of funds.
- V. Tallapoosa County Schools 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. Tallapoosa County Schools 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. Tallapoosa County Schools ensures its commitment to utilize any required state forms.
- II. Tallapoosa County Schools ensures that it will provide information necessary to enable the Alabama Department of Education to carry out 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. Tallapoosa County Schools ensures that it will maintain records that verify the correctness of information submitted. 34 CFR §76.772; 730; 731.
- IV. Tallapoosa County Schools ensures that it will afford the Alabama Department of Education access to records that verify the correctness of information. 34 CFR §76.772; 730; 731; 740.
- V. Tallapoosa County Schools 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. Tallapoosa County Schools ensures it will provide instructional materials in accessible formats to blind persons or other persons with print disabilities. 34 CFR §300.210 (2) (3).
- VII. Tallapoosa County Schools 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. Tallapoosa County Schools 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. Tallapoosa County Schools 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.