

**IC ©
SCHOOL YEAR**

The school year shall be not less than the number of instructional days specified in the following schedule:

School Year(s) Instructional Days

2001-2002 176

2002-2003 177

2003-2004 178

2004-2005 179

2005-2006 and beyond 180

Each instructional day shall consist of not less than the minimum amount of time prescribed in A.R.S. [15-901](#) for each respective program level. Variance from this requirement may be sought under A.R.S. [15-861](#).

The Board shall establish the school calendar each year after recommendations from the Superintendent.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-341.01](#) (Laws 2000, 5th S.S., Ch 1 § 54)[15-801](#)[15-854](#)[15-855](#)[15-861](#)[15-881](#)[15-901](#)

**ID ©
SCHOOL DAY**

The normal school day for the instruction of the students of this School shall be in accordance with Arizona Revised Statutes.

The regular school session may be temporarily altered by the Board upon recommendation by the Superintendent when such alteration is in the best interest of the School.

The Superintendent may close the schools, delay the opening of schools, or dismiss school early for emergency reasons and to protect the health and safety of students and staff members, shall prepare rules for the proper and timely notification of concerned persons in the event of such emergency closing, and shall in all cases inform the Board President as soon as possible.

The Superintendent shall develop guidelines that allow students to enter schools and to leave schools under exceptional conditions so that variances with the normal school schedule may be accommodated. Such guidelines shall consider inclement weather, family illness, and other similar circumstances.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

[15-801](#)

[15-861](#)

[15-901](#)

IGD ©
CURRICULUM ADOPTION

All new programs and courses of study will be subject to Board approval, as will elimination of programs and courses and extensive alteration in their content. Curricular proposals from the professional staff may be presented to the Superintendent, who will be responsible for making recommendations to the Board on such matters.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-721](#)

[15-722](#)

**IGE ©
CURRICULUM GUIDES AND COURSE OUTLINES**

Curriculum guides shall be developed for the various subject areas. These guides shall present at least a minimal outline for instruction and a basis for further development of the particular courses.

In accordance with requirements of the state of Arizona, the School will develop its own curriculum guides to reflect local needs. The guides shall be designed to assist users in implementing the School philosophy regarding the teaching of a subject and will, when possible, suggest a variety of possibilities for instruction, patterns of individualization, variations of approaches, and materials.

The Superintendent will formulate procedures for the development and use of curriculum guides.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

[15-701](#)

[15-701.01](#)

IGE-R ©**REGULATION****CURRICULUM GUIDES AND
COURSE OUTLINES****Development of Curriculum Guides**

Curriculum guides will be developed by the staff members and teachers who are to use them.

If participation of the entire staff is not feasible, representatives of the staff and/or departments concerned shall be appointed to committees for study, creation, and revision of any particular guide.

When work is completed on a guide, the committee responsible for its development shall present it to the Superintendent.

Use of Guides

Curriculum guides are to serve as a framework from which a teacher will develop units of study, individual lesson plans, and approaches to instruction that will serve the students' particular needs at a particular time. The guides shall be used to map the logical sequence of instruction.

The principal, department heads, or other supervisors shall see that optimum use is made of available curriculum guides. Teachers will adhere to the guides.

IHA © BASIC INSTRUCTIONAL PROGRAM

The various instructional programs will be developed to maintain a balanced, integrated, and sequential curriculum that will serve the educational needs of all school-aged children. The curriculum will be broad in scope and provide for a wide range in rate, readiness, and potential for learning.

The instructional program shall reflect the importance of language acquisition/reading-skill development as the basic element in each student's education. The first priority of the instructional program will be language acquisition through a planned sequence of reading skills and language experiences beginning in the kindergarten program. The improvement of specific reading skills of students should be continuous throughout their education.

The second priority of the instructional program will be mastery of the fundamentals of mathematics, beginning in the kindergarten program.

Attention to the above-listed priorities shall not result in neglect of other areas of the curriculum.

The instructional program will include planned sequences in:

- Language arts - reading, spelling, handwriting, English grammar, composition, literature, and study skills.
- Mathematics experiences.
- Social studies - history, geography, civics, economics, world cultures, political science, and other social science disciplines.
- Science experiences.
- Fine and practical arts experience - art education, vocal and instrumental music, and vocational/business education.
- Technology skills.
- Health and safety education.
- Physical education.
- Foreign or Native American language.

The planned program for all students shall also include library instruction, individual study, guidance, other appropriate instructional activities, and all instruction required under state law and State Board of Education regulations.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-203](#)

[15-701](#)

[15-701.01](#)

[15-741.01](#)

[15-802](#)

A.A.C.

R7-2-301 *et seq.*

IHAA ©

ENGLISH INSTRUCTION

Subject to the exceptions provided in A.R.S. section 15-753, all students in this school district shall be taught English by being taught in English.

Definitions:

"Bilingual education/native language instruction" means a language acquisition process for students in which much or all instruction, textbooks, or teaching materials are in the child's native language other than English. "English language classroom" means a classroom in which English is the language of instruction used by the teaching personnel, and in which such teaching personnel possess a good knowledge of the English language. English language classrooms encompass both English language mainstream classrooms and sheltered English immersion classrooms.

"English language mainstream classroom" means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English.

"English learner" or "limited English proficient student" means a child who does not speak English or whose native language is not English, and who is not currently able to perform ordinary classroom work in English. "Sheltered English immersion" or "structured English immersion" means an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. Books and instructional materials are in English and all reading, writing, and subject matter are taught in English. Although teachers may use a minimal amount of the child's native language when necessary, no subject matter shall be taught in any language other than English, and children in this program learn to read and write solely in English. This educational methodology represents the standard definition of "sheltered English" or "structured English" found in educational literature.

English Immersion

All students who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one (1) year. Once English learners have acquired a good working knowledge of English and are able to do regular school work in English, they shall no longer be classified as English learners and shall be transferred to English language mainstream classrooms.

The Superintendent shall develop procedures as necessary to implement this policy.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-751](#)

[15-755](#)

CROSS REF.:

IHBE - Bilingual Instruction/Native Language Instruction

**IHAMB ©
FAMILY LIFE EDUCATION**

**Instruction on Acquired Immune
Deficiency Syndrome and Human
Immunodeficiency Virus**

The School may provide instruction in kindergarten (K) through grade twelve (12) on acquired immune deficiency syndrome and the human immunodeficiency virus as authorized by Arizona law.

If instruction is to be offered at one (1) or more grade levels, the Superintendent shall develop and implement regulations on such instruction that conform to Arizona law.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

[15-716](#)

A.A.C.

R7-2-303

IHAMB-R ©

REGULATION

FAMILY LIFE EDUCATION**Instruction on Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus**

The School will develop its own course of study for each grade. At a minimum, instruction shall:

- Be appropriate to the grade level in which it is offered.
- Be medically accurate.
- Promote abstinence.
- Discourage drug abuse.
- Dispel myths regarding transmission of the human immunodeficiency virus.

Nothing shall be included in the course of study instruction that:

- Promotes a homosexual life-style.
- Portrays homosexuality as a positive alternative life-style.
- Suggests that some methods of sex are safe methods of homosexual sex.

The School may request that the Department of Health Services, in conjunction with the Department of Education, review instruction materials to determine their medical accuracy.

The School may request that the Department of Education provide the following assistance:

- A suggested course of study.
- Teacher training.
- A list of available films and other teaching aids.

At the request of a parent, a student shall be excused from the instruction on acquired immune deficiency syndrome and the human immunodeficiency virus. The School shall notify all parents of their ability to withdraw their children from the instruction.

SPECIAL INSTRUCTIONAL PROGRAMS

A long-range plan will be the basis for providing special education services for students with exceptional needs and education requirements. These services may include specialized programs, personnel, facilities, materials, and equipment needed to promote the individual physical, social, intellectual, and emotional growth of exceptional students.

The Superintendent shall develop procedures that provide educational opportunities for individuals with disabilities and that accomplish School compliance with federal laws including the Individuals with Disabilities Education Act (IDEA), the Arizona revised statutes, and the lawful regulations of the State Board of Education. Such procedures shall include, but not be limited to, the following provisions:

- All children with disabilities aged birth (0) through twenty-one (21) years within the School's jurisdiction are to be identified, located, and evaluated including children attending religious or private schools who are in need of special education and related services.
- A free appropriate public education (FAPE) shall be available to all children with disabilities aged three (3) through twenty-one (21) years within the School's jurisdiction, including children advancing from grade to grade, those who have been suspended or expelled from school in accordance with the applicable IDEA rules and regulations, and any child with a disability the School has placed in or referred to a private school or facility. The School may refer to and contract with approved public or private agencies as necessary to ensure the provision of FAPE for children with disabilities.
- A full individual evaluation encompassing existing and additional data shall be conducted for each child to determine if the child is a child with a disability and the educational needs of the child before the initial provision of special education and related services. A reevaluation of each child shall be conducted at least every third year.
- An individualized education plan (IEP) shall be developed and implemented for each eligible child served by the School and for each eligible child the School places in or refers to a private school or facility. An IEP or an individualized family service plan (IFSP) will be in place for each child with a disability prior to the provision of FAPE.
- To the maximum extent appropriate, opportunities for the least restrictive setting, inclusion in educational exercises with regular program students, and for interaction with the total school environment will be provided to exceptional students, the exception to be only when the student's condition, with supplementary aids and services, make such regular class education unsatisfactory.
- All required procedural safeguards must be guaranteed to the exceptional students and their parents. The parents will be provided with notices of procedural safeguards in each specified instance and all due process conditions will be satisfied with respect to the provision of a free appropriate public education.
- The School shall follow the established state and federal standards to protect the confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages.
- To the extent essential to provide FAPE to children with disabilities aged three (3) through twenty-one (21), extended school year (ESY) services shall be made available and implemented as necessary.

- Criteria for the graduation of exceptional students, including accomplishment in reading, writing, and mathematics, shall be as specified in the School policy on graduation requirements. Such standards shall be equivalent to or greater than those established by the State Board of Education.
- Not later than March 1 of each year conduct a review of the reasonable and acceptable ratio of students per teacher for each disability category. The applicable ratios shall be specified in a regulation accompanying the School policy on class size.
- The discipline of exceptional students, and unevaluated students suspected of having a qualifying disability, is to be conducted in such a manner as to comply with FAPE and requirements of the IDEA.

The Superintendent is authorized and directed to establish procedures for the development and administration of the necessary programs, and to document School compliance with the law and this policy. Such procedures will be made available to staff members and to parents as necessary to enhance compliance.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-761](#)

[15-763](#)

[15-763.01](#)

[15-764](#)

[15-765](#) to [15-769](#)

[15-771](#)

[15-881](#)

[15-1181](#) to [15-1185](#)

[15-1201](#) to [15-1205](#)

[36-555](#)

A.A.C.

R7-2-401

R7-2-402

R7-2-403

R7-2-405

R7-2-601

R7-2-602

R7-2-603

20 U.S.C. 1400 *et seq.*, Individuals with Disabilities Education Act

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

CROSS REF.:

[IIB](#) - Class Size

[IKE](#) - Promotion, Retention, and Acceleration of Students

[IKF](#) - Graduation Requirements

[JKD](#) - Student Suspension

[JKE](#) - Student Expulsion

[JR et seq.](#) - Student Records

IHB-RA ©**REGULATION****SPECIAL INSTRUCTIONAL PROGRAMS****(Identification and Placement
of Exceptional Students)**

The School will ensure that all children, including children attending private schools, within the School's responsibility who have suspected disabilities are identified, located, and evaluated. The process of identifying, locating, and evaluating students with disabilities is important to the provision of educational opportunities for all students. It is this process of identification, evaluation, development of program, placement, and the provision of services - its sensitivity, its accuracy - that will determine much of what happens with students during the remainder of their educational lives.

This process is guided by a variety of laws and regulations regarding identification, evaluation, development of program, placement, and the provision of transition services enacted at both the state and federal levels. The following are the procedures to be followed in the School to comply with those laws and regulations.

CONTENTS

Identification	Pg. 3
Referral	Pg. 4
Evaluation	Pg. 4
Autism	Pg. 7
Emotional Disability	Pg. 7
Hearing Impairment	Pg. 8
Mild, Moderate, or Severe Mental Retardation	Pg. 8
Multiple Disabilities	Pg. 9
Multiple Disabilities with Severe Sensory Impairment	Pg. 9
Orthopedic Impairment	Pg. 9
Other Health Impairment	Pg. 10
Specific Learning Disability	Pg. 10
Speech/Language Impairment	Pg. 10
Traumatic Brain Injury	Pg. 11
Visual Impairment	Pg. 11
Reevaluation	Pg. 11
Independent Educational Evaluation	Pg. 12

Eligibility Determination	Pg. 13
Individualized Education Programs	Pg. 13
IEP Team Membership	Pg. 14
Content of the IEP	Pg. 15
Transition Responsibility.	Pg. 17
Work Experience Program	Pg. 18
Extended School Year	Pg. 19
Placement	Pg. 19
Least Restrictive Environment	◆
Continuum of Alternative Placements	Pg. 21
Regular Class Placement	Pg. 22
Regular Class Placement with Resource Room/Itinerant Instruction Placement	Pg. 22
Special Class Placement	Pg. 22
Other Placements	Pg. 23
Nonacademic Settings	Pg. 23
Out of School/Private School Placements	Pg. 23
Children in Private Schools	Pg. 24

IDENTIFICATION

Local community agency resources will be identified for referring parents of children from birth through two years old who require screening, evaluation, or early intervention services [34 C.F.R. 300.125]. The identification procedures for three- to five-year-olds shall include screening and evaluation procedures consistent with considerations for older students. Information regarding such screenings and regarding the rights of children with disabilities shall be made available in a mode of communication that will be understandable to parents, regardless of their ethnic, linguistic, or cultural background [34 C.F.R. 300.500]. Documentation of these annual efforts to create public awareness of special education and to inform parents of the rights of children with disabilities is maintained by the School [34 C.F.R. 300.561].

Teacher rating scales will be used for the screening/identification of students who may require special education. The teacher rating scales will be distributed to classroom teachers as appropriate, along with copies of procedures for identifying students who are exceptional.

The identification procedures shall include consideration of academic progress, as well as vision and hearing, communication, and emotional and psychomotor problems, but shall not include detailed individual evaluation procedures such as psychological testing [A.A.C. R7-2-401]. Vision and hearing screening shall be in accordance with the regulations of the Department of Health Services.

If the identification procedures indicate a possible disability, a referral for evaluation shall occur only after appropriate consultation among the administrator, the parent, and the teacher or through a child study team discussion. Parents and/or students may request a referral for evaluation and are encouraged to follow a similar pattern of discussion and agreement [A.A.C. R7-2-401]. When consent and agreement of the parent are impossible to obtain, the School may proceed through the use of mediation and due process procedures [34 C.F.R. 300.505]. When no parent [34 C.F.R. 300.505] can be found, or the child is a ward of the state, a surrogate shall be requested, in accord with A.R.S. 15-763.01, to protect the rights of the child [34 C.F.R. 300.515]. Documentation of the identification procedures utilized shall be maintained in the student's cumulative folder in a location designated by the administrator.

Identification procedures shall be completed within forty-five (45) calendar days after enrollment for each kindergarten student and new student enrolling without appropriate screening records [34 C.F.R. 300.561; A.A.C. R7-2-401].

REFERRAL

The referral of a student for evaluation for possible placement in special education and related services shall be made by the administrator after notifying parents of their rights and after documenting the informed consent of the parent or guardian [34 C.F.R. 300.504; 34 C.F.R. 300.505; and A.A.C. R7-2-401]. When the parent does not refer the child, the parent must be provided notice of referral for evaluation within seven (7) days [A.A.C. R7-2-401]. Such parental consent shall be obtained within fifteen (15) calendar days after the disposition of the referral and the determination to evaluate [A.A.C. R7-2-401]. Absent the consent of the parent or guardian, mediation or due process procedures may be used to address the issue of referral for evaluation [34 C.F.R. 300.504].

The written notice of referral, as provided in A.A.C. R7-2-405 and 34 C.F.R. 300.504, will include a copy of the procedural safeguards available to the parents of a child with a disability. Translation of the notice will be made by an interpreter when necessary to ensure understanding.

The person or persons making the initial referral shall be notified within thirty (30) calendar days regarding the status of progress of the referral [A.A.C. R7-2-401].

EVALUATION

A written evaluation plan appropriate to the student's unique educational needs shall be prepared by a multidisciplinary team, which includes at least one (1) teacher or other specialist with knowledge in the area of the suspected disability, a regular education teacher, the evaluator, and the parent [A.R.S. 15-761; A.A.C. R7-2-401]. Testing and evaluation materials and procedures used for the purposes of evaluation and placement of children with disabilities are to be selected and administered so as not to be racially or culturally discriminatory [34 C.F.R. 300.532]. The evaluation shall include determination of the student's primary language. The evaluation shall be completed within sixty (60) calendar days after obtaining written consent of the parent or guardian for the evaluation, or, absent such consent, through the use of mediation or due process procedures as referred to above [C.F.R. 300.505]. If the evaluation cannot be completed within sixty (60) calendar days, the parents and the Arizona Department of Education shall be notified and given an expected completion date [34 C.F.R. 300.505, A.A.C. R7-2-401]. The evaluation shall meet all legal requirements and be conducted every three (3) years, or more frequently if conditions warrant or if an evaluation is requested by the student's parent or teacher.

If a student is determined to be limited English proficient, one (1) or more of these procedures shall be followed:

- Use an evaluator fluent in the language in which the student is proficient and in English.

- Use an interpreter knowledgeable in special education comprehensive evaluation placement procedures to assist with language and testing.
- Use test instruments that do not stress spoken language and are considered valid and reliable performance measures of functioning [A.A.C. R7-2-401].

If a student is suspected of having impaired sensory, motor, or communication skills, adaptations shall be made to the evaluation plan including the selection of appropriate testing and evaluation materials [A.A.C. R7-2-401].

The following shall be noted on the student record:

- The identification procedures utilized.
- The date of entry into school.
- The date of screening.
- The primary language of the home.
- The primary language of the student.
- The racial/ethnic background of the student.

All advice, consultation, and other communication shall be in the primary language of the home, except in cases where written communication is necessary and the primary language of the home is not commonly written [A.A.C. R7-2-401].

The evaluation shall assess the capabilities and limitations of the student in all areas of suspected disability. This will include, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. It shall, if necessary, indicate any additional assessment needed to develop a program for the student and make an appropriate placement decision [34 C.F.R. 300.532].

Testing and other evaluation materials are used that have been validated for the specific purpose for which they are used and are administered by trained and knowledgeable personnel in conformance with the instructions provided by their producers [A.A.C. R7-2-401]. The evaluation will not rely exclusively on tests and materials that are designed to provide a single general intelligence quotient and will not utilize one single procedure as the sole criterion for determining an appropriate educational program for a child [34 C.F.R. 300.532].

A comprehensive evaluation of the child conducted by professional personnel, qualified comparably to Arizona professional personnel, may be used to determine the child's eligibility for special education. Appropriate diagnostic personnel shall be responsible for approving or supplementing the evaluation [A.A.C. R7-2-401].

All evaluations shall include all components listed in A.R.S. 15-766 including, but not limited to:

- Reason for referral.
- Educationally relevant medical findings.
- Educational history of the student, including documentation of efforts to educate the student in the regular classroom.
- Determination of whether the student's educational problems are related to or resulting from reasons of educational disadvantage.

- Developmental history of the student. If the language spoken in the student's home is other than English, the student shall not be considered for placement unless an evaluation of developmental history, cultural background, languages, and school achievement substantiate other findings of educational disability. Such evaluation shall include estimates of adaptive behavior with findings from a visit to the student's home. The visit shall occur only with the consent of the parent or guardian.
- Types of tests administered to the student and the results of such tests.
- Consideration of the student's racial/ethnic background as it relates to the selection and uses of test instruments and the interpretation of test results.
- General recommendations regarding areas to be addressed in the child's educational program.
- Written results of a current vision and hearing screening within the past year.
- An educational evaluation.

Evaluation data shall include evaluations and information provided by the parents of the child, current classroom-based assessments, observations by teachers and related services providers, and additional data, as needed to determine if the student is a child with a disability under one of the categories of IDEA and state law.

The specific categories and their requirements for evaluation are noted below.

Autism

In determining whether a student is autistic, the comprehensive evaluation must include components specified in A.R.S. 15-766, and in addition must include:

- Written and dated anecdotal records or behavioral observations.
- A comprehensive psychological evaluation conducted by a certificated school psychologist or psychiatrist, which shall include an individual evaluation of intellectual ability and potential and behavioral observations.
- A physical examination, which shall include a neurological evaluation if deemed necessary by the examining doctor of medicine or certificated school psychologist.
- An evaluation of speech and language development by a certificated speech/language pathologist or a certificated speech/language therapist [A.A.C. R7-2-410].

Emotional Disability

For the evaluation of a child suspected of having an emotional disability, a comprehensive psychological or psychiatric evaluation by a certificated school psychologist, licensed psychologist or a licensed psychiatrist is required [A.A.C. R7-2-401]. Additionally, the evaluation report must include all of the components specified in A.R.S. 15-766.

The evaluation shall determine the presence of a condition exhibiting one (1) or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance. The term does not include a child who is socially maladjusted, unless it is determined that the child is also a child with an emotional disability.

- An inability to learn which cannot be explained by intellectual, sensory, or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.

- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

Hearing Impairment

For the evaluation of a child suspected of having a hearing impairment, all components specified in A.R.S. 15-766, as well as a complete audiological evaluation shall be included [A.A.C. R7-2-401]. Hearing impairment includes children who are deaf.

Mild, Moderate, or Severe Mental Retardation

For the evaluation of a child suspected of having mild, moderate, or severe mental retardation, the evaluation shall include all the components specified in A.R.S. 15-766. A comprehensive psychological evaluation is required, including an intellectual assessment and an assessment of social and adaptive skills and measures of achievement, which shall be administered by a certificated school psychologist, a certificated psychometrist under the direction of a certificated school psychologist, or a licensed psychologist [A.A.C. R7-2-401].

In determining whether a student is a child with a disability with severe or profound mental disability, the comprehensive evaluation shall include all components specified in A.R.S. 15-766, and shall include:

- A review of the student's previous medical, psychological, and academic records.
- An individual measure of cognitive development administered by a certificated school psychologist or a licensed psychologist. The test used shall be appropriate for the student's functioning level and chronological age.
- An assessment, conducted by a certificated school psychologist, or a licensed psychologist, of social and adaptive skills, to include self-help/daily living and environmental factors. This assessment shall include information from the parent and teacher.
- Measures of achievement within areas of preacademic, academic, prevocational, vocational, general knowledge, and comprehension of the environmental demands. This assessment shall be conducted by a certificated teacher, certificated school psychologist, or certificated psychometrist.
- A sensory/perceptual/motor screening, and assessment, if deemed necessary following the screening, conducted by a licensed physical therapist, a registered occupational therapist, or a doctor of medicine.
- A communication assessment conducted by a certificated speech/language therapist or certificated speech/language pathologist, including information on receptive and expressive language and the need for alternative/augmentative communication systems.
- A report from a doctor of medicine regarding any medical inhibitors to learning.

Multiple Disabilities

In determining whether a child is a child with multiple disabilities, a comprehensive evaluation must meet the evaluation requirements for each disability being considered.

Multiple Disabilities with Severe Sensory Impairment

In determining whether a child is a child with multiple disabilities, the comprehensive evaluation must meet the evaluation requirements for each disability being considered and must, also, include evaluation for a severe visual impairment or a severe hearing impairment or both severe visual and hearing impairments.

Orthopedic impairment

A student suspected of having an orthopedic impairment shall have a medical certification to establish to severity and implications of the impairment. A description of the educational implications shall be provided by an educational specialist in the area of the disability [A.A.C. R7-2-401]. All of the components specified in A.R.S. 15-766 must be included.

Other Health Impairments

In determining whether a child is a child with other health impairments, the comprehensive evaluation shall include all components specified in A.R.S. 15-766.

Specific Learning Disability

For determining the existence of a learning disability, (1) the team shall determine that achievement is not commensurate with the student's age and ability levels in one [1] or more of the areas listed below, when provided with learning experiences appropriate for the student's age and ability levels; and (2) the team shall find that the student has a significant discrepancy between achievement and intellectual ability in one [1] or more of the following areas: (a) oral expression, (b) listening comprehension, (c) written expression, (d) basic reading skill, (e) reading comprehension, (f) mathematics calculation, or (g) mathematics reasoning [34 C.F.R. 300.541 and A.A.C. R7-2-401].

For determining the existence of a learning disability, at least one (1) team member other than the student's regular teacher shall observe the student's academic performance in the regular classroom setting. The team shall include the student's regular teacher or, if the student does not have a regular classroom teacher, a regular classroom teacher qualified to teach a student of the same age [34 C.F.R. 300.542 and A.A.C. R7-2-401].

For determining the existence of a learning disability, certification shall be given in writing as to whether the report reflects each team member's conclusion. Any team member whose conclusion is not reflected by the conclusion must submit a separate statement presenting an alternative conclusion [34 C.F.R. 300.543, and A.A.C. R7-2-401].

Speech/Language Impairment

For a student whose problems appear to be limited to impairment of articulation, voice, or fluency, the written evaluation shall include, but need not be limited to:

- A current audiometric screening within the past year.
- A review of the student's academic history and classroom functioning.
- An assessment of the student's functional communication skills.
- An assessment of the student's speech problem by a certificated speech/ language therapist [A.A.C. R7-2-401].

The written evaluation for students whose problems appear to be limited to severe language disorders of syntax, semantics, or vocabulary shall include evaluation requirements pursuant to A.R.S. 15-766.

Traumatic Brain Injury

In evaluating a child for eligibility as a child with disabilities under the category of Traumatic Brain Injury, the comprehensive evaluation shall include all components specified in A.R.S. 15-766.

Visual Impairment

A student suspected of having a visual impairment, shall have a medical certification to establish the severity and implications of the impairment in addition to all components specified in A.R.S. 15-766 [A.A.C. R7-2-401].

REEVALUATION

The reevaluation shall meet all legal requirements and be conducted every three (3) years, or more frequently if conditions warrant or if an evaluation is requested by the student's parent or teacher. A copy of the procedural safe- guards, available to the parents of the child with a disability, will be given to the parents.

Informed parental consent is required before a reevaluation is conducted.

- If parents fail to respond to a request for reevaluation, the evaluation may take place if the School can demonstrate it has taken reasonable measures to obtain the informed parental consent.
- If parents refuse to provide consent for reevaluation, mediation or due process procedures may be used to address the issue of reevaluation.
- If the parent requests a reevaluation, the School will obtain informed consent, convene the multidisciplinary evaluation team, and determine the components to be included in the reevaluation.

The content and scope of the reevaluation shall be determined by the Evaluation Team, which shall involve the parent, and any other persons needed to make a determination of what additional data are required.

Reevaluation data shall include:

- All data necessary to determine whether the child continues to have a disability;
- The present levels of performance and educational needs of the child;
- A determination of 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 Individualized Education Program (IEP) of the child, and to participate, as appropriate, in the general curriculum.

If the IEP Team determines that no additional data are needed to determine whether the child continues to be a child with a disability, the public agency shall notify the child's parents--

- Of that determination and the reasons for it; and
- Of the right of the parents to request an assessment to determine whether, for purposes of services under this part, the child continues to be a child with a disability who requires special education services in order to ensure the provision of a free appropriate public education [34 C.F.R. 300.533].

INDEPENDENT EDUCATIONAL EVALUATION

The parents of a child with a disability have the right to an independent educational evaluation at public expense in accordance with A.A.C. R7-2-401 and within the following guidelines [34 C.F.R. 300.502]:

- The parent must disagree with the evaluation obtained by the public agency or a due process hearing officer must order the evaluation.
- Upon request and without delay, the School shall provide information about where an independent evaluation may be obtained and the School's criteria for independent educational evaluations.
- The criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency uses when it initiates an evaluation.
- The School may not refuse a parent request for information on obtaining an Independent Educational Evaluation, but may initiate a due process hearing to show that the School's evaluation is appropriate. If the determination by the Hearing Officer is that the evaluation is appropriate, the parent may still obtain an independent evaluation, but not at public expense.
- An independent evaluation obtained at public or private expense must be considered by the public agency in provision of a free appropriate public education for the child and may be presented as evidence in a hearing [A.A.C. R7-2-405].

ELIGIBILITY DETERMINATION

The evaluation must support special education eligibility. A diagnostic statement, indicating the program(s) for which the student is eligible, must be made, a description of how test scores and other evaluation data supports eligibility must be prepared, results of tests that align with the definition of a disability must be discussed, and the student must meet all eligibility criteria required in A.A.C. R7-2-401 for the disability(ies) identified and must require special education services in order to receive a free appropriate public education [34 C.F.R. 300.535 and A.R.S. 15-761 and 15-766].

A copy of the evaluation report for any of the categories specified under the Individuals with Disabilities Education Act or in State Statute and the documentation of determination of eligibility will be given to the parent [34 C.F.R. 300.534].

INDIVIDUALIZED EDUCATION PROGRAMS

Once a determination of eligibility has been made, an individualized education program (IEP) must be developed for each student with a disability prior to the provision of special education and related services [34 C.F.R. 300.341 to 300.350]. For students transitioning from Part C, Early Intervention Programs for Infants and Toddlers with Disabilities, services to preschool students, the School will ensure that an IEP, or if determined appropriate by the IEP team, an Individualized Family Service Plan (IFSP), will have been developed and implemented by the child's third birthday [34 C.F.R. 300.300]. For others, a meeting to develop an IEP must be held within 30 calendar days of a determination that special education and related services are needed. For students continuing in special education placement from the prior school year, in order that they are in effect at the beginning of the school year, the IEP must be reviewed and revised at least annually. IEP's must also be reviewed and revised as needed to address lack of expected progress.

The notice of the IEP meeting sent to parents must be in the primary language of the home and must indicate the (a) purpose, (b) time, (c) location of the meeting, and (d) who will be in attendance. The Procedural Safeguards Notice, including a copy of all procedural safeguards, must be made available to the parents upon each notification of an IEP meeting. If a purpose of the meeting is the

consideration of transition services for the student, the notice must also indicate this purpose, indicate the identities of agencies invited, and indicate that the student and other agency representatives will be invited [34 C.F.R. 300.345(b) and A.A.C. R7-2-401].

The School shall take steps to ensure that one (1) or both of the parents of the student with a disability are present at each meeting or are afforded the opportunity to participate, including (a) notifying parents of the meeting early enough to ensure that they will have an opportunity to attend, and (b) scheduling the meeting at a mutually agreed upon time and place [34 C.F.R. 300.345]. The intent is that the parent shall have the opportunity to suggest alternative times and places [34 C.F.R. 300.345 and A.A.C. R7-2-401]. The School shall take whatever action is necessary to ensure that the parent understands the proceedings at a meeting, including arranging for an interpreter for parents who are deaf or whose native language is other than English [34 C.F.R. 300.345].

If parents choose not to attend the meeting, the School shall use other methods to ensure parent participation, including individual or conference telephone calls [34 C.F.R. 300.345 and A.A.C. R7-2-401].

If, after multiple attempts, the School is unable to convince either parent to attend, a meeting may be conducted without a parent in attendance. In such event, a record must be kept of attempts to arrange a mutually agreed upon time and place, such as:

- Detailed records of telephone calls made or attempted, and the results of such calls;
- Copies of correspondence sent to the parents and any responses received; and
- Detailed records of visits made to the parents' home or place of employment and the results of such visits.

IEP Team Membership

The School shall ensure that each meeting includes the following participants: (a) one or both of the student's parents; (b) at least one regular education teacher, if the child will be, or may be, participating in the regular education environment; (c) at least one special education teacher of the child, or if appropriate, at least one special education provider for the child; (d) a representative of the School, other than the student's teacher, who is qualified to provide, or supervise the provision of, special education, and who is knowledgeable about the general curriculum and about the availability of resources of the School; (e) an individual who can interpret the instructional implications of the evaluation results; (f) at the discretion of the parent or the School, other individuals who have knowledge or special expertise regarding the child, including related services personnel; and (g) the student, when appropriate.

In general the IEP team, with the parent, shall consider:

- The strengths of the child and the concerns of the parents for enhancing the education of their child.
- The results of the initial evaluation or most recent evaluation of the child.
- For children who meet the specific criteria, additional areas must be addressed.
 - For the child whose behavior impedes his or her learning or that of others consider, when appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior.
 - For students who are limited English proficient, specify the language of instruction and consider the language needs of the child [34 C.F.R. 300.347 and A.A.C. R7-2-401].

- For the child who is blind or visually impaired, review the need for Braille and make it available for instruction, if appropriate. If Braille is not appropriate for a particular child, document on the IEP the reasons why it is not necessary.
- For the child who is deaf or hard of hearing, consider the full range of language and communication needs of the child, including opportunities for direct instruction in the child's language and communication mode.
- For all children, consider whether the child requires assistive technology devices and services.
- For all children who are age 14 (or younger, if determined appropriate by the IEP team), consideration of the transition service needs of the student under the applicable components of the student's IEP focusing on the student's courses of study. [34 C.F.R. 300.347]
- For all children, beginning at age 16 (or younger, if determined appropriate by the IEP team), a statement of the needed transition services for the student, including the responsibilities of all other agencies for services.

Content of the IEP

The individualized education program for each student must include: (a) a statement of the student's present level of educational performance, including a description of how the child's disability affects involvement and progress in the general curriculum; (b) a statement of measurable annual goals, including benchmarks or short-term objectives and how they will be measured; (c) a statement of the specific special education and related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student; (d) an explanation of the extent to which the student will not participate with nondisabled students in the regular class and in other activities of the School; (e) a statement of any individual modifications in the administration of State or School-wide assessments of student achievement that are needed in order for the student to participate in state-wide or School-wide assessments, or a statement why a particular assessment is not appropriate for a student with an indication of what alternate method of assessment will be used; (f) the projected dates for initiation of services and modifications; (g) the anticipated frequency, location, and duration of the services and modifications; (h) appropriate objective criteria and evaluation procedures for determining the student's progress toward the annual goals; (i) a statement of needed transition services, if appropriate, in accord with regulations 34 C.F.R. 300.18, 300.346 and 300.347; and (j) a statement of whether the student will attend the same school that they would attend if the disability did not exist, or reasons why education will occur in another school if that is the case [34 C.F.R. 300.347].

For preschool children, the IEP must also contain a description of how the disability affects the child's participation in appropriate activities and a statement of measurable annual goals, including benchmarks or short-term objectives, related to that child's participation in appropriate activities [34 C.F.R. 300.347].

If the student is in need of assistive technology devices, or assistive technology services, or both, as deemed necessary by the IEP team, the School shall ensure that such devices and services are available, in good working order, and the devices and services are documented on the IEP [34 C.F.R. 300.308 and 300.346]. This will include the requirement that the School shall ensure that the hearing aids worn in school by children with hearing impairments, including deafness, are functioning properly [34 C.F.R. 300.303]. The IEP shall include goals and objectives for each particular device or related service listed on the IEP.

Beginning at least one year, before the student with a disability reaches the age of majority, the student's IEP must include a statement that the student has been informed of his or her rights under

the Individuals With Disabilities Education Act that will transfer upon reaching majority [34 C.F.R. 300.347].

Written information shall be provided to students with disabilities and their parents concerning the opportunities available in the areas of prevocational, work experience, vocational education, and related career development programs and the requirements for eligibility for enrollment in each of these programs no later than the beginning of the ninth grade. During the initial IEP meeting, and any subsequent meeting to review the IEP, consideration must be given to the need for prevocational, work experience, vocational education, and related career development programs for each special education student. This consideration can occur at any IEP meeting but must occur no later than the beginning of the ninth grade. For students identified as needing prevocational, work experience, vocational education, or related career development programs, the IEP or the individualized vocational education program shall include goals and objectives and the extent of services to be provided. [A.R.S. 15-764 and A.A.C. R7-2-401]

Prior written notice must be provided to parents after the IEP meeting but before action is taken. A copy of the IEP shall be provided to the parent without cost [34 C.F.R. 300.346 and A.A.C. R7-2-401].

A parent or the public agency may request, in writing, a review of the IEP. Such a review shall take place within fifteen (15) school days after the School's receipt of the request to review the IEP.

Transition Responsibility

For each student with a disability beginning at age 14 (or younger, if determined appropriate by the IEP team), and updated annually, the IEP must include a statement of the transition service needs of the student under the applicable components of the student's IEP that focus on the student's courses of study (such as participation in advanced-placement courses or a vocational education program); and for each student beginning at age 16 (or younger, if determined appropriate by the IEP team), a statement of needed transition services for the student, including, if appropriate, a statement of the responsibilities of other providers and any needed linkages [34 C.F.R. 300.347].

If the meeting is for consideration of transition services, the student and a representative of the agency responsible for providing or paying for services shall be invited [34 C.F.R. 300.344; 34 C.F.R. 300.347; and A.A.C. R7-2-401]. If the student or the representative does not attend, the School shall take and document steps to ensure the participation of the agency and to ensure that the student's preferences and interests are considered [34 C.F.R. 300.344].

If a participating agency fails to provide agreed upon transition services contained in the IEP, the School shall, as soon as possible, initiate a meeting for the purpose of identifying alternative strategies to meet transition objectives and, if necessary, revise the student's IEP [34 C.F.R. 300.348].

Work Experience Program

Each student enrolled in a special education work experience program shall have been declared eligible for and be receiving special education services and shall be at least 16 years of age [A.R.S. 15-764 and A.A.C. R7-2-401].

Prior to placement in a special education work experience program, the student shall receive a vocational assessment that assesses the student's interests, skills, abilities, needs, work habits, and behaviors [A.A.C. R7-2-401].

A written vocational plan based on the vocational assessment shall be prepared. This plan shall describe the goals of the work experience program and the objectives for each student's participation in the program [A.A.C. R7-2-401].

If a work experience placement is not available or participation is terminated, the student with a disability shall be provided with a full-time instructional program [A.A.C. R7-2-401].

Students shall be placed in a work environment and shall work a minimum of 225 minutes per week. This placement shall be based on the abilities and needs of the individual student documented through vocational assessment [A.A.C. R7-2-401].

A training plan and agreement shall be developed in written form for each student, identifying specific responsibilities of the student, employer, and others involved. The agreement shall outline the tasks to be learned and performed by the student in the specific work experience placement. The School shall document that the parent has approved participation in a work environment [A.A.C. R7-2-401].

Students enrolled in the special education work experience program shall receive related instruction in life and employability skills and skills related to their work placement [A.A.C. R7-2-401].

Monitoring of a student's work experience by the School work experience coordinator shall be done at least once every nine weeks and shall include an employer evaluation of the student's performance [A.A.C. R7-2-401].

Every special education work experience program shall be coordinated by a special education teacher and shall be approved by the Arizona Department of Education, Division of Special Education [A.R.S. 15-764 and A.A.C. R7-2-401].

Extended School Year

The need for extended school year (ESY) services will be discussed annually in an IEP meeting, and the decisions, including reasons therefore, will be documented.

PLACEMENT

If the student is evaluated and placed in a special education program, a copy of the results will be placed in the student's special education file [A.A.C. R7-2-401].

The recommendation for placement shall be the responsibility of the multidisciplinary evaluation team and shall be in compliance with Arizona law and A.A.C. R7-2-401.

Upon recommendation by the multidisciplinary evaluation team, the administrator shall plan for placement of the student, except that no student shall initially be placed in a special education program without written approval from the parent or guardian, or the student, when appropriate. Appropriate mediation or due process procedures may be utilized when such approval is not forthcoming.

The administrator shall establish procedures for conducting a placement review with the parent and for providing notice in accord with the notice requirement for change of any proposed change of placement [34 C.F.R. 300.552; 34 C.F.R. 300.504; and A.A.C. R7-2-401].

Pursuant to authorization for placement, the recommended programs and services shall be provided as soon as possible after the date of consent. If the School fails to place the student within a reasonable amount of time, it shall notify the parent and the Arizona Department of Education in writing and shall place the student in a program through an interagency agreement with another School or a private agency [A.A.C. R7-2-401].

A student placed in a special education program will receive not less than 175 instructional days of at least the minimum number of hours required for each respective program level as specified in A.R.S. 15-901 or as otherwise specified in the student's IEP [A.A.C. R7-2-401].

No student may be placed in a special education program unless the personnel providing the program or service meet the standards for certification and endorsement pursuant to A.A.C. R7-2-601, 602, and 603.

Each School shall ensure that the parents of each child with a disability are members of any group that makes decisions on the educational placement of their child. Procedures used to ensure the participation of parents shall be those provided for in parent participation in the IEP meeting [34 C.F.R. 300.501].

In making a recommendation for special education placement, the participants in the IEP meeting shall ensure:

- That special classes, separate schooling, or other removal of a student with disabilities from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes or in a building with students without disabilities cannot be accomplished satisfactorily even with the use of supplementary aids and services [34 C.F.R. 300.550; A.A.C. R7-2-401; and A.R.S. 15-764].
- That a continuum of alternative placements is available to the student and that, prior to placing the student, alternative placements and supplementary services are considered and documentation is provided indicating the reasons for not selecting any placements that would be less restrictive [34 C.F.R. 300.551].
- That the student's placement results from, and is based on, the student's IEP.
- That unless the IEP of a student with a disability requires some other arrangement, the student is educated in the school that he or she would attend if not disabled. The placement should be as close as possible to the child's home.
- That consideration is given to any potentially harmful effect on the student or on the quality of services needed.

Each of the items indicated above shall be submitted in writing to the administrator or to the person designated as responsible for special education. This report shall be maintained as a part of the student's record. [34 C.F.R. 300.552 and A.A.C. R7-2-401].

All special education placements, including those in private schools, shall be made on a trial basis. [A.A.C. R7-2-401].

Procedures shall be established to appropriately place, count, and report students in special education programs [A.R.S. 15-236 and 34 C.F.R. 300.754].

The student's placement shall be reevaluated at least once per year, or more often if needed, to determine continued placement or termination of special education services. The educational progress of a student in a special education program shall be reviewed at least as often as it is for all students, and a copy of the results of the review shall be provided to the parent or guardian of the student [A.R.S. 15-767 and A.A.C. R7-2-408].

Before special education programs and services for the student may be terminated by the School, the results of a complete review of the student's educational status must confirm that termination of such programs and services is in the best interests of the student [A.A.C. R7-2-401]. An IEP meeting and evaluation must be held for purpose of making such a determination in accord with 34 C.F.R. 300.532, 300.533, and 300.534. The evaluation is not required if the reason for termination of service is graduation from the program with a regular high school diploma or attaining the age after which a free appropriate public education is no longer provided in this state [34 C.F.R. 300.534]. The parent of the student shall also be included in the review process if termination of programs and services is being considered, but written consent for termination of services is not required. If the parent disagrees with the termination recommendation, the parent shall be provided with formal

written notice including an explanation as to due process rights pursuant to 34 C.F.R. 300.503. and A.A.C. R7-2-405.

LEAST-RESTRICTIVE ENVIRONMENT - CONTINUUM OF ALTERNATIVE PLACEMENTS

In keeping with its policy of least-restrictive environment, the School will ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are to be educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily [34 C.F.R. 300.550].

A continuum of alternative placements will be available to meet the needs of children with disabilities for special education and related services [34 C.F.R. 300.551 and A.A.C. R7-2-401]. The individual education program may include provisions for dealing with disruptive behavior, including a range of options that are appropriate responses to disruptive behaviors. Such behavioral interventions shall be agreed upon at the time the IEP is developed or revised [34 C.F.R. 300.520].

All students with disabilities, especially those whose educational needs require their being placed solely with other disabled students during most of the day, will participate with students without disabilities in nonacademic, extracurricular services and activities, and in program options such as art and music, to the maximum extent appropriate [34 C.F.R. 300.305; 300.306; and 300.553]. Placement will be based on individual student needs and not on the disability. A child with a disability will be afforded the opportunity to participate in the regular physical education programs offered in the School, or in physical education, specially designed, if necessary [34 C.F.R. 300.307].

Students placed in residential settings or outside the School will be provided opportunities to participate with students without disabilities to the maximum extent appropriate. The administrator will establish procedures for monitoring the progress of such students and will provide for reintegration of such students into the public school as recommended during review of the individual education program [34 C.F.R. 300.550].

The School shall ensure that a child with a disability is not removed from education in an age-appropriate regular classroom solely because of needed modifications in the general curriculum [34 C.F.R. 300.552].

Regular Class Placement

This alternative shall be considered the most appropriate when the student has been determined to be eligible for special education services according to A.R.S. 15-766, but it is the decision of the IEP team that the student's needs can be best met in the regular class with the use of supplementary aids and services.

Regular Class Placement with Resource Room/Itinerant Instruction Placement

This alternative shall be considered the most appropriate when the student has been determined to be eligible for special education services according to A.R.S. 15-766 or when the student can best benefit from education in the regular classroom for the major portion of the school day, with the least possible time spent in the special education classroom or by receiving itinerant instruction.

Special Class Placement

This alternative shall be considered the most appropriate when the student has been determined to be eligible for special education services according to A.R.S. 15-766 and has needs in some or all academic areas and/or has special needs or conditions that will require the provision of special education and related services in a special classroom. Interaction with nondisabled peers will be facilitated to meet the requirements to ensure the provision of a free and appropriate education. Students with disabilities may be assigned to special classes or separate schooling only when regular classes with supplementary aids and services are deemed unsatisfactory.

Other Placements

When appropriate, placement in special schools, at home, in hospitals, and in other settings will be considered in accordance with applicable statutes or regulations [34 C.F.R. 300.554].

Nonacademic Settings

In providing or arranging for the provisions of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in 34 C.F.R. 300.306, the School shall ensure that each student with a disability participates with students without disabilities in such services and activities to the maximum extent appropriate to the needs of that student [34 C.F.R. 300.306, 300.553, and A.A.C. R7-2-401]. Nonacademic and extracurricular services and activities may include, but not be limited to counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the School, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the School and assistance in making outside employment available [34 C.F.R. 300.306].

Out-of-School/Private School Placements

Before the School places a student with a disability in, or refers a student with a disability to, a private school or a facility outside the School, it shall initiate and conduct a meeting to develop an individualized education program for the student in accordance with 34 C.F.R. 300.343 [34 C.F.R. 300.349].

The School will ensure that a representative of the private school or out-of-School facility attends the meeting. If the representative cannot attend, the School will use other methods to ensure participation by the private school or out-of-School facility, including individual or conference telephone calls.

Reviewing and revising individualized education programs:

- After a student with a disability enters a private school or out-of-School facility, any meetings to review and revise the student's individualized education program may be initiated and conducted by the private school or out-of-School facility after consultation and with approval by the School [34 C.F.R. 300.349].
- If the private school or out-of-School facility initiates and conducts such meetings, the School shall ensure that the parents and the School's representative [34 C.F.R. 300.349]:
 - Are involved in any decision about the student's individualized education program; and
 - Agree to any proposed changes in the program before such changes are implemented.

Even if a private school or out-of-School facility implements a student's individualized education program, responsibility for compliance with this part remains with the School and the state educational agency [34 C.F.R. 300.349].

Children In Private Schools

To the extent consistent with their number and location in the State, provision must be made for the participation of private school children with disabilities in the program assisted or carried out under Part B of the Act by providing them with special education and related services in accordance with Secs. 300.453-300.462.

- For children aged 3 through 21, an amount that is the same proportion of the LEA's total subgrant under section 611(g) of the Act as the number of private school children with disabilities aged 3 through 21 residing in its jurisdiction is to the total number of children with disabilities in its jurisdiction aged 3 through 21; and
- For children aged 3 through 5, an amount that is the same proportion of the LEA's total subgrant under section 619(g) of the Act as the number of private school children with disabilities aged 3 through 5 residing in its jurisdiction is to the total number of children with disabilities in its jurisdiction aged 3 through 5.

No private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.

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REGULATION

SPECIAL INSTRUCTIONAL PROGRAMS

This detailed administrative regulation is issued to:

- Accomplish the requirements of the Governing Board set out in policy IHB¾Special Instructional Programs.
- Assure School compliance with the requirements of applicable federal and state laws and the lawful regulations of the State Board of Education.
- Aid School personnel in fulfilling their duties relating to the topic by presenting the procedural information in a format that aligns with the Arizona Department of Education Exceptional Student Services (ADE/ESS) compliance checklists.

Citations from the following sources are annotated to the material to assist in conducting research and for clarification:

- Arizona Revised Statutes (A.R.S.)
- Arizona Administrative Code (A.A.C.) Title 7, Chapter 2, State Board of Education Rules
- Regulations of the Family Educational Rights and Privacy Act as published in Part 99 of Title 34 of the Code of Federal Regulations (CFR)
- Regulations to the Individuals with Disabilities Education Act (IDEA) as published in Title 34 of the CFR, Part 300.

Whenever the term "School" is used in this regulation, it is to be interpreted contextually to mean the School or a representative of the School as is applicable to the circumstance.

Free Appropriate Public Education (FAPE)

The School must ensure that all children with disabilities aged 3 through 21 have the right to a free appropriate public education (FAPE).

For the purposes of the IDEA, the term "free appropriate public education" or FAPE means special education and related services that:

- Are provided at public expense, under public supervision and direction, and without charge;
- Meet the standards of the State Board of Education;
- Include preschool, elementary school, or secondary school education; and
- Are provided in conformity with an individualized education program (IEP) that meets the requirements of §§300.340-300.350.

To discharge these obligations, administrative, professional, and support staff personnel are expected to competently execute any applicable responsibilities of their positions to help assure that:

- FAPE is made available to each child with a disability who is in need of special education and related services even though the child is advancing from grade to grade. (§§300.121 (a) and 300.121(e)(1))

- Services in accordance with §300.121 are made available for a child with a disability who has been removed from his or her current educational placement for disciplinary reasons for more than ten (10) school days.
- FAPE is available to students who have graduated, but have not been awarded a regular high school diploma. (§300.122)

Child Find

As a further duty, the School must define and pursue efforts to see that:

- All children with disabilities, including those attending private schools who are in need of special education and related services are identified, located and evaluated. (§300.125)
- A practical method is developed and implemented to determine which children are currently receiving needed special education and related services. (§300.125)
- The program also applies to highly mobile children with disabilities and children that are suspected of being a child with a disability under §300.7 and in need of special education, even though they are advancing from grade to grade. (§300.125)

To carry out these duties assigned School personnel will:

- Maintain documentation of the public awareness efforts to inform the public and parents within their jurisdiction, including private and religious schools, of the availability of special education services. (§300.125, AAC R702-401)
- Implement screening activities for all newly enrolled students and those transferring in without sufficient records.
- Complete the screening activities within forty-five (45) days of a student's enrollment.
- Include in the screening consideration of academic or cognitive, vision, hearing, communication, emotional and psychomotor domains. (AAC R7-2-401(c))
- Maintain documentation and annually report the number of children with disabilities within each disability category that have been identified, located and evaluated. (§300.125)
- Consult annually with private or religious schools in the School's boundaries to determine the number of students enrolled in those schools who are identified as eligible for special education and related services regardless to whether they are receiving services. (§300.454)

Whenever there are children participating in early intervention services who are expected to participate in preschool programs for children with disabilities, a smooth and effective transition is to be accomplished through application of the following provisions:

- Transition conferences will be arranged for children between the ages of 2 years, 6 months and 2 years, 9 months;
- An IEP or IFSP will be developed and implemented by a child's third birthday to ensure FAPE. (§300.132); and
- For a child who turns 3 years of age during the summer, the IEP team will determine the date for initiation of services including eligibility for extended school year services. (§300.121, AAC R7-2-401 (c))
- Children, aged birth through two years, and suspected of having a disability will be referred to the Arizona Early Intervention Program for evaluation and, if appropriate, services.

Evaluation and Eligibility Determination

To comply with the requirements concerning the evaluation and determination of whether or not a child has a disability, the process assures that:

- A full individual initial evaluation is conducted for each child before the initial provision of special education and related services to a child or youth with a disability. (300.531)
- The determination of whether the child is a child with a disability is made in accord with §300.7-§300.531 and ARS-15-761.
- The educational needs of the child have been determined, and
- The procedures have been established to conduct the evaluations in accordance with the requirements described in §§300.532-300.536 and ARS-15-766.
- The child's multidisciplinary evaluation team (MET)/individualized education program team and other qualified professionals review the existing evaluation data, collect additional data if necessary, and use the results of the evaluation to determine category of eligibility and the need for special education and related services. (§§300.7-300.534-300-535-ARS 15-761 and ARS 15-766)
- The MET/IEP team uses the results of the evaluation to develop the initial IEP or to review and revise an existing IEP. (§§300.340-300.350 and ARS 15-761)
- A reevaluation of each child is conducted at least every three (3) years in accordance with §§300.532-300.534 and 300.536

The procedures to be followed for the initial evaluation, in accord with §§ 300.531 and 300.532, are:

- Tests and other evaluation materials used to assess a child are to be:
 - Selected and administered so as to be racially and culturally nondiscriminatory; and
 - Provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so.
- Materials and procedures used to assess a child with limited English proficiency are to be selected and administered to measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.
- A variety of assessment tools and strategies will be used to gather relevant functional and developmental information about the child, including information provided by the parent.
- Information related to enabling the child to be involved in and progress in the general curriculum, or for a preschool child, to participate in appropriate activities are to be included.
- The information gathered is used to assist in determining:
 - Whether the child is a child with a disability; and
 - In the development of the child's IEP.
- Any standardized tests to be given to a child must have been:
 - Validated for the specific purpose for which they are used; and
 - Are to be administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the tests.

- If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the evaluation report.
- Tests and other evaluation materials will be selected to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
- The tests selected and administered to a child with impaired sensory, manual, or speaking skills are to accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills, unless those skills are the factors that the test purports to measure.
- No single procedure is the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.
- The child will be assessed in all areas related to the suspected disability, including, when appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities and the need for assistive technology.
- The evaluation will be sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not they are commonly linked to the disability category in which the child has been classified.
- Technically sound instruments are to be used that may assess the cognitive and behavioral factors, in addition to physical or developmental factors.
- The assessment tools and strategies that are used must provide relevant information that directly assists persons in determining the educational needs of the child.

Reevaluation of exceptional students, in accord with §§ 300.334, 300.536, and 300.5543, is:

- Conducted at least once every three (3) years, or sooner:
 - If conditions warrant an earlier reevaluation
 - If the child's parent or teacher requests a reevaluation, or
 - Prior to determining that the child is no longer a child with a disability.
- Not required
 - Before the termination of a student's eligibility due to graduation with a regular high school diploma, or
 - When a student exceeds the age eligibility for FAPE under the State law.

As specified at §300.533 and in ARS 15-766, the MET/IEP team and other qualified professionals, as appropriate, review existing data on the child including:

- Evaluations and information provided by the parents of the child;
- Current classroom-based assessments and observations; and
- Observations by teachers and related services providers.

On the basis of the review, and input from the child's parents, the MET/IEP team and other qualified professionals identify what additional data, if any, are needed to determine eligibility.

If the determination is that no additional data are needed:

- The appointed employee will notify the child's parents
 - Of that determination and the reasons for it; and
 - Of the right of the parents to request an assessment to determine whether the child continues to be a child with a disability.
- No assessment is *required* unless requested by the child's parents to determine continuing eligibility.
- The MET/IEP team provides a copy of the evaluation report and documentation of eligibility to the parents.

If the determination is that additional data are needed

- The MET/IEP team provides the parents with the procedural safeguards notice, with the prior written notice, and obtains their informed consent.
- Tests and other evaluation materials are administered as needed to determine if the child is a child with a disability under §300.7 and ARS 15-761.

Determinations of eligibility are to be based upon the criteria specified in §§300.533-300.536 and ARS 15-761 outlined as follows:

- The MET/IEP team and other qualified professionals and the parents of the child determine whether the child has a disability, or continues to be a child with a disability, as defined in §300.7 and ARS 15-761.
- Based on the review of data, and input from the child's parents, the MET/IEP team determines
 - If the child has a category of disability, or in the case of a reevaluation, if the child continues to have a disability;
 - If the child needs special education and related services, and in the case of a reevaluation, if the child continues to need special education and related services;
 - The present levels of performance and other educational needs of the child; 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 listed in the IEP and to participate in the general curriculum, as appropriate.
- In interpreting evaluation data for the purpose of determining if a child is a child with a disability, the MET/IEP draws upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and considers and documents all information obtained from all of these sources.
- A child will not be determined to be eligible:
 - If the determinant factor for the eligibility determination is
 - ⇒ Lack of instruction in reading or math; or
 - ⇒ Limited English proficiency; and
 - The child does not otherwise meet the eligibility criteria under §§300.7-300.543 and ARS 15-761.

- For a child suspected of having a specific learning disability, the documentation of the team's determination of eligibility will include:
 - Whether the child has a specific learning disability;
 - The basis for making the determination;
 - The relevant behavior noted during the observation of the child;
 - The relationship of that behavior to the child's academic functioning;
 - The educationally relevant medical findings, if any;
 - Whether there is severe discrepancy between achievement and ability that is not correctable without special education and related services; and
 - The determination of the team concerning the effects of environment, cultural or economic disadvantage.
 - Written certification by each team member as to whether the report reflects his/her conclusion, and if it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her conclusions.

An *evaluation report* must be prepared and disseminated as follows:

- The MET/IEP team and other qualified professionals including the parents of the child will determine whether the child is a child with a category of disability or, in the case of a reevaluation, if the child continues to be a child with a disability, as defined in §300.7 and ARS 15-761.
- The evaluation report will include:
 - A review of current evaluations, including types of tests and results of those test
 - The educational history including the reason for referral, current classroom-based assessments, and observations by teachers and related service providers
 - Information provided by the parents, including medical and developmental history
 - A determination of whether the child's educational problems are related to or resulting from reason of educational disadvantage.
- The MET/IEP team will provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.
- The evaluation report will also include general information pertaining to:
 - Whether the child has a category of disability or, in the case of reevaluation if the child continues to be a child with a category of disability.
 - The present levels of performance and educational needs;
 - Whether the child needs special education and related services or continues to need special education and related services.
 - Whether any additions and modifications to special education and related services are needed to meet the measurable annual goals established in the IEP and to participate, as appropriate, in the general curriculum.

Individualized Education Programs (IEP)

The general conditions to be applied for all individualized education programs (IEP) are:

- An IEP shall be in effect for each child with a disability at the beginning of each school year. (§300.342)
- Meetings shall be initiated and conducted for the purpose of developing, reviewing, and revising the IEP of a child with a disability. (§§300.343-300.344, 300.346, 300.349; and 300.311)
- An IEP shall be developed and implemented for each eligible child served by the School and each eligible child placed in or referred to a private school or facility by the School. (§§300.342, 300.346, 300.347, and 300.349)
- One (1) or both parents of a child with a disability will be invited to each IEP meeting and will be afforded the opportunity to participate. (§§300.344 and 300-344)

The specific requirements listed below must be observed when developing and implementing an IEP. (§300.342 and §300.343)

- An IEP must be in effect before special education and related services are provided to an eligible child under §300.342.
- The IEP will be implemented as soon as possible following the IEP meeting.
- The child's IEP will be accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for its implementation.
- Each teacher and provider will be informed of
 - His or her specific responsibilities related to implementing the child's IEP
 - The specific accommodations, modifications, and supports that will be provided for the child in accordance with the IEP. (§300.342)
- A meeting to develop an IEP for the child with a disability is to be conducted within thirty (30) days of a determination that the child needs special education and related services.
- In the case of a child with a disability aged 3 through 5, an IFSP developed in accordance with §§300.341-300.346 and §§300.349-300.350 may serve as the IEP of the child when the use of an IFSP has been agreed to by the School and the child's parent.
- The child's parents are to be provided a detailed explanation of the differences between an IFSP and an IEP; and if the parents choose an IFSP, written informed consent must be obtained from the parents.

The following steps are to be taken for the review and revision of a child's IEP: (§300.343(c))

- The IEP team will review the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved.
- The IEP team will revise the IEP as appropriate to address
 - Any lack of expected progress toward the annual goals described in §300.347(a) and in the general curriculum;
 - The results of any reevaluation conducted under §300.536;

- Information about the child provided to, or by, the parents, as described in §300.533(a)(1);
- The child's anticipated needs; or
- Other matters.

IEP teams shall be organized in accord with §300.344:

- The IEP team for each child with a disability will include:
 - The parents of the child;
 - At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
 - At least one special education teacher of the child, or if appropriate, at least one special education provider of the child;
 - A representative of the School 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 curriculum;
 - ⇒ Is knowledgeable about the availability of resources of the School.
 - An individual who can interpret the instructional implications of evaluation results;
 - Other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate, when so decided at the discretion of the parent or the School, and
 - The child, if appropriate.

When transition services are being considered at an IEP meeting, the following arrangements for participation will be made: (§300.344)

- A child of any age may be invited to his or her IEP meeting if the purpose will be consideration of transition services needs or transition services (§300.347(b)(1-2))
 - If the child does not attend the IEP meeting, the School will take other steps to ensure that the child's preferences and interests are considered.
- In implementing the requirements of §300.347(b)(2):
 - The School also will invite a representative of any other agency that is likely to be responsible for providing or paying for transition services.
 - When an agency invited to send a representative to a meeting does not attend the meeting, the School will take other steps to obtain participation of the other agency in the planning of any transition services.

Every reasonable effort shall be made to affect parental participation as required by §300.345:

- Parents will be present or afforded the opportunity to participate in each IEP meeting. Efforts by the School are to include:

- Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
- Scheduling the meeting at a mutually agreed on time and place.
- The meeting notice will:
 - Indicate the purpose, time, and location of the meeting and who will be in attendance; and
 - Inform the parents of the provisions in §300.344(a)(6) and (c) relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the child.
- For a child with a disability beginning at age 14 (or younger, if appropriate) the notice will also:
 - Indicate that a purpose of the meeting will be the development of a statement of the transition services needs of the child required in §300.347(b)(1); and
 - Indicate that the agency will invite the child.
- For a child with a disability beginning at age 16 (or younger, if appropriate) the notice will:
 - Indicate that a purpose of the meeting is the consideration of needed transition services for the child required in (§300.347(b)(2));
 - Indicate that the agency will invite the child; and
 - Identify any other agency that will be invited to send a representative.
- If neither parent can attend, the School will use other methods to ensure parent participation, including individual or conference telephone calls.
- A meeting may be conducted without a parent in attendance if the School is unable to convince the parents that they should attend. In this case the School will create and retain a record of its attempts to arrange a mutually agreed on time and place, including such items as:
 - Detailed records of telephone calls made or attempted and the results of those calls;
 - Copies of correspondence sent to the parents and any responses received; and
 - Detailed records of visits made to the parent's home or place of employment and the results of those visits.
- The School will take whatever action is necessary to help the parent understand the proceedings at the IEP meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.
- The School will give the parent a copy of the child's IEP at no cost to the parent.

Further steps are to be taken during the development, review, and revision of an IEP. (§300.346)

- In developing each child's IEP, the IEP team will consider:
 - The strengths of the child and the concerns of the parents for enhancing the education of their child;
 - The results of the initial or most recent evaluation of the child; and

- The results of the child's performance on any general State or School-wide assessment programs, as appropriate.
- In consideration of special factors, the IEP team also will:
 - In the case of a child whose behavior impedes his or her learning or that of others, consider strategies (including positive behavioral interventions, strategies, and supports) to address that behavior;
 - In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
 - In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille) that instruction in Braille or the use of Braille is not appropriate for the child;
 - Consider the communication needs of the child;
 - In the case of a child who is deaf or hard of hearing, consider:
 - ⇒ The child's language and communication needs;
 - ⇒ Opportunities for direct communications with peers and professional personnel in the child's language and communication mode;
 - ⇒ Academic level and full range of needs, including opportunities for direct instruction in the child's language and communication mode.
 - Consider whether the child requires assistive technology devices and services;
 - If the IEP team, in considering the special factors, determines that a child needs a particular device or service (including an intervention, accommodation, or other program modification) in order for the child to receive FAPE, the IEP team must include a statement to that effect in the child's IEP.
- The regular education teacher of a child with a disability, as a member of the IEP team, will to the extent appropriate, participate in the development, review, and revision of the child's IEP, including assisting in the determination of:
 - Appropriate positive behavioral interventions and strategies for the child
 - Supplementary aids and services, program modifications, or supports for school personnel that will be provided for the child, consistent with §300.347(a)(3).

The IEP team will see that contents of the IEP meet at least the following criteria: (§300.347)

- The IEP for each child with a disability will include:
 - A statement of the child's present levels of educational performance, including
 - ⇒ How the child's disability affects the child's involvement and progress in the general curriculum
 - ⇒ For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities

- A statement of measurable annual goals (statement of amount of progress expected), including benchmarks (major milestones), or short-term objectives (measurable intermediate steps), related to
 - ⇒ Meeting the child's needs that result from the child's disability to enable the child to be involved in and progress in the general curriculum (i.e., the same curriculum as for nondisabled children),
 - ⇒ For preschool children, as appropriate, to enable the child to participate in appropriate activities;
 - ⇒ Meeting each of the child's other educational needs that result from the child's disability.
- A statement of the special education and related services to be provided;
- A statement of supplementary aids and services to be provided to the child or on behalf of the child (services provided to the parents or teachers of the child to help them more effectively work with the child);
- A statement of the program modifications or supports for school personnel that will be provided for the child to:
 - ⇒ Advance appropriately toward attaining the annual goals
 - ⇒ Be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities (LRE)
 - ⇒ Be educated and participate with other children with disabilities and nondisabled children in extracurricular and other nonacademic activities (LRE).
- An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and other nonacademic activities (LRE).
- A statement of any individual accommodations and modifications in the administration of State or School-wide assessments of child achievement that are needed in order for the child to participate in the assessment (LRE).
- If the IEP team determines that the child will not participate in a particular State or School-wide assessment of student achievement (or part of an assessment), a statement of:
 - ⇒ Why that assessment is not appropriate for the child
 - ⇒ How the child will be assessed.
- The projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of those services and modifications; and
- A statement of:
 - ⇒ How the child's progress toward the annual goals will be measured;
 - ⇒ How the child's parents will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their nondisabled children's progress, of:

- “ Their child's progress toward the annual goals; and
- “ The extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year.
 - The IEP will include transition service planning as follows:
 - For each child with a disability beginning at age 14 (or younger), a statement of the transition service needs of the child that focus on the child's courses of study (such as participation in advanced-placement courses or a vocational education program)
 - The statement of transition service needs will be updated annually
 - For each student beginning at age 16 (or younger), a statement of needed transition services for the child.
 - A statement of the interagency responsibilities or any needed linkages will be included, if appropriate.
 - Beginning at least one (1) year before a student reaches the age of 18, the student's IEP will include a statement that the parents and the student have been informed of the rights, if any, that will transfer to the student on reaching the age of 18 (majority), consistent with §300.517.
 - If a participating agency, other than the School, fails to provide the transition services described in the IEP, the School will reconvene the IEP team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.
 - The IEP team may modify the IEP and placement of a student with a disability who is convicted as an adult under State law and incarcerated in an adult prison, if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.
 - The IEP for a child who requires residential placement will include exit criteria that indicate when the educational placement of the child will be reviewed to determine if the child can move to a less restrictive placement (ARS §15-765(k)).

The School will demonstrate the IEP accountability required by §300.350, by:

- Providing special education and related services to a child with a disability in accordance with the child's IEP.
- Making a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.

Least Restrictive Environment (LRE)

In the planning and provision of services for the students with disabilities, the School will:

- To the maximum extent appropriate, educate the students with disabilities with students who are not disabled, including those who may have been placed in public or private institutions or other care facilities (§ 300.550).
- Educate the students in special classes, school them separately, or otherwise remove them from the regular environment only when the nature or severity of the disability is such that education in regular classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily. (§300.550 and AAC R7-401)

Supplementary aids and services as used above means, aids, services, and other supports that are provided in regular education classes or other education-related settings to enable the children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with §§300.550-30.554.

To further assure that the education of students with disabilities is in the least restrictive environment appropriate for each individual, the following procedures will be followed.

- The continuum of alternative placements for K-12 special education and related services will include: (§§300.551)
 - Regular classes with supplementary aids and services,
 - Regular classes with resource or itinerant support,
 - Special classes,
 - Special schools,
 - Home instruction,
 - Instruction in hospitals, and
 - Instruction in institutions.
- The continuum of alternative placements for preschool special education will include: (§§300.551)
 - Early childhood setting,
 - Early childhood special education setting,
 - Home,
 - Part-time early childhood/part-time early childhood special education,
 - Residential facility,
 - Separate school,
 - Itinerant service outside of the home (optional),
 - Reverse mainstream setting (optional).
- The special education placement decision for a child with a disability, including a preschool child with a disability, will be made by a group of persons that includes: (§§300.552 and AAC R7-2-401.G)
 - The parent(s),
 - Persons who are knowledgeable about the child,
 - Persons who are knowledgeable of evaluation data, and
 - Persons who are knowledgeable of placement options.
- Special education placements will be:
 - Determined at least annually,

- Based on the child's IEP, and
 - As close as possible to the child's home.
- The child will be educated in the school that he or she would attend if not disabled unless the IEP requires some other arrangement.
 - The School will document consideration of any potential harmful effects of the placement on the child or the quality of services.
 - A child with a disability will not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.
 - Children with disabilities will participate with non-disabled children in non-academic and extracurricular services and activities which may include meals, recess periods, and the services and activities to the maximum extent appropriate to the needs of that child (§§300.553-300.306).
 - The children with disabilities will have available to them the variety of educational programs and services available to non-disabled children in the areas served by the School in nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities. (§ 300.305)
 - Students with disabilities will participate with non-disabled students in non-academic and extracurricular services and activities which may include: counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the School, referrals to agencies that provide assistance to individuals with disabilities and employment of students, including both employment by the School and assistance in making outside employment available.

Procedural Safeguards

The School has committed to providing the requisite procedural safeguards as follows:

- Children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of free appropriate public education. (§300.500(a))
- The parents of a child with a disability shall be given an opportunity to inspect and review all education records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child. (§300.501(a)(1))
- The parents of each child with a disability are members of any group that makes decisions on the educational placement of their child. (§300.501(c))
- The parents of a child with a disability have the right to obtain an independent educational evaluation of their child. (§300.502(a)(1))
- A copy of the procedural safeguards notice shall be given to the parent, at a minimum, upon initial referral for evaluation, each notification of an IEP meeting, reevaluation of the child, and receipt of a request for due process under §300.507 and §300.504(a).
- Parental consent will be obtained if after a review of existing information additional data are needed for an initial evaluation or reevaluation, and before initial provision of special education and related services. (§300.505(a)(1))
- A parent or the School may initiate a due process hearing on any of the matters described in §300.503(a)(1) and relating to the identification, evaluation, educational placement of a child

with a disability, and provision of FAPE. (§300.507(a)(2))

- The School ensures that the rights of a child are protected by the assignment of an individual to act as a surrogate for the parents if:
 - No parent (as defined in §300.20) can be identified.
 - The School, after reasonable efforts, cannot discover the whereabouts of a parent, after having made three (3) documented and reasonable attempts.
 - The child is a ward of the State under the laws of the State. (§300.515(a) and ARS 15-763.01)

For the purposes of applying procedural safeguards, the following are the operational definitions to be used:

- **Consent** means
 - The parent is fully informed of all information relevant to the activity for which consent is sought, in his or her native language or other mode of communication.
 - The parent understands and agrees in writing to the activity for which consent is sought.
 - The consent describes the activity.
 - The consent lists the records, if any, that will be released and to whom.
 - The parent understands that the consent is voluntary and may be revoked at any time.
 - If a parent revokes consent, that the revocation is not retroactive, meaning that the revocation does not negate an action that has occurred after the consent was given and before the consent was revoked. (§300.500(b)(1))
 - Parental consent for initial evaluation will not be construed as consent for initial placement. (§300.505(2))
- **Evaluation** means:
 - Procedures used in accordance with §§300.530 through 300.536 to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. (§ 300.500(b))
- **Personally identifiable** means that the information includes:
 - The name of the child, the child's parent, or other family member.
 - The address of the child.
 - A personal identifier, such as the child's social security number or student number.
 - A list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty. (§300.500(b)(3))
- **Independent educational evaluation** means an evaluation conducted by a qualified examiner who is not employed by the School. (§300.502(a)(3))

- "Public expense" means that the School either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with FAPE. (§§ 300.502(a)(3) and 300.301)

The procedures below are to be implemented to assure appropriate participation of the parents in meetings and placement decision making:

- The School takes steps to ensure that one (1) or both of the parents are present at each meeting or are given the opportunity to participate by:
 - Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend, and
 - Scheduling the meeting at a mutually agreed time and place. (§300.345(a))
- The meeting notice will:
 - Indicate the purpose, time, and location of the meeting.
 - Indicate who will be in attendance.
 - Inform the parents of the provisions in §300.344(a)(c) relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the child. (§300.345(b)(1)(2))
- The School will make reasonable efforts to ensure that the parents understand, and are able to participate in, any group discussions relating to the educational placement of their child, including arranging for an interpreter for parents with deafness, or whose native language is other than English. (§300.501(c)(5))
- If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the School will use other methods to ensure their participation, such as individual or conference telephone calls, or video conferencing. (§300.501(c)(3))
- If the School is unable to obtain the parent's participation in the placement decision, the School will have a record of its attempt to ensure their involvement. (§§300.345(d) and 300.501(c)(4)).

The parameters for the performance of an independent educational evaluation (§300.501) are:

- If a parent requests an independent educational evaluation at School expense, the School will, without unnecessary delay, *either*:
 - Initiate a due process hearing under 300.507 to show that the School's evaluation is appropriate, *or*
 - Ensure that an independent educational evaluation is provided at School expense, unless the School demonstrates in a due process hearing under 300.507 that the evaluation obtained by the parent did not meet School criteria. §300.502(b)(2)(i and ii)
- Upon request for an independent educational evaluation, the School will provide to parents:
 - Information about where an independent educational evaluation may be obtained.
 - The School criteria. (§300.502(a)(2))
- If the parent obtains an independent educational evaluation at private expense, the results of the evaluation

- Will be considered by the School in any decision made with respect to the provision of FAPE to the child.
- May be presented as evidence at a hearing regarding the child. (§300.502(c)(1 and 2))
- Cost of the independent educational evaluation will be at School expense if requested by a hearing officer. (§300.502(d))

The School's criteria relative to an independent evaluation are: (§300.502)

- If an independent educational evaluation is at School expense:
 - The criteria under which the evaluation is obtained will be the same as the criteria the School uses when it initiates an evaluation, including the location of the evaluation and the qualifications of the examiner.
 - The criteria will be consistent with the parent's right to an independent educational evaluation. (§300.502(e)(1))
 - The School will establish a range of payment for independent educational evaluations.
- The School will not impose other conditions or timelines related to obtaining an independent educational evaluation at public expense. (§300.502(e)(2))

The School will provide prior notice under the following circumstances: (§300.503)

- Prior written notice will be given to parents a reasonable time before the School *proposes or refuses* to initiate or change the:
 - Identification.
 - Evaluation.
 - Educational placement of a child with a disability.
 - Provision of FAPE. (§300.503(a)(1))
- Prior written notice will be given to the parent at the same time the School requests parental consent, if the prior written notice relates to an action proposed by the School that also requires parental consent. (§300.503(a)(2))
- The prior written notice will contain:
 - A description of the action proposed or refused by the School.
 - An explanation of why the School proposes or refuses to take the action.
 - A description of any other options that the School considered and the reasons why those options were rejected.
 - A description of each evaluation procedure, test, record, or report the School used as a basis for the proposed or refused action.
 - A description of any other factors that are relevant to the School's proposal or refusal.
 - 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 these provisions. (§300.503(b)(1-7))
- The prior written notice will be written in language understandable to the general public. (§300.503(c)(1)(i))
- The prior written notice will be provided 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. (§300.503(c)(1)(ii))
- If the native language or other mode of communication of the parent is not a written language, the School will take steps to ensure that:
 - The prior written notice is translated orally or by other means to the parent in his or her native language or other mode of communication.
 - The parent understands the content of the prior written notice.
 - There is written evidence that the requirements of the preceding items have been met. (§300.503(c)(2)(i-iii))

The procedural safeguards notice must satisfy the following conditions: (§300.504)

- A copy of the procedural safeguards notice will be given to the parent, at a minimum:
 - Upon initial referral for evaluation.
 - Upon each notification of an IEP meeting.
 - Upon reevaluation of the child.
 - Upon receipt of a request for due process under §§300.507 and 300.504(a)(1-4).
- The procedural safeguards notice will include a full explanation of all of the procedural safeguards available under the law, relating to:
 - Independent educational evaluation.
 - Prior written notice.
 - Parental consent.
 - Access to educational records.
 - Opportunity to present complaints to initiate due process hearings.
 - The child's placement while due process proceedings are pending.
 - Procedures for students who are subject to placement in an interim alternative educational setting.
 - Requirements for unilateral placement by parents of children in private schools at public expense.
 - Mediation.

- Due process hearings, including requirements for disclosure of evaluation results and recommendations.
 - State-level appeals, if applicable.
 - Civil actions.
 - Attorneys' fees.
 - The State complaint procedures under §§300.660-300.662, including a description of how to file a complaint and the timelines under those procedures. (§300.504(b)(1-14))
- The procedural safeguards notice will be written in language understandable to the general public (§300.504(c)).
 - The procedural safeguards notice will be provided 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 (§300.504(c)).
 - If the native language or other mode of communication of the parent is not a written language, the School will take steps to ensure that:
 - The procedural safeguards notice is translated orally or by other means to the parent in his or her native language or other mode of communication.
 - The parent understands the content of the procedural safeguards notice.
 - There is written evidence that the requirements of the above items have been met. (§300.504(c))

Parental consent is to be obtained in accord with the following provisions: (§300.505)

- Parental consent will be obtained if, after a review of existing data, additional data are needed for an initial evaluation or reevaluation, and before initial provision of special education and related services (§300.505(a)(1)).
- If the parents refuse consent for initial evaluation or reevaluation, the School may pursue those evaluations by using:
 - Due process procedures under §§300.507 and 300.509.
 - Mediation procedures under §§300.506 and 300.505(b).
- Informed parental consent need *not* be obtained for the gathering of additional data for reevaluation when the School can demonstrate that it has taken reasonable measures to obtain that consent, and the child's parent has failed to respond. (§300.505(c))
- The reasonable measures taken by the School to obtain informed parental consent for a reevaluation will include:
 - Detailed records of telephone calls made or attempted and the results of those calls.
 - Copies of correspondence sent to the parents and any responses received.
 - Detailed records of visits made to the parent's home or place of employment and the results of those visits. (§300.505(c)(2))
- The School will not use a parent's refusal to consent to one (1) service or activity under this section to deny the parent or child any other service, benefit, or activity of the School,

except as required under CFR 34-300.505(e).

Whenever necessary, the School will make the follow accommodation for mediation: (§300.506)

- The School will ensure that the mediation process:
 - Is voluntary on the part of the parties.
 - Is not used to deny or delay a parent's right to a due process hearing under §300.507, or to deny any other rights afforded under Part B of the IDEA.
 - Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques. (§300.506(b)(1)(i-ii))
- Either the School or the parent may contact the Arizona Department of Education/Exceptional Student Services to request mediation.
- Discussions that occur during the mediation process:
 - Will be confidential.
 - May not be used as evidence in any subsequent due process hearings or civil proceedings. (§300.506(b)(6))
- The parties to the mediation process may have to sign a confidentiality pledge prior to the commencement of the process. (§300.506(b)(6))

The requirements for parental notice of an impartial due process hearing are: (§§300.507 and AAC R7-2-405)

- When a due process hearing is initiated under 300.503 (a)(1), School will inform the parents of the availability of mediation described in §§300.506 and 300.507(a)(2).
- The School will inform the parent of any free or low-cost legal and other relevant services available in the area if:
 - The parent requests the information;
 - The parent or the School initiates a due process hearing under this section (§300.507(a)(3)(i and ii).
- The School will notify the Arizona Department of Education/Exceptional Student Services when a written request for due process is received (§AAC R7-2-405).
- The School will conduct the due process hearing. §300.507(b).
- At least five (5) business days prior to a due process hearing conducted pursuant to this section, the School will disclose to all parties:
 - All evaluations completed by that date.
 - Recommendations based on the respective offering party's evaluations that the respective party intends to use at the hearing. (§300.509(b)(1))
- Parents involved in due process hearings have the right to:
 - Have the child who is the subject of the hearing present.
 - Open the hearing to the public. (§300.509(c)(1)(i and ii))

- The record of the due process hearing and the findings of fact and decisions will be provided at no cost to the parents. (§300.509(c)(2))

The following provisions are made pertinent to the finality of the decision, an appeal, and an impartial review. (§300.510)

- A decision made in a due process hearing conducted pursuant to §300.507 or §§300.520-300.528 is final, except that any party involved in the hearing may appeal the decision under the provisions of §§300.510 - 300.512 and 300.510(a).
- The decision made by the reviewing official is final unless a party brings a civil action under §§300.512 and 300.510(d).

When a due process hearing is requested, the following timelines arrangements for the convenience of hearings and reviews are to be implemented: (§300.511)

- The School will ensure that not later than forty-five (45) days after the receipt of a request for a due process hearing:
 - A final decision will be reached in the hearing, unless the hearing officer grants specific extensions of time.
 - A copy of the decision will be mailed to each of the parties. (§300.511(a)(1 and 2))
- Each due process hearing and each impartial review involving oral arguments will be conducted at a time and place that is reasonably convenient to the parents and child involved. (§300.511(d))

In regards to attorneys' fees, the following considerations are applicable: (§300.513)

- The procedural safeguards notice will include a full explanation of all of the procedural safeguards relating to attorneys' fees. (§300.504(b)(13))
- Funds under Part B of the Act will not be used to pay attorneys' fees or costs of a party related to an action or proceeding under section 615 of the Act and subpart E. (§300.513(b)(1))

During the due process proceedings the status of the subject child is to be as follows: (§300.514)

- Except as provided in §300.526, during the pendency of any administrative or judicial proceeding regarding a due process complaint under §300.507, unless the State or the School and the parents of the child agree otherwise, the child involved in the due process complaint will remain in his or her current educational placement. §300.514(a).
- If the due process complaint involves an application for initial admission to public school, the child, with the consent of the parents, will be placed in the public school until the completion of all the proceedings. (§300.514(b))
- If the decision of a hearing officer in a due process hearing conducted by the Arizona Department of Education or a State review official in an administrative appeal agrees with the child's parents that a change of placement is appropriate, that placement will be treated as an agreement between the State or the School and the parents for purposes of §§300.514(a) and 300.514(c).

The School will apply the following proviso for the appointment of surrogate parents: (ARS 15.763.01 and §300.515)

- It is the duty of a School to pursue the assignment of an individual to act as a surrogate for the parents. This will include a method for:

- Determining whether a child needs a surrogate parent.
- Assigning a surrogate parent to the child. (§300.515(b)(1 and 2))
- A petition for the appointment of a surrogate parent will be made to a court of competent jurisdiction. (§ARS 15-763.01(A))
- Except as provided in §300.515(c)(3), the School will ensure that a person selected as a surrogate:
 - Is not an employee of the Arizona Department of Education, the School, or any other agency that is involved in the education or care of the child.
 - Has no interest that conflicts with the interest of the child he or she represents.
 - Has knowledge and skills that ensure adequate representation of the child. (§§300.515(c)(2)(i-iii) and ARS 15-763.01(B))
- The surrogate may represent the child in all matters relating to:
 - Identification.
 - Evaluation.
 - Educational placement of a child with a disability.
 - Provision of FAPE. (§300.515(e)(1 and 2))

The School applies the following criteria to a student with a disability who reaches the age of majority, defined as **eligible** under FERPA: (§300.517)

- When a student with a disability reaches the age of majority (except for a student with a disability that has been determined to be incompetent under State law)
 - The School will provide any notice required by this part to both the individual and the parents.
 - All other rights accorded to parents under Part B of the Act transfer to the student. (§300.517(a)(1)(i and ii))

Confidentiality of Information

To comply with the confidentiality requirements specified in the IDEA and its implementing regulations (§§300.560-300.576), and by the Family Educational Rights and Privacy Act (FERPA), all School personnel are to exercise the utmost caution in collecting, using, and permitting access to student information.

School personnel are to observe and comply with steps below to assure appropriate management of confidential student information, particularly as it pertains to students with disabilities:

Parental access to their child's records is to comply with §300.562:

- Responses to reasonable requests for explanations and interpretation of educational records will be provided to parents.
- Parents will be given copies of records if failure to provide copies would prevent the parent from inspecting and reviewing records.

- A parent's representative will be given an opportunity to inspect and review the educational records.
- The School may presume a parent has authority to inspect and review records relating to his or her child unless the School has been advised that the parent does not have the authority under applicable State law (e.g., guardianship, separation, divorce). (§300.562)(3)(c), ARS 15-761 (21), AAC R7-2-405 (8), and AAC R7-2-401 (22))
- A parent request for records will be provided without unnecessary delay, before any meeting regarding an IEP or any hearing, and in no case more than forty-five (45) days after the request.

Notification will be given to parents and eligible students concerning their right of access to records: (§300.561)

- Notice will be distributed in the native languages of the various population groups in the School. (§ 300.561(a)(4))
- The School will inform parents by publishing a notice or announcement in newspapers or through other media, or both, with circulation adequate to notify local parents before any major identification, location, or evaluation activity. (§300.561)(b)
- The Annual Notice will contain the following components:
 - Parents and eligible students have the right to inspect and review the student's education record. (§99.7 and §300.564)
 - The procedure for exercising the right to inspect and review the student's education record (§99.7) within 45 days. (§§99.10, §300.521, and §300.528)
 - Parents and eligible students have the right to seek amendment of the student's education record that is believed to be inaccurate, misleading, or in violation of the student's privacy rights. (§99.7 and §300.567)
 - The procedure for requesting amendment of the record. (§99.7)
 - Parents and eligible students have the right to give consent before the release of personally identifiable information (except to the extent that the Act and §99.31 authorize disclosure without consent). (§99.7)
 - If, under §99.31(a), the School discloses information in the optional situations without prior consent, the notice must also include specification of criteria for determining who constitutes a school official, and
 - What constitutes a legitimate educational interest. (§99.7(a))
 - Notice that rights regarding records transfer at age 18. (§99.5(a) §300.574(b))

Designated School personnel must maintain a list on the type and location of records that are collected, as well as a record of access to each student's records, and will follow steps to permit only acceptable access when a record contains information on more than one (1) student:

- The School will keep records of parties obtaining access to records, collected, maintained and used including name, access date, and purpose for access. (§300.563)
- If a record has information on more than one (1) child, parents have a right to inspect and review only the information relating to their child. (§300.564)

- The School will maintain a list of types and location of educational records that are collected, maintained, or used and provide a copy of the list upon request. (§300.565)

Copies of records and fees are to be administered as follows:

- The School will provide copies of records to the parent if failure to do so prevents the parent from inspecting or reviewing the records. (§300.562)(b)(2))
- The School may charge for copies if the fee does not prevent inspection or review of the record. (§300.566)(a))
- The School will not charge a fee to search or retrieve information. (§300.566)(b))

The following criteria are to be applied to a parental request for an amendment of records, a request for a hearing, and post-hearing actions:

- A parent may request amendment of records if he/she believes that information in an education record is inaccurate, misleading, or otherwise in violation of student privacy or other rights. (§ 99.7 and (§300.567)(a))
- A decision whether to amend the information will be made within a reasonable period of time. (§99.7 and §300.567)(a))
- If the determination is a refusal to amend the record, the parents will be informed of the refusal and of the right to a hearing. (§300.567)
- If the parent requests a hearing, the School will provide an opportunity for a hearing to challenge information in the records. (§300.568)
- After the hearing, the School will inform the parents in writing of its decision to amend an education record believed to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. (§300.569)(a))
- If the School decision is to not amend an education record, the parents will be informed of their right to place within the record a statement commenting on the information or setting forth any reasons for disagreeing with the decisions of the School. (§300.569)(b))
 - The School will maintain the statement with the record or contested portion and
 - If the records are disclosed, the explanation will also be disclosed. (§300.569)

School personnel will take proactive measures to safeguard personally identifiable student information as outlined below.

- Each School employee will protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. (§300.572)(a))
- The principal of the school has the responsibility to ensure the confidentiality of any personally identifiable information. (§300.572)(b))
- All persons collecting or using personally identifiable information will receive training or instruction regarding policies and procedures under §300.127 and §99.
- A current list for public inspection will be maintained of the names and positions of School employees who may have access to personally identifiable information. (§300.572)(d))

The following procedures apply to the destruction of information: (§300.573)

- The School will inform the parent when personally identifiable information that has been collected, maintained or used is no longer needed to provide educational services to the child.
- The School will destroy the information at the request of the parent. However, permanent record of name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

The School shall observe children's rights, and the transfer of parental rights, as specified below:

- Children may be afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the student and the type or severity of disability. (§300.574)
- If the rights accorded to parents are transferred to a student with a disability who reaches the age of majority, the rights regarding educational records in will be transferred to the student. (§99.5(a))
- In accordance with the Family Educational Rights and Privacy Act, the rights of parents regarding education records are transferred to the student at age eighteen (18). (However, certain parental notification rights remain in place).

The disciplinary information of a student with a disability is to be treated as follows: (§300.576)

- The School will 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.
- The disciplinary information on students with disabilities will be transmitted to the same extent that disciplinary information is transmitted on nondisabled students.
- The disciplinary statement may include a description of any behavior engaged in by the student, description of the disciplinary action taken, and any other information that is relevant to the safety of the student and other individuals.
- If a student transfers from one (1) school to another, the transmission of any of the student's records will include the current IEP, current evaluation and any statement of current or previous disciplinary action that has been taken against the student.
- If a student transfers from one (1) school to another, the transmission of any of the student's records to the receiving school will occur within the timeframe specified in State statutes and will not require the consent of the parent(s) (ARS 15-828(F-G)).

Extended School Year (ESY) Services

The School complies with the requirements for extended school year services as set in the IDEA regulations:

- Extended school year services will be available as necessary, to provide FAPE to a child with a disability. (§300.309)
- Extended school year services will be provided in accordance with §§300.340- 300.350, and ARS 15-881.
- Extended school year services will be provided only if a child's IEP team determines, on an individual basis, that the services are necessary for the provision of FAPE to the child with a disability. (§300.309, §§300.342-300.346)
- Procedures will be established to implement ESY services for children with disabilities aged 3 through 21. (ARS 15-881, §300.309, §§300.340-300.350)

The following definitions are applicable to the determination and provision of ESY services:

- As used in this section, the term extended school year services means special education and related services that: are provided to a child with a disability:
 - Beyond the normal school year of the School;
 - In accordance with the child's IEP; and
 - At no cost to the parents of the child with a disability.
- As used in this section recoupment means the amount of time required to relearn skills included in the child's IEP following an extended break in instruction.
- The term regression means the reversion to a lower level of functioning in skills or behavior specified in the child's IEP, which results from an extended break in instruction,
- The term critical learning stage means a developmental period in which a child has mastered a concept or skill in one setting and is ready to generalize what has been learned so that it can be applied in other situations. A critical learning stage exists if the child is unlikely to retain the concept or skill, in order to generalize to other situations what has been learned.

The criteria that follow are to be applied in making determinations concerning the provision of ESY: (§§ARS 15-881 and §300.309)

- ESY services will be provided to prevent irreparable harm to the pupil's ability to maintain identified skills or behavior.
- When the child is in a critical learning period of development and when there is a window of opportunity that will be lost if services are not provided.
- The IEP team will determine, on an individual basis, the services that are necessary to provide FAPE to the child with a disability.
- When ESY services will significantly enhance the child's ability to function independently.
- ESY services will not be limited to particular categories of disability
- ESY services will not unilaterally be limited to the type, amount or duration of those services.
- ESY services will not be required for all children with disabilities
- ESY services will not be based on need or desire for any of the following:
 - A day care or respite care service for children with disabilities.
 - A program to maximize the academic potential of a child with a disability.
 - A summer recreation program for children with disabilities.

Elements to be included in a consideration of eligibility for ESY are:

- Regression-recoupment factors.
- Critical learning stages.
- Least restrictive environment considerations.

- Teacher and parent interviews and recommendations.
- Database observations of the pupil.
- Considerations of the child's previous history, and
- Parental skills and abilities.

The methods to measure regression and recoupment are to include:

- Use of a variety of types of measurement and strategies for assessing skills, abilities and behaviors.
- A collection of data:
 - At the end of instruction.
 - At the beginning of subsequent instruction; and
 - At the time of recoupment.
- Any loss or reduction from the end of instruction to the beginning of subsequent instruction will be a measure of regression data.
- Any measurement from the beginning of the subsequent instruction to the time of recoupment will measure the recoupment data.

In determining which children with disabilities are eligible for ESY, the IEP team will:

- Identify goals/benchmarks/short term objectives.
- Identify special education and related services needed.
- Must determine the initiation, location, frequency and duration of services; and
- Establish a date to review and document services.

Private Schools

To cooperate in the provision of services to students with disabilities attending private schools, and to perform the responsibilities identified in the IDEA regulations, the School will comply with the following requirements:

- The School ensures that special education and related services shall be provided to a child with a disability who has been placed in or referred to a private school or a facility by the School (§§300.401-300.402).
- The School will not pay the cost of education, including special education and related services, of a child with a disability attending a private school or facility if the School made FAPE available to the child and the parents elected to place the child in a private school or facility, unless the School is required to do so by a court or hearing officer. (§300.403)
- The School ensures that private school children, including religious-school children residing in the jurisdiction of the School will be identified, located, and evaluated. (§300.451)
- The public school will exercise administrative control of all property, equipment, and supplies that the School acquires with federal funds for the benefit of private school children with disabilities. (§300.462)

- The School ensures that, if a placement in a public or private residential program is necessary to provide special education and related services to a child with a disability, the program, including non-medical care and room and board, shall be at no cost to the parents of the child. (§§300.302 and ARS 15-765)

The procedures to accomplish the above responsibilities include, but are not limited to, the following:

For children placed in private schools by the School: (§300.349)

- Before the School places a child with a disability, or refers a child with a disability to a private school or facility, the School will initiate and conduct a meeting to develop an IEP in accordance with §§300.346 and 300.347.
- Before any student is placed in any private school or other public facility, the School will ensure a full continuum of alternative placements is available to meet the least restrictive environment. (ARS 15-765)
- After a child with disability enters a private school or facility, any IEP meeting to review or revise the child's IEP may be initiated and conducted by the private school at the discretion of the School.
- A representative of the private school or facility will be invited to attend the IEP meeting. If the representative cannot attend, the School will use other methods to ensure participation by the private school or facility (§300.349(b)).
- If the private agency or facility initiates and conducts IEP meetings, the private school will invite the parents and a School representative.
- The School may use whatever State, local, Federal and private sources of support are available in Arizona to meet the requirements, such as joint agreements between the agencies involved for sharing the cost of placement of a student in a private residential facility. (§§300.301)

Points to be considered relative to the determination and provision of services to students enrolled by their parents in private school when FAPE *is* an issue: (§300.403)

- Disagreements about whether FAPE was made available to a child with a disability and the question of financial responsibility are subject to due process procedures of §§300.507-300.514.
- If a court or hearing officer finds that the School has not made FAPE available to the child in a timely manner prior to the parental enrollment in the private placement and orders the School to reimburse the parents for the cost of that enrollment, the School will comply.

Points to be considered relative to the determination and provision of services to students enrolled by their parents in private school when FAPE *is not* an issue: (§§300.452 through 300.355)

- No private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school. (§300.454)
- No private school child with a disability is individually entitled to any service or to any amount of a service the child would receive if enrolled in a public school. (§300.455(a)(3))
- The School will spend the same proportion of the School's total subgrant under sections 611 and 619 as the number of private school children with disabilities residing in its jurisdiction is to the total number of children with disabilities in its jurisdiction.

- If a child with a disability is enrolled in a religious or other private school and receiving special education or related services from the School, the School will:
 - Initiate and conduct meetings to develop, review, and revise a service plan for the child, in accordance with §300.455(b);
 - Invite a representative of the religious or other private school to attend each meeting; and
 - When the representative cannot attend, the School will use other methods to ensure participation by the private school, including individual or conference telephone calls. (§§300.454(c) and 300.403)
- School personnel providing services to private school children with disabilities will meet the same standards as personnel providing services in the public school. (§300.455(a)(1))

Child Find efforts will be made for private school children with disabilities: (§300.451)

- The School will annually consult with private and parochial schools within its jurisdiction to determine how to conduct the annual count of how many private and parochial students have been determined eligible to receive services as a child with a disability.
- The School will identify, locate, and evaluate all private school (including religious-school) children within the jurisdiction of the School.
- The child find activities implemented for private school children with disabilities will be comparable to activities undertaken for children with disabilities in the public school. (§300.451)

The School abides by the following requirements concerning property, equipment, and supplies for the benefit of private school children with disabilities: (§300.462)

- The School may place equipment and supplies in a private school for a period of time for the program.
- The School will be accountable for equipment and supplies placed in the private school and ensure that the equipment and supplies:
 - Are used only for Part B purposes; and
 - Can be removed from the private school without remodeling the private school facility.

Residential placement will be used when appropriate (§§300.302 and ARS15-765), and will comply with the requirements of IDEA:

- The School may place a child with a disability in a public or private residential program to provide special education and related services.
- The placement will include non-medical care, room and board and placement will be at no cost to the parents♦ child. (§300.302)
- Before any placement is made in a private residential facility, the School will ensure that a full continuum of alternative placements is available and the placement is the least restrictive environment. (§ARS-15-765 (c)).
- The IEP team and other qualified professionals will:
 - Review the existing data;

- Determine if additional data are needed,
 - Determine eligibility or continued eligibility;
 - Review and revise the IEP; and
 - Include the exit criteria. (ARS 15-765(G) and (K))
- A residential voucher application will be initiated in accordance with ARS 15-765 and ARS 15-1181.

Graduation and Pupil-Teacher Ratios

The School has incorporated the following standards:

- The Governing Board prescribes criteria for graduation for students with disabilities that include accomplishment of the academic standards adopted by the State Board of Education in reading, writing, and mathematics. (A.R.S. 15-701.01.B.)
- The Governing Board has adopted other criteria for students with disabilities including additional measures of academic achievement and attendance which are in addition to the courses of study and competency requirements prescribed by the State Board of Education. (§ARS15-701.01) and (AAC R7-2301(D)(1))
- The allowable pupil-teacher ratios are displayed in regulation IIB-R [IHB-R]³/₄Class Size of the School Governing Board Policies and Administrative Procedures Manual. (§ARS15-764 (A) (5))

The procedures to be followed in fulfilling the above commitments include, but are not limited to:

- The School is not obligated to provide FAPE to students with disabilities who have graduated from high school with a regular high school diploma (§300.122(3) and §300.543)
- Graduation from high school with a regular diploma constitutes a change in placement for a student with a disability and requires prior written notice (§300.122) (3).
- A student with a disability will complete the requirements in accordance with the academic standards adopted by the State Board of Education in reading, writing and mathematics. (§ARS 15-701.01.B.)
- The Instrument to Measure Standards (AIMS) is administered at grades 3, 5, 8, and high school OR, for students in ungraded classes, at ages 9 years, 11 years, 14 years and 16 years.
- Each student's IEP team will determine the graduation test criteria on the AIMS.

Preschool

The policy of the board assures that:

- A Free Appropriate Public Education (FAPE) will be available to each eligible child by the child's third birthday or, in the case of a child unknown to the School prior to the third birthday, within thirty (30) days of the determination of eligibility. (§300.342(c) (§ 300.121(c)1) (i).
- An individualized education program (IEP) or an individualized family service plan (IFSP) for each child will be in place prior to the provision of FAPE. (§300.121(c)(1)(ii))

- Definitions:

⇒ AzEIP means Arizona's Early Intervention Program and includes the Department of Economic Security (DES); Department of Health Services (DHS); State Schools for the Deaf and Blind (ASDB); Arizona Health Care Cost Containment System (AHCCCS); and Arizona Department of Education (ADE).

⇒ Individualized Family Service Plan (IFSP) means a written plan developed by a multidisciplinary team including the parent or guardian which includes a statement of:

- The child's present levels of development,
- The family resources, priorities, and concerns,
- The major outcomes expected,
- The specific early intervention services necessary and the method and environment of service provision,
- The projected dates of services,
- The name of the service coordinator, and
- The transition plan (Government Services Contract No. 341 4.6).

The procedural steps to be taken in implementing the preschool program for children transitioning from AzEIP into preschool are:

- The School will participate in transition planning conferences arranged by the designated lead agency (§ 300.132 (c)).
- At the transition conference, the School representative will provide information about the full continuum of educational programs options for preschool children with disabilities (Government Services Contract No 341 5.1.2) (Head Start Agreement).
- At the transition conference, the School representative will provide the parents with eligibility requirements for preschool special education services including evaluation components and special education classifications. (Governmental Services Contract No 341 5.1.2)
- At the transition conference, the School representative will provide the parent with a copy of the parent's rights and a copy of procedural safeguards that become effective on the child's third birthday. (Governmental Services Contract No 341 5.1.2)
- The School representative will work with the parents to plan for visitations to possible preschool placement options and to establish tentative timelines for the child's transition into the preschool program. (Governmental Services Contract No 341 5.1.2).
- The School will complete necessary assessments and determine eligibility prior to the child's entering preschool but no later than the third birthday. (Government Services Contract No.341 5.2.2)
- The School will ensure the development of an IEP or IFSP prior to the provision of FAPE.
- The School will invite the Service Coordinator for the child to attend the IEP/IFSP meeting. (Government Services Contract no. 341 5.4)
- If an IFSP contains the necessary information and is developed under the §§ 300.341 - 300.346 (IEP) and the parents and the School agree, the IFSP may be used in place of an IEP. (§ 300.342(c)(i)(ii))

- If, after a detailed explanation of the differences between an IFSP and an IEP, the parents choose an IFSP, the School will obtain written informed parental consent for its use. (§300.342(c)(2))
- If the child's third birthday occurs during the summer, the child's IEP team will determine the date when services under the IEP or IFSP will begin. (§ 300.121(c)(2))

Discipline

It is the policy of the School to comply with the requirements of the IDEA as they relate to disciplinary measures taken with a student with disability. The requirements are:

- If a change in educational placement for disciplinary removal occurs for a child with a disability, the School shall provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP. (§ 300.121(d))
- When a child with a disability is removed from his or her current educational placement, a change of placement occurs if:
 - The removal is for more than ten (10) consecutive school days; or
 - The series of removals constitute a pattern because they cumulate to more than ten (10) school days in a school year, and because of such factors as the length of each removal, the total amount of time the child is removed, or the proximity of the removals to one another. (§300.519)
- When the removal of a child with a disability constitutes a change of placement, a review of the placement shall be conducted regarding the relationship between the student's disability and the behavior subject to the disciplinary action (manifestation determination). (§300.523)
- If an IEP team determines that the behavior of the student with a disability was not a manifestation of the disability, disciplinary action applicable to students without disabilities shall be applied (§§300.524-300.525), except as provided in §300.121 which requires the provision of FAPE to all students with disabilities who are suspended or expelled. (§300.524)
- A child who has not been determined eligible for special education and who engages in behavior that violates any rules or code of conduct may assert any of the protections of a child with a disability pursuant to §300.527 when the applicable conditions exist (see procedural steps).

Designated School personnel are to observe the following checkpoints and implement the following procedures when disciplinary measures are applied to a child with a disability.

FAPE for children suspended or expelled: (§§300.121 and 300.520)

- The School may cease services to a child with a disability during a removal period when that child has been removed from his or her current placement for ten (10) school days or less in a school year, if services are not provided to a child without disabilities who has been similarly removed.
- For a child with a disability whose placement has not been changed, (i.e., who has been removed for more than ten [10] school days during the school year but these days were not ten [10] consecutive days or whose removal did not constitute a pattern):
 - The School will provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and advance toward achieving the IEP goals.

- School personnel will determine the extent of services necessary to enable the child to appropriately progress in the general curriculum and advance toward achieving the IEP goals. (§300.121)
- For a child with a disability whose placement has been changed for disciplinary reasons, (i.e., has been removed from his or her current placement for more than ten [10] consecutive school days in a school year or whose removals constitute a pattern):
 - The School will provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and advance toward achieving the IEP goals.
 - The IEP team will determine the extent of services necessary to enable the child to appropriately progress in the general curriculum and advance toward achieving the IEP goals. (§300.121)
- If a disciplinary action of more than ten (10) cumulative school days is contemplated for a child with a disability who has engaged in behavior that violated any rule or code of conduct of the School and:
 - The School did not conduct a functional behavioral assessment and implement a behavior intervention plan for the child before the behavior occurred, within ten (10) business days the School will convene an IEP meeting to develop an assessment plan.
 - If the child already has a behavior intervention plan, the IEP team will meet to review the plan and its implementation, and, modify the plan to address the behavior. (300.520)

Change of placement for disciplinary removals: (§§300.519)

- For a child with a disability, a change in placement occurs if:
 - A removal is for more than ten (10) consecutive school days or
 - The child is subject to a series of removals that constitute a pattern because of factors such as length of each removal, total amount of time the child is removed and the proximity of the removals to one another. (§300.519)

Manifestation determination review: (§300.523)

- The School will conduct a manifestation determination review when the School is contemplating a change of educational placement for disciplinary reasons.
 - When the School is contemplating a change of educational placement for disciplinary reasons, the School will notify the parents of the child no later than the date on which the decision was made to take that action. The School will provide the parents with the appropriate procedural safeguards notice.
 - No later than ten (10) days after the date on which the decision to act is made, the manifestation determination review must be conducted.
 - In conducting a manifestation determination, the IEP team will consider evaluation and diagnostic results, including information provided by the parents; observations of the child; and the child's IEP and placement.
- The IEP team will only determine the child's behavior was not a manifestation of the disability, if all relevant information indicates that:

- The child's IEP was appropriately developed and implemented and behavior intervention strategies were provided consistent with the child's IEP and placement;
 - The child's disability did not impair the ability of the child to understand the impact and consequences of the behavior subject to the disciplinary action; and
 - The child's disability did not impair the ability of the child to control the behavior subject to disciplinary action.
- The behavior will be considered a manifestation of the child's disability if any of the standards in the immediately preceding item were not met.
 - If the behavior is not a manifestation of the child's disability, disciplinary procedures applicable to children without disability will apply except as provided in IDEA regulation §300.121(d).

Determination of interim alternative educational setting: ((IAES) §§ 300.520 through 300.522)

- The School may order a child with a disability to an interim alternative educational setting (IAES) for weapons or drug violations for the same amount of time as that of a child without a disability, but not to exceed forty-five (45) days. The IAES will:
 - Be determined by the IEP team.
 - Be selected so as to enable the child to continue to participate in the general curriculum, and receive services specified in the IEP. (§300.520)
 - Include services and modifications designed to prevent the behavior from recurring.
- The School may request an expedited due process hearing to request that the child be moved to an appropriate IAES for not more than forty-five (45) days if the School has substantial evidence that a child's current placement is likely to result in injury to the child or to others. (§300.521)

Parental appeal: (§§300.525)

- If the parent of a child with a disability disagrees with the manifestation determination or any decision regarding the placement, the parents may request a hearing. (§300.525)
- The School will arrange an expedited hearing if the parent requests a hearing.

Protections for children who are not yet eligible for special education and related services: (§300.527)

- The parent may assert any of the protections provided to children with disabilities if the School had knowledge that the child was a child with a disability before the behavior occurred. The School is presumed to have knowledge when:
 - The parent has expressed concern in writing (or orally if the parent cannot write or has a disability that prevents a written statement);
 - The behavior of the child has demonstrated the need for the services, in accordance with §300.7;
 - The teacher of the child or other personnel has expressed concern about the behavior or performance of the child; or
 - The parent of the child has requested an evaluation.

- The School is presumed not to have knowledge when the School has either:
 - Conducted a full and individual evaluation for special education eligibility and found the child was not a child with a disability; or
 - Has determined that an evaluation was not necessary and provided appropriate notice to the child's parents of its determination.
- If a request for an evaluation is made during the time period in which the child is subjected to disciplinary action under §§300.520 or 300.521:
 - The evaluation will be conducted in an expedited manner.
 - The child will remain in the placement determined by the school authorities until completion of the evaluation and eligibility determination.

IHB-E ©

EXHIBIT

SPECIAL INSTRUCTIONAL PROGRAMS**PROCEDURAL SAFEGUARDS NOTICE**

A sample of the procedural safeguards notice is available from the Arizona Department of Education. It is titled "SPECIAL EDUCATION RIGHTS OF PARENTS AND CHILDREN UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA AMENDED 2004)." If the District chooses to modify these sample procedures it is suggested that a comparison to the citations in the information below be reviewed.

The Federal Regulations at 34 C.F.R. 300.504 on Procedural safeguards notice read as follows:

"Sec. 300.504 Procedural safeguards notice.

- (a) General. A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents, at a minimum--
 - (1) Upon initial referral for evaluation;
 - (2) Upon each notification of an IEP meeting;
 - (3) Upon reevaluation of the child; and
 - (4) Upon receipt of a request for due process under Sec. 300.507.
- (b) Contents. The procedural safeguards notice must include a full explanation of all of the procedural safeguards available under Secs. 300.403, 300.500-300.529, and 300.560-300.577, and the State complaint procedures available under Secs. 300.660-300.662 relating to--
 - (1) Independent educational evaluation;
 - (2) Prior written notice;
 - (3) Parental consent;
 - (4) Access to educational records;
 - (5) Opportunity to present complaints to initiate due process hearings;
 - (6) The child's placement during pendency of due process proceedings;
 - (7) Procedures for students who are subject to placement in an interim alternative educational setting;
 - (8) Requirements for unilateral placement by parents of children in private schools at public expense;
 - (9) Mediation;

- (10) Due process hearings, including requirements for disclosure of evaluation results and recommendations;
- (11) State-level appeals (if applicable in that State);
- (12) Civil actions;
- (13) Attorneys' fees; and
- (14) The State complaint procedures under Secs. 300.660-300.662, including a description of how to file a complaint and the timelines under those procedures.

(c) Notice in understandable language. The notice required under paragraph (a) of this section must meet the requirements of Sec. 300.503(c)."

The following is a summary of sources for procedures that may be found in law, regulation and District policy other than the A.D.E. sample:

- An opportunity for parent of a child with a disability to examine all records § 34 C.F.R. 300.501, Policy JR and Regulation JR-R (*Student Records*).
- Procedures to protect the rights of the child whenever the parents of the child are not known § 34 CFR 300.501 and A.R.S. [15-763.01](#).
- Prior written notice to the parents is to be provided upon specific instances § 34 C.F.R. 300.503.
- Procedures designed to ensure the prior written notice is in the native language of the parents, unless it clearly is not feasible to do so. If the School is unable after making an effort, to provide the notice in the native language of the parent, then the A.D.E. should be contacted for assistance. See § 34 C.F.R. 300.503.
- Procedures for mediation shall be provided. Contact the A.D.E. for a list of mediators. See § 34 C.F.R. 300.507 et seq and A.A.C. R7-2-401.
- An explanation of the State complaint procedure shall be provided § 34 C.F.R. 300.660 et seq and A.A.C. R7-2-405.
- Due process procedures are to be included § 34 C.F.R. 300.507 and A.A.C. R7-2-405.
- Procedures that require the parent of a child with a disability, or the attorney representing the child, to provide notice within certain guidelines (it shall remain confidential) § 34 C.F.R. 300.507.
- Discipline procedures should be explained § 34 C.F.R. 300.507, and Policy JKD (*Student Suspension*).

**IHBA ©
SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS FOR
DISABLED STUDENTS**

(Section 504 of the Rehabilitation Act of 1973)

It is the responsibility of the School to identify and evaluate students who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services or programs in order that such students may receive the required free appropriate education.

For this policy, a student who may need special services or programs within the intent of Section 504 is one who:

- Has a physical or mental impairment that substantially limits one (1) or more major life activities, including learning; or
- Has a record of such impairment; or
- Is regarded as having such impairment.

Students may be eligible for services under the provisions of Section 504 even though they do not require services pursuant to the Individuals with Disabilities in Education Act (IDEA). Students who are identified as individuals with exceptional needs, according to IDEA criteria, are not addressed under this policy. The needs of such students are provided for under Policy IHB and its regulations and under state and federal laws and regulations.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-708](#)

29 U.S.C. 706

29 U.S.C. 794

CROSS REF.:

[KED](#) - Public Concerns/Complaints about Facilities and Services

IHBA-RA ©**REGULATION****SPECIAL INSTRUCTIONAL PROGRAMS
AND ACCOMMODATIONS FOR
DISABLED STUDENTS****(Section 504 of the Rehabilitation Act of 1973)**

Each qualified student within the School who is eligible to receive regular or special education or related aids or services, regardless of the nature or severity of the condition necessitating such programs or services, shall receive free appropriate education in the School.

Identification and referral procedures:

- Any student who needs or is believed to need special education or related services not available through existing programs in order to receive a free appropriate public education may be referred by a parent, teacher, or other certificated school employee for identification and evaluation of the student's individual education needs.
- The identification and evaluation will be completed by persons knowledgeable about the student, the student's school history, the student's individual needs, the meaning of evaluation data, and the placement options. The Superintendent will monitor the identification and evaluation to ensure that qualified personnel participate.
- The School will consider the referral and, based upon a review of the student's existing records, including academic, social, and behavioral records, make a decision as to whether an evaluation under this procedure is appropriate. If a request for evaluation is denied, the School will inform the parents or guardian of this decision and of their procedural rights.

Evaluation. Evaluation of the student and formulation of a plan of services will be carried out by the School according to the following procedures:

- The School will evaluate the nature of the student's disability and the impact of the disability upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation of a student who otherwise meets the criteria (such as age) for participation in the educational program and/or activities.
- No final determination of whether the student will or will not be identified as a student with a disability within the meaning of Section 504 will be made by the School without first inviting the parent or guardian of the student to participate in a meeting concerning such determination.
- A final decision will be made by the School in writing, and the parents or guardian of the student shall be notified of the Section 504 procedural safeguards available to them, including the right to an impartial hearing and review.

Plan for services:

- For a student who has been identified as having a disability within the meaning of Section 504 and in need of special education or related aids and services, the School shall be responsible for determining what special services are needed.
- In making such determination, the School shall consider all available relevant information, drawing upon a variety of sources, including, but not limited to, comprehensive assessments conducted by the School's professional staff.

- The parents or guardian shall be invited to participate in School meetings where services for the student will be determined, and shall be given an opportunity to examine all relevant records.
- The School will develop a written plan describing the disability and the special education or related services needed. The plan will specify how the regular or special education and related aids and services will be provided, and by whom.
- The School may also determine that no special education or related services are appropriate. If so, the record of the School proceedings will reflect the identification of the student as a person with a disability and will state the basis for the decision that no special services are presently needed.
- A student with a disability shall be placed in the regular educational environment of the School, with the use of the supplementary aids and services, unless the School demonstrates that such placement cannot be achieved satisfactorily. The student with a disability shall be educated with those who are not disabled to the maximum extent appropriate to the individual needs of the student.
- The School shall notify the parents or guardian in writing of its final decision concerning the services to be provided.
- If a plan for providing related services is developed, all school personnel who work with the student shall be informed of the plan.

Review of the student's progress. The School will monitor the progress of the student with a disability and the effectiveness of the student's education plan annually to determine whether special education or related services are appropriate and necessary, and that the student's needs are being met as adequately as the needs of a nondisabled student.

Prior to any subsequent significant change in placement, a comprehensive reevaluation of the student's needs will be conducted.

Procedural safeguards:

- The parents or guardian shall be notified in writing of all School decisions concerning the identification, evaluation, or educational placement of students made under this policy.
- The parents or guardian shall be notified that they may examine relevant records.
- As to such decisions by the School, the parents or guardian shall have the right to an impartial hearing ("Section 504 due process hearing"), with opportunity for participation by the parents or guardian and their counsel. In the notification of any School decision concerning identification, evaluation, or placement, the parents or guardian will be advised that:
 - A request for a Section 504 due-process hearing should be made within thirty-five (35) days of notice of right to file (but not less than thirty [30] days).
 - The request shall be made to:

Superintendent
Hopi Junior/Senior High School, Incorporated
Post Office Box 337
Keams Canyon, Arizona 86034
(928) 738-5111

- The hearing will be held in accord with Regulation IHBA-RB. The decision may be appealed only to a federal court of competent jurisdiction.

- Attorneys' fees are available only as authorized by law.

If a state due-process hearing has been or will be held under the IDEA concerning issues relevant to the Section 504 proceeding, a hearing officer qualified as to IDEA and Section 504 proceedings may preside in a joint hearing. The issues for either IDEA or Section 504 determination shall be clearly defined at the outset, and determinations by the hearing officer will be separate and distinct.

If both the parents or guardian and the School agree that the student is not eligible for special education under the IDEA, neither party is required to exhaust administrative proceedings under the IDEA prior to the holding of a Section 504 due-process hearing.

The hearing officer shall render a decision. The parents or guardian shall be notified in writing of the decision. Either party may seek review of the decision of the Section 504 hearing officer by a federal court of competent jurisdiction.

The parties shall abide by the decision of the Section 504 hearing officer unless the decision is appealed to a federal court of competent jurisdiction and the decision is stayed by the court.

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REGULATION

**SPECIAL INSTRUCTIONAL PROGRAMS
AND ACCOMMODATIONS FOR
DISABLED STUDENTS****(Section 504 of the Rehabilitation Act of 1973)****Section 504 Due-Process Hearing Procedures**

An impartial due-process hearing will be utilized to resolve differences involving the education of a Section 504 qualified student with a disability when such differences cannot be resolved by means of a less formal procedure. In this instance, *due process* is defined as an opportunity to present objections and reasons for the objections to the decision and/or procedures of the committee regarding application of Section 504. A Section 504 due-process hearing may be called at the request of the School or a parent, guardian, or surrogate of an affected student. The proceedings will be presided over and decided by an impartial hearing officer. *Impartial hearing officer* means a person selected to preside at a due-process hearing to assure that proper procedures are followed and to assure the protection of the rights of both parties.

In all related hearing matters the following definitions shall apply:

- *Days* means calendar days.
- *Placement plan* means the program by which the decision concerning the educational placement of the student is decided.
- *Parents* means parents, guardian, or surrogate parent.

Parents or the School may initiate a due-process hearing on a matter related to (1) eligibility and related procedures, (2) procedural safeguards, or (3) provision of a free and appropriate public education to the student.

Requests for a due-process hearing must be submitted in writing to the Superintendent. Hearing notifications to the parents shall be given at least twenty (20) days prior to the date set for the hearing. The notice shall contain:

- A statement of time, place, and nature of the hearing.
- A statement of the legal authority and jurisdiction under which the hearing is being held.
- A reference to the particular section of the statutes and rules involved.
- A statement of the availability of relevant records for examination.
- A short and plain statement of the matters asserted.
- A statement of the right to be represented by counsel.

All written correspondence shall be provided in English and/or interpreted in the primary language.

Hearing Procedures

The hearing officer shall preside at the hearing and shall conduct the proceedings in an impartial manner to the end that all parties involved have an opportunity to:

- Present their evidence.
- Produce outside expert testimony and be represented by legal counsel and by individuals with knowledge or training with respect to problems of students with disabilities.

Parents involved in the hearing will be given the right to:

- Have the student present at the hearing.
- Open the hearing to the public.

In cases where there are language differences, an interpreter shall be provided.

The hearing officer shall review all relevant facts concerning the education placement.

- The hearing officer shall determine, subject to appeal by judicial review, whether the School has met all procedural aspects of the education accommodation plan.
- The hearing officer shall render a decision, subject to judicial review, that is binding on all parties, except that in all cases any action taken must comply with current Arizona Revised Statutes and federal court decisions.
- The hearing officer shall ascertain that:
 - The procedures utilized in determining the student's needs have been appropriate in nature and degree.
 - The student's rights have been fully observed.
 - The provision of aids, services, or programs to the student may afford a free and appropriate education.
- If the parents' primary language is other than English, then the hearing officer shall appoint an interpreter.

Decision of the Hearing Officer

A copy of the hearing officer's decision shall be delivered to the School and the parent, guardian, or surrogate within ten (10) days following completion of the hearing, which in no event shall be later than forty-five (45) days after receipt of the request for a hearing.

- Notification will include a statement that either party may appeal the decision.

The decision of the hearing officer is binding on all parties concerned; it is subject only to judicial review.

Record of Hearing

A written or electronic verbatim recording of the Section 504 due process hearing shall be on file at the School office and will be available for review upon request to the parents and/or any of the involved parties. Parents may have a copy of the proceedings, in English and in the primary language of the home.

LEGAL REF.:
A.A.C.
R7-2-405

IHBA-E ©

EXHIBIT

**SPECIAL INSTRUCTIONAL PROGRAMS
AND ACCOMMODATIONS FOR
DISABLED STUDENTS****(Section 504 of the Rehabilitation Act of 1973)****POLICY MEMORANDUM**

TO: Staff

FROM:

RE: Responsibilities of the District to Students with Disabilities under
Section 504 of the Rehabilitation Act of 1973.

This memorandum is to clarify certain responsibilities of the District under Section 504 of the Rehabilitation Act of 1973.

Section 504 prohibits discrimination against persons with disabilities, including both students and staff members, by school districts receiving federal financial assistance. Included in the U.S. Department of Education regulations for Section 504 is the requirement that students with disabilities be provided with free appropriate public education (FAPE). The regulations pertaining to FAPE are published at 34 Code of Federal Regulations, Part 104, Subpart D.) These regulations require identification, evaluation, the provision of appropriate services, and procedural safeguards.

With respect to most students with disabilities, many aspects of the Section 504 regulations concerning FAPE parallel the requirements of the Individuals with Disabilities Education Act (IDEA) (formerly the Education of the Handicapped Act) and Arizona law. In those areas, by fulfilling our responsibilities under the IDEA and state law we are also meeting the standards of the Section 504 regulations.

However, in some other respects the requirements of the laws are different. There are some students who are not eligible for IDEA services but who nevertheless are eligible under Section 504, and to whom the School may therefore have responsibilities.

The IDEA defines as eligible only students who have certain specified types of impairments and who, because of one (1) of those conditions, need special education. Section 504, on the other hand, protects all students with disabilities, defined as those having *any physical or mental impairment that substantially limits one or more major life activities (including learning)*. Section 504 covers all students who meet this definition, even if they do not fall within the IDEA-enumerated categories and even if they do not need to be in a special education program.

An example of a student who is protected by Section 504 but who may not be covered by the IDEA is one who has juvenile arthritis but who has no mental impairments. Such a student has a health impairment but may not be covered by the IDEA if the student does not need placement in a special education program. However, the student is disabled for purposes of Section 504. A similar example might be a student with acquired immune deficiency syndrome (AIDS). Students with attention deficit/hyperactivity (ADD/H) or emotional disorders are another example. Such students may not meet the criteria for IDEA categories such as learning disabled or severely emotionally disturbed. However, if their disorders or conditions substantially limit their ability to function at school, they are disabled within the meaning of Section 504.

If the School has reason to believe that, because of a disability as defined under Section 504, a student needs *either special education and related services or related services in the regular setting in order to participate in the school program, the School must evaluate the student; if the student is determined to be disabled under Section 504, the School must develop and implement a plan for the delivery of any needed services. Again, these steps must be taken even though the student is not covered by IDEA special education provisions and procedures.*

What is required for the Section 504 evaluation and placement process is determined by the type of disability believed to be present, and the type of services the student may need. The evaluation must be sufficient to accurately and completely assess the nature and extent of the disability, and the recommended services. Evaluations more limited than a full special education evaluation may be adequate in some circumstances. For example, in the case of the student with juvenile arthritis, the evaluation might consist of the school nurse meeting with the parent and reviewing the student's current medical records. In the cases of ADD/H students, current psychoeducational evaluations may be used if such evaluations assessed the ADD/H issue. In other cases, additional testing may be necessary.

The determination of what services are needed must be made by a group of persons knowledgeable about the student. The group should review the nature of the disability, how it affects the student's education, whether special services are needed, and if so what those services are. The decisions about Section 504 eligibility and services must be documented in the student's file and reviewed periodically.

For the juvenile arthritic student, Section 504 services might be the provision of a typing course and use of a typewriter/word processor to improve writing speed or to provide a less painful means of writing. For the AIDS student, Section 504 services might be the administration and monitoring of medication, or a class schedule modified to address the student's stamina. For an ADD/H student, services might include modifications in the regular classroom, special assistance from an aide, a behavior plan, counseling, and/or the monitoring of medication.

It should also be noted that, under Section 504, the parents or guardian must be provided with notice of actions affecting the identification, evaluation, or placement of the student and are entitled to an impartial hearing if they disagree with School decisions in these areas. For disabilities covered only by Section 504 and not the IDEA, a Section 504 hearing will have to be made available that is separate from the IDEA hearing process. The School is exploring different frameworks for the adoption of procedures for conducting Section 504 hearings in the School, should the need arise.

In summary, it is important to keep in mind that some students who have physical or mental conditions that limit their ability to participate in the education program are entitled to rights under Section 504 even though they may not fall into IDEA categories and may not be covered by that law.

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GIFTED AND TALENTED EDUCATION**

The Board requires that appropriate instructional programs be conducted to meet the needs of exceptionally gifted students of school age, in keeping with the School's goal of developing the special abilities of each student.

The framework for said programs shall encompass the following objectives:

- Expansion of academic attainments and intellectual skills.
- Stimulation of intellectual curiosity, independence, and responsibility.
- Development of originality and creativity.
- Development of positive attitude toward self and others.
- Development of desirable social and leadership skills.
- Career exploration and awareness.

Ability of candidates for this program shall be evidenced by:

- Achievement in schoolwork.
- Scores on tests measuring intellectual ability and aptitude.
- The judgments of teachers, psychologists, administrators, and supervisors familiar with the demonstrated abilities of the students.

Procedures shall be established by the Superintendent for identifying students of demonstrated achievement or potential ability.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-203](#)

[15-761](#)

[15-764](#)

[15-769](#)

[15-770](#)

[15-722](#)

A.A.C.

R7-2-406

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PROGRAMS FOR PREGNANT / PARENTING STUDENTS**

Pregnant students should have the same educational opportunities as their peers. Such students may also need additional counseling and health services that are available through the School.

Pregnant students may elect to remain in the regular school program and shall not be involuntarily excluded from any part of the school program, provided, however, that reasonable safeguards are maintained both for the school's and the student's best interests.

Pregnant students shall notify school authorities of their status as soon as it is ascertained. The Superintendent will establish procedures as necessary to implement this policy.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

CROSS REF.:

[AD](#) - Educational Philosophy/School Mission

IHBF - Homebound Instruction

IHBCA-R ©

REGULATION

**PROGRAMS FOR PREGNANT /
PARENTING STUDENTS**

The School affirms the right of a pregnant student to continue her participation in the public school program.

As soon as the pregnancy is medically confirmed, the student shall consult with a member of the counseling staff or the principal for the purpose of planning her educational program.

The student may be eligible for the following educational plans or may suggest alternatives:

- She may remain in her present school program, with modifications as necessary, until the birth of her baby is imminent or until her physician states that continued participation would be detrimental to her health.
- If eligible for homebound or chronic illness status, in accord with A.R.S. [15-901](#), she may temporarily withdraw from school at the direction of her physician and may receive homebound instruction from the date of her withdrawal until her physician states that she is physically able to return to school.

Efforts will be made to see that the educational program of the student is disrupted as little as possible; that she receives information on available health and counseling services, as well as instruction; and that she is encouraged to return to school after delivery.

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COMPENSATORY EDUCATION**

(Title I)

The Board authorizes support of parental involvement in accord with the requirements for funding under Title I. A plan for the operation of a program funded through Title I shall incorporate a written statement, developed with meaningful consultation with parents of participating children, that shall establish expectations for parent involvement and describe programs. The statement shall be distributed to all parents of participating children.

The Superintendent will establish procedures that provide for the involvement of the parents of children receiving services under Title I at each site served, describing the means for carrying out the requirements of policy involvement, shared responsibilities for high student performance, building capacity for involvement, and accessibility.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

20 U.S.C. 6301 *et seq.*, No Child Left Behind

IHBD-R ©**REGULATION****COMPENSATORY EDUCATION****(Title I)****Parent Participation Procedures**

Parents of children receiving services shall have the opportunity to participate in the development, implementation, and evaluation of Title I programs. In addition, parents will:

- Be invited to an annual meeting for an explanation of the program, its requirements, and their rights to be involved.
- Be offered meetings and services that will permit meaningful parent involvement in planning review and improvement of programs.
- Be informed of program offerings.
- Receive results and interpretation of their child's assessment.
- Be provided opportunities for conferences, sharing information, and participating in their child's program, with timely staff responses to suggestions.
- Be requested to share responsibility with staff members and students in implementing performance standards and supporting their child's learning.
- Be assisted in understanding goals, standards, assessment, monitoring, and decision making to coordinate and participate in their child's education.

Staff members will encourage parent participation, coordinating with programs that may assist parent involvement, and informing businesses of opportunities for partnerships in the venture. Programs for parents shall be conducted to provide information about child development.

Programs and activities shall be available on a nondiscriminatory basis and, to the extent possible, information shall be sent in a language and form that parents can understand.

IHBE ©

BILINGUAL INSTRUCTION / NATIVE LANGUAGE INSTRUCTION

Individual schools in which twenty (20) or more students of a given grade level receive parental exception waivers in accord with A.R.S. [15-753](#) shall offer classes teaching English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Where these programs are not available students receiving parental exception waivers shall be permitted to transfer to a public school in which such a class is offered.

Prerequisites for Waiver Requests

With prior written informed consent, provided on an annual basis, a student's parents or legal guardian may request a waiver from the application of A.R.S. [15-752](#) - being placed in an English language classroom. In order to apply for a waiver the parents or guardian must:

- Visit the school to apply for the waiver, and while at the school,
 - Be provided a full description of the educational materials to be used in the different educational program choices, and
 - Be provided all the educational opportunities available to the child.

Parental exception waiver

A parental exception waiver may be applied for if the above prerequisites have been met and at least one (1) of the following applies:

- The student already possesses good English language skills, as measured by:
 - Oral evaluation or standardized tests of English vocabulary comprehension, reading, and writing, in which the student scores:
 - ⇒ Approximately at or above the state average for the student's grade level, or
 - ⇒ At or above the 5th grade average, whichever is lower
- The student is age ten (10) or older, and:
 - It is the informed belief of the school principal and educational staff that an alternate course of educational study would be better suited to the student's overall educational progress and rapid acquisition of basic English language skills.
- The student has special individual needs (physical and psychological needs above and beyond the lack of English proficiency).
 - Any decision to issue a waiver based on special individual need is to be made subject to the examination, approval and authorizing signature of the Superintendent within, but not limited to, the following guidelines:
 - ⇒ The student has already been placed in an English language classroom for not less than thirty (30) calendar days during that school year.
 - ⇒ It is subsequently the informed belief of the school principal and educational staff that the child has such special and individual physical or psychological needs,

above and beyond the lack of English proficiency, and an alternate course of educational study would be better suited to the student's overall educational development and rapid acquisition of English.

- ◆ A written description of not less than two hundred fifty (250) words documenting these special individual needs for the specific student must be provided and permanently added to the student's official school record after,
- ◆ A special needs review has been completed by persons knowledgeable about the student, the student's school history, the student's special individual needs, the meaning of evaluation data, and the placement options. The review shall be based upon the student's existing records, including academic, social, and behavioral records.
- ◆ The waiver application must contain the original authorizing signature of the school principal.

⇒ If the student has been determined to be a student with a disability under the Individuals with Disabilities Education Act then all procedural safeguards including those relative to evaluation and the provision of free appropriate public education must be followed.

⇒ If the student has been determined to be a student with a disability under Section 504 of the Rehabilitation Act of 1973, evaluation and such accommodations as are necessary to provide a free appropriate public education shall be provided in accord with the act.

- Teachers and local school districts may reject waiver requests without explanation or legal consequence. The existence of such special individual needs shall not compel issuance of a waiver.
- The parents shall be fully informed of their right to refuse to agree to a waiver for special individual needs.

The Superintendent shall develop procedures as necessary for implementation of this policy.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-744](#)

[15-751](#)

[15-752](#)

[15-753](#)

[15-754](#)

[15-755](#)

A.A.C.

R7-2-310

CROSS REF.:

IHAA - English Instruction

IHB - Special Instructional Programs

[IHBA](#) - Special Instructional Programs and Accommodations for Disabled Students

IHBE-EB ©

EXHIBIT

**BILINGUAL INSTRUCTION / NATIVE
LANGUAGE INSTRUCTION**

REQUEST FOR PARENTAL EXCEPTION WAIVER

Student's name _____
Last First M.I.

School _____ Current grade _____ Birth date _____

Home phone _____ Work phone _____ Message phone _____

Parent or guardian's name _____
Last First M.I.

Home address _____
Street City Zip

E-mail address _____

I, _____ the undersigned parent /legal guardian of the above student, visited the school and while present was provided with a full description of the education materials to be used in different educational program choices, and a full description of all the educational opportunities available to my child. I herein request a waiver from the application of A.R.S. [15-752](#) - being placed in an English language classroom and consent to placement in a bilingual education/native language instruction program.

The reason for the request is that the above-named student:

- Possesses good English language skills.
- Is age ten (10) or older
- Has special individual needs

The following (or attached) information is provided to assist in making a determination as to the granting of the waiver.

Signature of Parent or Legal Guardian Date

FOR DISTRICT USE ONLY , DO NOT WRITE BELOW THIS LINE

Date stamp _____
Filing Date

Approved Denied

Principal _____ Date _____

Superintendent _____ Date _____
(Only required for special individual needs)

**IIB ©
CLASS SIZE****Regular Education**

The teacher-student ratio for staffing in the School is the responsibility of the Board. Staffing patterns and student grouping shall be flexible so as to accommodate varied instructional delivery approaches, student needs, curriculum requirements, and fiscal resources. Each year the Superintendent will make staffing recommendations during the budget review and preparation process.

Special Education

It is the intent of the School to maintain a special education student-teacher ratio that will allow the teacher to work effectively and efficiently toward the IEP objectives of each student with a disability and to work with classroom teachers to prevent learning problems whenever possible.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

[15-342](#)

[15-764](#)

CROSS REF.:

IHB - Special Instructional Programs

IIB-R ©**REGULATION****CLASS SIZE****(Special Education)****Teacher-Student Ratios and Staff- Student Ratios**

It is the intent of the District to maintain a special education teacher-student ratio that will allow the teacher to work effectively and efficiently toward the individualized education program (IEP) objectives of each student with a disability and to work with classroom teachers to prevent learning problems whenever possible.

The goals for teacher-student ratios shall be as follows:

CATEGORYGOAL*Resource*

1.0 FTE teacher

(average)

12 - 15 students with disabilities

Speech/language resource

1.0 FTE teacher

(average)

40 - 50 direct service students
(approximately 75% students with disabilities and 25% remedial)

Resource itinerant for sensory, hearing, and vision impaired students

(average)

5 - 12 students

Mild to moderate retardation

1.0 FTE teacher and 1.0 fte aide

(average)

7 - 9 students

Severe mental retardation

1.0 FTE teacher and 1.0 fte aide

(average)

2 - 4 students

If the number of students exceeds the goal for a class, acceptable alternatives may include, but are not limited to:

- Addition of a teacher's aide.

- Increasing an aide's hours.
- Reassigning students to a different teacher.
- Adding a teacher.
- Other adjustments acceptable to the Superintendent and the Board.

The administrator for special education shall make student assignments within the resources available, based upon the goals listed above.

CROSS REF.:

IHB - Special Instructional Programs

IJ © INSTRUCTIONAL RESOURCES AND MATERIALS

Access to Instructional Material by Parents and Guardians

The Superintendent shall establish procedures that permit parents or guardians of students enrolled in the School access to the instructional materials currently used by, or being considered for use by, the School in accordance with the terms of this policy. The request by the parent or guardian must be in writing and must specify the materials that the parent or guardian wishes to review.

Such procedures shall make available at least one (1) copy of the instructional materials for review by the parents or guardians. Printed textbooks, printed supplementary books, and printed subject-matter materials may be checked out from the School premises by parents or guardians for periods not to exceed forty-eight (48) hours. All other materials, including films, may be reviewed only on the School premises.

Parents or guardians will be notified when and where the instructional materials may be picked up or reviewed. Materials will be made available on a first-come, first-served basis.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-102](#)

[15-341](#)

[15-342](#)

[15-721](#) to [15-730](#)

A.A.C.

R7-2-204

CROSS REF.:

[ABA](#) - Community Involvement in Education

KB - Parental Involvement in Education

IJ-R ©**REGULATION****INSTRUCTIONAL RESOURCES
AND MATERIALS****Availability of and Access to Instructional Materials by Parents or Guardians**

Parents or guardians of students enrolled in the School shall have access to instructional materials currently in use, or being considered for use, in the School. Such access shall be governed by the following:

- Requests must be in writing and must specify the materials that the parents or guardians want to review.
- Requests shall be submitted to the office of the principal.
- At least one (1) copy of such instructional materials shall be available for parent or guardian review.
- Printed textbooks, supplementary books, and other printed subject matter may be checked out for removal from School premises for up to forty-eight (48) hours. All other materials, including films, may be reviewed only on School premises.
- School personnel involved in handling requests to review materials will notify the parents or guardians as to when and where such materials may be picked up or reviewed.
- Materials will be available on a first-come, first-served basis.

Objections to Learning Materials and Activities

A student whose parent or guardian objects to any learning material or activity may be withdrawn from the activity or from the class or program in which the material is used, providing:

- The objection is in writing and is specific in its description of the activity or learning material to which the parent or guardian objects.
- The objection includes a statement that the parent or guardian understands that the educational information and concepts covered in the activity or material may not be covered in any other manner or form and that the parent or guardian understands that the student may not be able to make up the material or activity in any other way.
- Although the student may be unable to make up for the missed activity or material, no penalty will accrue to the student in grades or credit, with the exception that, if the objection removes a student from a substantial portion of a class, promotion and credit decisions will be based on applicable School policies.
- All such objections shall be directed to the principal of the school in which the student is enrolled, who shall forward a copy of the written objection to the Superintendent, indicating that the student has been removed from the activity or stating the reason for nonremoval.
- Upon receiving a principal's recommendation for removal or nonremoval, the Superintendent will review the situation and make a decision regarding the matter and communicate that decision to the parent or guardian and the principal.

- Within ten (10) days after receiving notification of such decision from the Superintendent, the parent or guardian may request an appeal to the Board.

IJL © LIBRARY MATERIALS SELECTION AND ADOPTION

The Superintendent shall annually recommend to the Board an expenditure level for the purchase of library books and materials. The Superintendent shall approve the purchase of library materials that:

- Enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.
- Stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
- Provide a background of information that will enable students to make intelligent judgments in their daily lives.
- Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
- Assure a comprehensive collection appropriate for the users of the library.
- Provide a current, balanced collection of books, basic reference materials, texts, periodicals, and audiovisual materials that depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society.

The Superintendent is authorized to establish a professional library for the use of the School staff.

The Superintendent will establish procedures for the removal of the following categories of books and other material from the library:

- Damaged materials.
- Materials that no longer present current information.
- Materials that no longer support the goals of the School.
- Materials that have not been used frequently enough to justify the use of library space.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-362](#)

[15-721](#)

[15-722](#)

IJL-R ©**REGULATION****LIBRARY MATERIALS
SELECTION AND ADOPTION**

The following standards shall be used in the selection of library books and materials:

- Materials that widen the boundaries of the students' thinking, that enrich their lives and help them fulfill their recreational and emotional needs.
- Materials that have imaginative appeal and a style that is interesting and free from monotony.
- Materials that stimulate the imagination, provide for mental growth, develop a taste for good writing, and draw attention to the beautiful and artistic.
- Books that provide pleasurable reading for the reader's sake.
- Books that are illustrated in a manner that complements the text, have quality art, and are suitable for the intended readers.
- Materials that adequately cover a wide range of reading ability.

IJM ©**SPECIAL - INTEREST MATERIALS SELECTION AND ADOPTION**

Commercial organizations offer a variety of materials for use by teachers in the classroom. Many of these materials are of high educational value, with little or no advertising emphasis. Other materials are primarily advertising and have only limited educational value.

In general, supplementary materials (printed materials, models, films, slides, pictures, charts, exhibits for educational purposes, etc.) from commercial, political, religious, or other nonschool sources should have approval by the principal. This approval may be given to materials that are of obvious educational quality, supplement and enrich text and reference book materials, are timely and up to date, and promote American democratic ideals and moral values.

Advertising materials of a commercial, political, or religious nature should not be displayed or distributed in the schools or on the school grounds. Students may not be used as the agents for distributing nonschool materials to the homes. The Superintendent shall be the final judge of whether or not such materials shall be utilized with students and will establish necessary procedures for their evaluation, approval, and use.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

[15-535](#)

IJND TECHNOLOGY RESOURCES

Cable/Satellite

The availability of many television program options via satellite and cable makes the proper review and planning for their instructional use important. Without careful consideration of applicability to the particular course of study, use of multiple programs easily could undermine the curriculum.

If television programming is a regular part of the course of study, a summary of the segments to be used shall be incorporated in a presentation for adoption by the Board. Any addition to an adopted course of study by use of television shall receive approval from the Board. *Regular part* means a periodic use such as daily, weekly, or monthly.

When television programming is to be a part of the course of study or is to be used as a study aid, prior review by the teacher shall take place and either a written summary or taped typical segments should be made available for review by parents upon request.

Nonprerecorded television programming shall be used only if the Board has approved the guidelines under which the programs are prepared.

If television programming of a nonprerecorded nature (i.e., no summary is available for prior review) is approved for classroom viewing by the Board, time shall be allowed in planning so that controversial issues may be adequately discussed.

(Movies/Videos)

It is the policy of the School that there is educational value in utilizing movies and videos in classrooms only when such movies and videos extend and/or reinforce the concepts being taught and have been planned for in advance.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

IJND-R

REGULATION

TECHNOLOGY RESOURCES

(Movies/Videos)

Movies and videos with ratings other than for general audiences of all ages are not to be shown in classrooms or at any School facility (this includes buses and motels where students are present).

**IJNDB ©
USE OF TECHNOLOGY RESOURCES IN INSTRUCTION**

**(Appropriate use of Electronic
Information Services)**

The School may provide electronic information services (EIS) to qualified students, teachers, and other personnel who attend or who are employed by the School. Electronic information services include networks (Internet), databases, and any computer-accessible source of information, whether from hard drives, tapes, compact disks (CDs), floppy disks, or other electronic sources. The use of the services shall be in support of education, research, and the educational goals of the School. To assure that the EIS is used in an appropriate manner and for the educational purposes intended, the School will require anyone who uses the EIS to follow its guidelines and procedures for appropriate use. Anyone who misuses, abuses, or chooses not to follow the EIS guidelines and procedures will be denied access to the School's EIS and may be subject to disciplinary action.

Each user will be required to sign an EIS user's agreement. The School may log the use of all systems and monitor all system utilization. Accounts may be closed and files may be deleted at any time. The School is not responsible for any service interruptions, changes, or consequences. The School reserves the right to establish rules and regulations as necessary for the efficient operation of the electronic information services.

The School does not assume liability for information retrieved via EIS, nor does it assume any liability for any information lost, damaged, or unavailable due to technical or other difficulties.

The Superintendent will be responsible for establishing and enforcing the School's electronic information services guidelines and procedures for appropriate use.

Adopted: date of manual adoption

IJNDB-R ©**REGULATION****USE OF TECHNOLOGY RESOURCES
IN INSTRUCTION****(Appropriate use of Electronic
Information Services)**

Acceptable use of the electronic information services (EIS) requires that the use of the resources be in accordance with the following guidelines and support the education, research, and educational goals of the School. The user must:

- Use the EIS for educational purposes only.
- Agree not to submit, publish, display, or retrieve any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material.
- Abide by all copyright regulations.
- Not reveal home addresses or personal phone numbers.
- Understand that electronic mail is not private.
- Not use the network in any way that would disrupt the use of the network by others.
- Understand that many services and products are available for a fee and acknowledge the responsibility for any expenses incurred without School authorization.
- Not use the EIS for commercial purposes.
- Follow the School's code of conduct.
- Not attempt to harm, modify, or destroy software or interfere with system security.

In addition, acceptable use for School employees is extended to include requirements to:

- Maintain supervision of students using the EIS.
- Agree to directly log on and supervise the account activity when allowing others to use a personal account.
- Take responsibility for personal accounts, including password protection.
- Take all responsible precautions, including password maintenance and file and directory protection measures, to prevent the use of personal accounts by unauthorized persons.

Each user will be required to sign an EIS user's agreement. A user who violates the provisions of the agreement will be denied access to the information services and may be subject to disciplinary action. The School may log the use of all systems and monitor all system utilization. Accounts may be closed and files may be deleted at any time. The School is not responsible for any service interruptions, changes, or consequences.

Details of the user agreement shall have been discussed with each potential user of the electronic information services. When the signed agreement is returned to the school, the user may be permitted use of EIS resources through the school equipment.

IJNDB-E ©

EXHIBIT

**USE OF TECHNOLOGY RESOURCES
IN INSTRUCTION****ELECTRONIC INFORMATION SERVICES
USER AGREEMENT**

Details of the user agreement shall be discussed with each potential user of the electronic information services (EIS). When the signed agreement is returned to the school, the user may be permitted use of EIS resources.

Terms and Conditions

Acceptable use. Each user must:

- Use the EIS to support personal educational objectives consistent with the educational goals and objectives of the School District.
- Agree not to submit, publish, display, or retrieve any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material.
- Abide by all copyright and trademark laws and regulations.
- Not reveal home addresses, personal phone numbers or personally identifiable data unless authorized to do so by designated school authorities.
- Understand that electronic mail or direct electronic communication is not private and may be read and monitored by school employed persons.
- Not use the network in any way that would disrupt the use of the network by others.
- Not use the EIS for commercial purposes.
- Follow the District's code of conduct.
- Not attempt to harm, modify, add/or destroy software or hardware nor interfere with system security.
- Understand that inappropriate use may result in cancellation of permission to use the educational information services (EIS) and appropriate disciplinary action up to and including expulsion for students.

In addition, acceptable use for District employees is extended to include requirements to:

- Maintain supervision of students using the EIS.
- Agree to directly log on and supervise the account activity when allowing others to use District accounts.
- Take responsibility for assigned personal and District accounts, including password protection.
- Take all responsible precautions, including password maintenance and file and directory protection measures, to prevent the use of personal and District accounts and files by

unauthorized persons.

Personal responsibility. I will report any misuse of the EIS to the administration or system administrator, as is appropriate.

I understand that many services and products are available for a fee and *acknowledge my personal responsibility for any expenses incurred without District authorization.*

Network etiquette. I am expected to abide by the generally acceptable rules of network etiquette. Therefore, I will:

- *Be polite and use appropriate language.* I will not send, or encourage others to send, abusive messages.
- *Respect privacy.* I will not reveal any home addresses or personal phone numbers or personally identifiable information.
- *Avoid disruptions.* I will not use the network in any way that would disrupt use of the systems by others.
- *Observe the following considerations:*
 - Be brief.
 - Strive to use correct spelling and make messages easy to understand.
 - Use short and descriptive titles for articles.
 - Post only to known groups or persons.

Services

The School District specifically denies any responsibility for the accuracy of information. While the District will make an effort to ensure access to proper materials, the user has the ultimate responsibility for how the electronic information services (EIS) is used and bears the risk of reliance on the information obtained.

I have read and agree to abide by the School District policy and regulations on appropriate use of the electronic information system, as incorporated herein by reference.

I understand and will abide by the provisions and conditions indicated. I understand that any violations of the above terms and conditions may result in disciplinary action and the revocation of my use of information services.

Name _____

Signature _____ Date _____
(Student or employee)

School _____ **Grade (if a student)** _____

Note that this agreement applies to both students and employees.

The user agreement of a student who is a minor must also have the signature of a parent or guardian who has read and will uphold this agreement.

Parent or Guardian Cosigner

As the parent or guardian of the above named student, I have read this agreement and understand it. I understand that it is impossible for the School District to restrict access to all controversial materials, and I will not hold the District responsible for materials acquired by use of the electronic information services (EIS). I also agree to report any misuse of the EIS to a School District administrator. (Misuse may come in many forms but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, or other issues described in the agreement.)

I accept full responsibility for supervision if, and when, my child's use of the EIS is not in a school setting. I hereby give my permission to have my child use the electronic information services.

Parent or Guardian Name (print) _____

Signature _____ Date _____

**IJOA ©
FIELD TRIPS**

Field trips must be planned within the context of the school program and must be appropriate for the age level, grade level, and curriculum. Due to limitations imposed by local conditions, field trips may be limited by the Superintendent. All field trips must be specifically approved by the Superintendent long enough in advance so that arrangements can be made prior to the trip. Before any student is taken from the school grounds on a field trip, written permission must be obtained from the parents or legal guardians. Transportation shall be provided only by the School's buses, driven by authorized personnel.

In general, field trips shall be conducted within the normal school day. Longer trips or overnight trips must have Governing Board approval. The School will not sponsor, approve, support, or encourage field trips that do not meet the criteria outlined in this policy, unless the Board gives approval after a presentation justifying the specific need for the exception.

Adopted: date of manual adoption

IJOA-R ©**REGULATION****FIELD TRIPS**

Field trips are very useful to encourage learning through exploration of the environment not immediately accessible to the classroom. However, field trips are only one means of achieving an educational objective. Approval of field trips will be based on a number of items such as availability of transportation, budget, personnel, weather, risks, and distance, as well as educational objectives.

It will be the responsibility of the staff and the principal to organize field trips so that an experience is not repeated yearly for a student or group of students. There might be some justification for repeating an experience, but generally the same field trip will not be repeated for any one student within a three (3) year cycle.

The cost of transportation for field trips must be included in budget planning. Each teacher who wishes to plan field trips should make tentative plans with the principal during budget planning. Such plans should include the place, time, and educational justification for each field trip. The School will attempt to have some capacity for scheduling field trips beyond those requested by the teachers as part of the budget process, but there can be no assurance that such unbudgeted trips can be accommodated.

IJOB ©
COMMUNITY RESOURCE PERSONS / SPEAKERS

The School recognizes that one of the greatest resources of the school is to be found in the people of the community who have special knowledge and particular talents to contribute to the school program. Therefore, the use of community resources and citizens to serve in furthering the educational program is encouraged. Staff members should study the needs of their respective schools, survey the resources available in the school community, weigh their probable usefulness, and then present to the Superintendent for approval any staff-developed plans for using those community resources. The Superintendent will consider all such plans, on both their merit and their implications, as if they were to be carried out throughout the School. Use of outside personnel and resources would be under procedures authorized by the Superintendent.

Adopted: date of manual adoption

**IJOC ©
SCHOOL VOLUNTEERS**

Volunteers can make many valuable contributions to the students and educational programs of the School. A volunteer program is approved subject to suitable rules, safeguards, and regulations as developed by the Superintendent.

The Superintendent shall promote appropriate annual recognition of volunteer services.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[13-3716](#)

[15-512](#)

[23-901.06](#)

CROSS REF.:

[GCFC](#) - Professional Staff Certification and Credentialing Requirements
(fingerprinting requirements)

[GDFA](#) - Support Staff Qualifications and Requirements
(fingerprinting requirements)

IKA ©
GRADING / ASSESSMENT SYSTEMS

A School-developed grading system will be utilized.

Teachers will keep a careful record of the grades assigned to students.

Written reports to the parents concerning student achievement will be made every nine (9) weeks by the teacher, and additional written reports will be made when necessary.

Teachers will confer with parents when necessary concerning academic progress and discipline of students.

Teachers will report to parents on students' conduct, scholarship, attendance, or excessive tardiness.

Special Education

Grades reporting achievement of special education students not taking regular education classes shall be given on a basis commensurate with the students' abilities and based on their individual progress rather than in competition with classmates. The permanent record cards for such students shall indicate enrollment in special education for those classes.

Parents of special education students shall be counseled regarding the significance of the grading system in order to avoid misinterpretation of the achievement grade.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-203](#)

[15-521](#)

[15-767](#)

IKAB © REPORT CARDS / PROGRESS REPORTS

School Report Cards

Each school must distribute copies of an annual report card, on the standard form provided by the State Department of Education, containing the descriptions and information required by statute.

The annual report cards will be distributed to parents of pupils enrolled in the school no later than the last day of school of each fiscal year, and a summary of the contents shall be presented at an annual public meeting held at the school. Notice shall be given at least two (2) weeks prior to the public meeting, clearly stating the purposes, time, and place.

Student Progress Reports

It is essential that students' progress in school be fully communicated to their parents.

Each school will report students' progress to the students and to their parents or guardians as appropriate. The reports will be clear, concise, and accurate, and will provide a basis of understanding among teachers, parents, and students for the benefit of the individual students. The Superintendent will develop progress report forms or cards in accordance with this policy.

The following specific requirements are established:

- Parents will be informed regularly, and at least four (4) times a year, as to the progress their children are making in school.
- Parents will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration. The progress of all students will be reviewed at the midpoint of each grading period.
- Insofar as possible, distinctions will be made between a student's attitude and academic performance.
- At comparable levels, the school will strive for consistency in grading and reporting except as this is inappropriate for certain classes or certain students.
- When grades are given, school staff members will take particular care to explain to parents the meaning of marks and symbols as they apply to student achievement.
- When no grades are given but evaluation is made informally in terms of the student's own progress, such evaluation will be a realistic appraisal of the skills developed by the student.
- Reports of progress for students qualified for services under the Individuals with Disabilities Education Act (I.D.E.A.) shall be based on their progress in the general curriculum and shall address whether the progress is sufficient to enable the student to achieve the goals stated in the student's individualized education program (IEP) by the end of the school year.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-767](#)

IKACA ©
PARENT CONFERENCES

Parent/teacher conferences may be conducted. The Superintendent will establish procedures for such conferences. In addition to scheduled opportunities, parents shall have opportunities to arrange conferences with teachers at other times during the year.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-901](#)

CROSS REF.:

[IKAB](#) - Report Cards/Progress Reports

IKC ©**CLASS RANKINGS / GRADE POINT AVERAGES**

Rank in class is required by colleges and universities on transcripts submitted for entrance evaluation.

Class rank shall be determined as follows:

- Class ranking will be determined each semester beginning with the first semester of the ninth grade.
- Class rank will be based only on the grades earned in classes that meet or exceed graduation requirements.
- Total grade points begin accumulating with the ninth grade. These are divided by total units attempted to produce the accumulative grade point average. Students are then ranked according to grade point average, with 4.00 as high.

Adopted: date of manual adoption

IKE © PROMOTION AND RETENTION OF STUDENTS

Regular Education

The School is dedicated to the continuous development of each student.

Promotion from year to year will be based upon standards for each basic subject area as identified in the course of study.

The School standards that students must achieve shall include accomplishment of the standards in reading, written communication, mathematics, science, and social studies adopted by the State Board of Education.

In addition to these standards, test scores, grades, teacher-principal recommendations, and other pertinent data will be used to determine promotion.

Retention of students is a process that is followed when the professional staff, in consultation with the parent, determines it to be in the best interests of the student. Though primary grades are suggested as the most appropriate time, retention may be considered at any grade level.

When circumstances indicate that retention is in the best interest of the student, the student will have individual consideration, and decisions will be made only after a careful study of facts relating to all phases of the student's growth and development. The student's academic achievement level and mental ability are important, but physical and social characteristics are also important factors. A decision should be based on sufficient data, collected over a period of time and motivated by a desire to place students in school programs where they will be the most successful.

In addition to the above, such decisions, when applied to students enrolled in special education, shall be on a case-by-case basis, consistent with the individualized education plan and in accordance with A.A.C. R7-2-301 and R7-2-401.

Special Education

Students who do not meet regular promotion requirements must meet the course of study and promotion requirements for special education under the guidance of A.A.C. R7-2-401. The programs for such students may include adaptations.

Any student unable to meet regular academic requirements for promotion must meet the requirements of an alternative curriculum derived from the regular curriculum, which will be developed by an IEP team on an individual basis. Students placed in special education will complete the course of study as prescribed in their individual promotion plans and implemented through their individual education programs. Course work will be presented at a level commensurate with the student's ability. The student's permanent file shall identify the courses completed through special education; however, the student will receive the standard certificate of promotion.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-203](#)

[15-341](#)

[15-342](#)

[15-521](#)

[15-701](#)

[15-701.01](#)

[15-715](#)

A.A.C.
R7-2-301 and R7-2-401

IKE-R ©

REGULATION

**PROMOTION AND RETENTION
OF STUDENTS****(Procedure for Retention of
Elementary School Students)**

At the end of the first grading period, each teacher in a common school should send to the principal a list of the students who are experiencing difficulty in their classes. At the earliest parent conference this must be shared with the parents and recorded in the student's cumulative folder. The teacher and the parent will discuss ways to assist the student in attaining expected achievement levels.

At the end of the second and subsequent grading periods, students - including new students - who achieve below expected grade level standards will be reviewed by the principal and staff members to consider retention. Parent conferences will be held to inform parents of the concern and to involve them in this process.

No decision for retention shall be made without parent involvement and student counseling. Late entries should receive special consideration.

The final recommendation to retain should be made by the teacher. Consultation with the principal and other staff members, and involvement of parents in all steps of the retention process are vital.

Pursuant to Arizona Revised Statutes, a parent may appeal to the Board for reconsideration on any placement decision.

IKEA ©
MAKEUP OPPORTUNITIES

The Superintendent shall develop and implement standards that shall apply to requirements for student makeup assignments during absence for pesticide application periods and for other appropriate reasons.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-152](#)

CROSS REF.:

[EBAA](#) - Reporting of Hazards/Warning Systems

IKEA-R ©**REGULATION****MAKEUP OPPORTUNITIES**

When a student provides a written statement signed by a parent or guardian that the student will be or was absent because of the application of pesticides, each teacher will be notified and the following procedure will apply:

- Each teacher will provide the student's assignment(s) and any handouts or materials necessary for accomplishment of such assignment(s) for a minimum period of one (1) day.
- It will be the responsibility of any student who misses a laboratory assignment or test to arrange with the teacher a mutually convenient time to perform the laboratory assignment or to take the test.

IKF © GRADUATION REQUIREMENTS

Regular Education

A minimum of twenty (20) units of credit are required for graduation. Listed below are the units that must be completed before a student may receive a high school diploma. Each student shall demonstrate accomplishment of the standards in reading, writing, science, social studies, and mathematics adopted by the State Board of Education.

Graduation requirements may be met as follows:

- By successful completion of subject area course requirements.
- By mastery of the standards adopted by the State Board of Education and other competency requirements for the subject as determined by the Governing Board in accord with A.A.C. R7-2-302 and rules established by the Superintendent.
- By earning credits through correspondence courses that meet graduation requirements in accordance with A.A.C. R7-2-302.04 and/or by passing appropriate courses at the college or university level if the courses are determined to meet standards and criteria established by the Board and in accord with A.R.S. [15-701.01](#).

Graduation requirements are:

English	4.0 units
Mathematics	3.0 units
Science (with lab)	2.0 units
Geography/World History	1.0 unit
American/Arizona History	1.0 unit
American Government	1.0 unit
Physical Education/Band	1.0 unit
Industrial Arts or Fine Arts	1.0 unit

Computer Science	1.0 unit
Electives	<u>5.0 units</u>
Total	20.0 units

Special Education

Listed above, under "Regular Education," are the requirements that must be completed before a student may receive a high school diploma. Completion of graduation requirements for special education students who do not meet the required units of credit shall be determined on a case-by-case basis in accordance with the special education course of study and the individualized education program of the student. Graduation requirements established by the Governing Board may be met by a student as defined in A.R.S. [15-701.01](#) and A.A.C. R7-2-301.

Competency requirements. Any student who is placed in special education classes, grades nine through twelve (9 - 12), is eligible to receive a high school diploma without meeting state competency requirements, but reference to special education placement may be placed on the student's transcript or permanent file.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.
[15-203](#)
[15-341](#)

[15-701.01](#)

A.A.C.

R7-2-302

CROSS REF.:

[IGD](#) - Curriculum Adoption

[IGE](#) - Curriculum Guides and Course Outlines

[IKA](#) - Grading/Assessment Systems

IKF-R ©

REGULATION

GRADUATION REQUIREMENTS**(Determining Competency for Graduation Credit)**

Determination and verification of student accomplishment of subject-area course requirements and/or competencies for graduation credit shall be the responsibility of a subject-area teacher and, at a minimum, shall be in accord with the following:

- The student shall have successfully completed the subject-area course requirement incorporating the standards and competencies adopted by the State Board of Education from the course of study as determined by the Governing Board in accord with the School's designated grading system; or
- As an alternative to completing the course requirements, a student may request, upon a showing of familiarity with the subject matter of the course, an examination on the competencies of the course. The student may take an examination on a particular course one (1) time only in an academic year. The examination shall be prepared by a teacher of the subject matter who is designated by the Superintendent. To receive graduation credit, the student must demonstrate accomplishment of the standards and competencies adopted by the State Board of Education and the Governing Board, respectively. Demonstration of accomplishment of the skills and competencies shall be determined in accord with accepted practices in evaluation of students. A copy of the test results, verified by the appointed teacher, shall be filed with the student's records.

IKFB ©
GRADUATION EXERCISES

Graduation exercises will be held for students who have met state and local requirements for graduation from high school.

Participation in high school commencement exercises is encouraged but is not compulsory. However, since these exercises require planning and rehearsals, the following rules shall apply:

- Students who wish to participate must be present at the rehearsals. Failure to do so, except for legitimate reasons for absence, may be cause for excluding students from participating in the exercises.
- Students may not participate in the commencement exercises unless they have successfully completed the requirements for graduation.

Adopted: date of manual adoption

IL ©
EVALUATION OF INSTRUCTIONAL PROGRAMS

(Testing Programs)

The use of tests is one indication of the success and quality of the educational program. In the case of an individual student, tests, in combination with other criteria, can provide an indication of student achievement.

The Board authorizes participation in:

- A testing program as outlined in A.R.S. [15-741](#).
- A School testing program that will be subject to regular review and evaluation.
- Evaluation of all proposed testing instruments and periodic evaluation.
- In-service education of teachers and other staff members in the use of tests and interpretation of test results.

Test results of individual students are confidential data; they shall be provided to parents as appropriate.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-741](#)

[15-743](#)

[15-744](#)

[15-745](#)

CROSS REF.:

[IKF](#) - Graduation Requirements

**ILB ©
TEST / ASSESSMENT ADMINISTRATION**

(State-Mandated Testing)

Security of Testing Materials

Employees designated by the Superintendent to administer the nationally standardized norm-referenced achievement test adopted by the Arizona State Board of Education shall:

- Keep all test materials in locked storage.
- Not reproduce any test materials in any manner.
- Not disclose any actual test items to students prior to testing.
- Not provide answers of any test items to any students.
- Administer only practice tests that are provided by the test publishers. Previous editions of the test series being used in the statewide testing program may not be used as practice tests.
- Strictly observe all timed subtests. The test publishers' suggested time limits for untimed subtests shall be followed as closely as possible in order to maintain uniformity in test administration.
- Follow directions for administering the test explicitly. No test item may be repeated unless otherwise indicated in the directions.
- Not change a student's answer.
- Return all test materials to the Superintendent immediately upon completion of testing.

Failure to comply with these requirements or others as required by Arizona Revised Statutes or by other rules or regulations shall be considered cause for discipline, including but not limited to suspension or termination. All violations of this policy shall be reported to the State Superintendent of Public Instruction.

**Standards Adopted by the
State Board of Education**

The School shall establish specific objectives to accomplish the goals established by the State Board of Education. The Superintendent will make recommendations for such objectives based upon the data gathered annually.

The Superintendent will establish regulations and procedures for assessing student achievement of standards adopted by the State Board of Education and for reporting and utilizing test results and nontest indicator data.

Reporting results. The School will provide to the parent or guardian of each student who participates the associated grade equivalents, percentiles, and stanines from standardized norm-referenced testing. The School shall provide the parent or guardian of each student the resulting scores on the test of standards adopted by the State Board of Education and associated scores for the School, the county, and the state.

The School will provide the public, through a report card, scores for each school in the School and for the School as a whole, the county, the state, and the nation.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-741](#)

[15-741.01](#)

[15-742](#)

[15-743](#)

[15-744](#)

[15-745](#)

A.A.C.

R7-2-301

R7-2-302.04

R7-2-306

R7-2-310

CROSS REF.:

[IL](#) - Evaluation of Instructional Programs (Testing Programs)

[ILC](#) - Use and Dissemination of Test Results

**ILC ©
USE AND DISSEMINATION OF TEST RESULTS**

Test scores may provide a record of each student's academic progress in comparison with national norms.

Test scores will be maintained as a part of the student's educational record. Such permanent record will be sent to another school system upon request of the school or the parent upon transfer of the student.

No individual or unauthorized agency outside the school system will be permitted to have access to a student's test record or permanent record without written permission from the parent, or from the student if 18 years of age.

The parent may have access to the test record of a student under age 18 by making an appointment with the principal's office.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-141](#)

IMB ©**TEACHING ABOUT CONTROVERSIAL / SENSITIVE ISSUES**

Democratic tradition often involves dealing with controversial issues. Knowledge and understanding of such issues are an indispensable part of education.

The teacher holds a position of authority and respect in the classroom and community, and by virtue of that position has great influence in the formation of the values of all students. It must be clear that personal views are not a part of the instructional program and must be tempered by the responsibility to maintain professionalism.

To ensure that controversial issues are dealt with fairly and objectively, and with instruction as their goal, such issues may be a part of the curriculum as long as the following policies are observed:

- Teachers should instruct students in the principles and techniques of the scientific method and provide opportunities for practice in applying established facts to specific problems.
- Teachers should seek to develop in students the ideals of truth and honesty.
- All personnel should seek to create an atmosphere in which difference of opinion can be voiced without fear and hostility and with mutual respect for all viewpoints.
- Constitutional guarantees of due process and freedom of speech will continue to be observed as to students and teachers alike when they are involved in a controversial issue.
- Teachers should encourage the suspension of judgment and conclusions until all relevant and significant facts have been assembled, critically examined, and checked for accuracy.
- Teachers should seek to develop in students a sense of responsibility for their beliefs, opinions, attitudes, and actions.
- Teachers should place major emphasis upon "why" and "how" to think rather than "what" to think.

Adopted: date of manual adoption

IMG ©
ANIMALS IN SCHOOLS

The Superintendent may establish procedures for appropriately and humanely bringing live animals into a classroom. Such procedures shall forbid the transporting of live animals on school buses.

Seeing-eye and service dogs are permitted on school buses and in classrooms to perform the functions for which they are trained. A dog's laminated identification card may be requested for verification.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[11-1024](#)

A.A.C.

R17-9-102

IMG-R ©

REGULATION

ANIMALS IN SCHOOLS

Animals may be brought into the classroom for educational purposes. However, they must be appropriately and humanely cared for, and properly handled. Any person who wishes to bring an animal into the classroom must receive prior permission from the principal. The following guidelines shall apply to animals in the schools:

- Prior to granting permission, teachers should check with the school nurse regarding any known allergies among students in the classroom. If allergies exist, parents must be contacted for further direction.
- Animals shall not be transported on school buses.
- Teachers must assume primary responsibility for the humane and proper treatment of any animals in the classroom.
- Only the teacher or students designated by the teacher are to handle the animals.
- If animals are to be kept in the classroom on days when classes are not in session, the teacher must make arrangements for their care and safety.
- Staff members or students who have been bitten by an animal shall report such incident to the principal and the nurse immediately. The principal should notify the public health authorities if the injury merits medical follow-up. Public health authorities should determine the appropriate action and period of confinement for an animal if an injury results. Any animal involved in a serious injury must be impounded until authorization for release is granted by health authorities.