Policy #:	**STU.300.1**
Policy Title:	Students with Special Needs
Approval Date:	5-16-16
Review Date:	N/A
Related Documents:	IDEA ECEA Section 504 of the Rehabilitation Act of 1973 ADA C.R.S. 22-24-105 MVCS Response to Intervention Procedure MVCS Response to Intervention Agreement MVCS Response to Intervention FAQ MVCS 504 Process

MVCS will comply with all District, State, and Federal requirements to insure that the needs of special needs students are met. Students with disabilities will be fully integrated into MVCS whenever possible and will be given the necessary materials, mandated services, and equipment to support their learning. MVCS will comply with the Individuals with Disabilities Education Act (IDEA) regulations, Section 504 of the Rehabilitation Act of 1973, and Title 11 of the Americans with Disabilities Act.

Individualized Education Plans (IEPs)

MVCS will make special educational services available to exceptional children including:

- An equal opportunity for all children who will not be denied admission on the basis of a disability.
- A written Individualized Education Plan (IEP) and progress monitoring data for all students identified and qualified as having a disability and receiving special education services will be documented with the Enrich software system.
- A free and appropriate public education program will be determined on an individual case-by-case basis, depending on each student's unique needs. This may be challenged by the student's parent(s) through the due process complaint procedure.
- A least restrictive environment in consideration of the following factors: (1) a comparison between educational benefits available to a disabled learner in a traditional classroom and special education classroom; (2) the non-academic benefits to the student with a disability from interacting with non-disabled students; (3) the degree of disruption of the education of other students resulting in the inability to meet the unique needs of the disabled student.
- Due process requirements, which include notification of parent(s) of the intent to evaluate for special education and consent to this process by the parent(s).
- Nondiscriminatory evaluation procedures for children with IEPs.

A student with an IEP will receive the same allotment of funds as other students. However, when Special Education staff recommends or prescribes a certain curriculum or materials for the subjects in the IEP, the school will pay the cost of those resources. Efforts will be made to use licenses and materials the school has purchased, but if suitable material is not available, the SPED coordinator can approve the purchase of the materials. Ownership of such materials will be retained by the school—not the student—unless the materials are consumable in nature.

Responsibility for Special Education Services

MVCS will be accountable to the Board of Education of the Mesa County Valley School District 51 for purposes of assuring compliance with federal and state special education and disability laws. MVCS will assure compliance with special education and disability laws through audits of the school's special education program. MVCS will provide timely response and cooperation to the District Special Education Coordinator or designee, in accordance with District requests, deadlines and timelines. MVCS understands noncompliance with federal and state special education and disability laws may result in revocation of its charter with the District.

MVCS will be responsible for providing special education instruction according to the Individualized Education Plan (IEP) for each student with a disability enrolled at MVCS. MVCS will deliver special education services onsite. Appropriate spaces within the facility are designed to provide the best learning conditions possible. Within this framework, MVCS will provide all necessary accommodations and instructional or curricular modifications as required by student IEPs. The Special Education Coordinator will play the primary role in the instruction and oversight of students with special needs.

MVCS will employ a Special Education Coordinator possessing a Colorado teacher's license with appropriate endorsements. MVCS will also contract with other special education staff to include a school psychologist, speech and language pathologist, physical therapist and occupational therapist on an as-needed basis.

Prior to the start of each school year, MVCS representatives (consisting of board members and administrators) and the District's special education executive director/designee will meet

1. to develop effective procedures for conducting the December special education count day.
2. to develop effective record-keeping and reporting procedures on required student, staff, revenue and expenditure data.
3. to review District special education policies, procedures, guidelines and other resource documents and discuss any changes thereto.

Enrollment Procedures for Students with IEPs

During the enrollment process, the needs of children with IEPs will be given special consideration to determine whether or not MVCS will be able to meet their specific needs. Additional meetings may be scheduled to explore this fully to make the best decision regarding a free and appropriate public education (FAPE) for the student. MVCS will make efforts to receive a copy of the IEP to help determine the student's needs. Placement decisions, including any decision to exit the child from special education or any determination that MVCS is not an appropriate placement for the child, are made through the collaborative IEP process which includes the parent.

If a child's IEP meeting cannot be scheduled prior to the onset of the academic school year, MVCS and the District will provide special education and related services specified by the child's current IEP. An IEP meeting will occur within 60 days of the student's enrollment in MVCS.

Response to Intervention (RtI)

MVCS uses Response to Intervention (RtI), a multi-step approach for providing struggling students with early, systematic assistance at increasing levels of intensity. This involves an agreement between MVCS and the parent(s) of the student with the goal of improving the student's educational outcomes. RtI allows for early intervention rather than waiting for a child to fail. This is a collaborative, problem-solving approach to identify student needs, implement targeted research-based interventions, utilize data to measure student progress, and monitor intervention integrity. MVCS will follow the Response to Intervention Procedure to guide the RtI process.

Interventions

An intervention will look different for each student based on his or her needs. It is a modification of or addition to the student's instruction. For example, if a student is receiving an hour and half of instruction in language arts each day and is still not making progress, the student might join a reading group or receive one-on-one tutoring in addition to the core instruction. Interventions can introduce a different strategy or method, increase time or intensity, or involve a new curriculum in the area of need. MVCS has many intervention options to offer families.

Mandatory Participation

As a District #51 public school, MVCS is obligated to provide RtI to all students who need it. Federal laws such as the Every Student Succeeds Act (ESSA) and Individuals with Disabilities Education Act (IDEA) hold schools accountable for all students making progress toward meeting state grade level standards. This attention to student proficiency and growth is what is being addressed in the MVCS RtI process. Students with identified needs are required to participate in this process. An RtI Plan may include

mandatory participation in an RtI lab or tutoring to ensure that the student's needs are met.

RtI Process

1. MVCS provides universal screening of academics to determine which students need closer monitoring or additional interventions (i.e. chosen school assessments for the current academic year). If a student is below grade level on this assessment, his or her Highly Qualified Academic Advisor (AA) will look at the student's performance on other assessments and daily work.
2. If the student's entire Body of Evidence (BOE) has been below proficient in a core academic area for two universal screenings (approximately 6 months), the student's AA will discuss possible Tier 2 interventions with the parent and they will establish a plan together to address the areas of concern. This plan will be documented with an RtI Agreement Plan. If the student does not show growth after 6-12 weeks, the AA may refer the student to the RtI Committee for further attention.
3. The RtI committee may also receive a referral for a student if the parent/guardian makes a written request for an evaluation of the student.
4. The RtI Committee (which can include the AA, RtI Specialist, parent, student, and other relevant staff as needed) will meet to gather more information about the student and discuss concerns. This Committee will analyze all of the student's available assessment data as well as the student's daily work. Assessment data is only a starting point. The input of the parent who is the primary instructor is vital, with him or her acting as an invaluable resource in helping to understand the student's strengths and weaknesses. The parent also provides insight into the student's learning environments and approach to instruction. During this collaborative meeting, the team will discuss the child's growth and progress and talk about ways to best support the child to succeed.

   The RtI Committee helps the AA make decisions about putting a plan in place to support the student. This involves selecting appropriate scientific, research-based intervention(s) to help support the student.
5. Progress monitoring is implemented to make sure that the student is showing growth with the intervention that was chosen.
6. If after 6-12 weeks the student is showing growth, the intervention will be continued. If growth has not been demonstrated, the RtI Committee will meet again to re-evaluate the intervention. The intervention may be continued, modified, or replaced until the student is performing at grade level.
7. If expected growth is not demonstrated within 12 weeks of the initial team meeting, MVCS staff will determine whether or not the child is receiving the appropriate level

of instruction agreed on by the RtI Committee. If it is determined that the parent is not following through with the necessary instruction, the parent will be considered non-compliant and the viability of the student's continued enrollment in MVCS will be evaluated.

8. If it is determined that the parent has been following through with the instruction agreed on by the RtI Committee, the student will be moved to Tier 3 of the RtI process and undergo a round of Tier 3 interventions (8 weeks).
9. If the student does not show adequate growth after the Tier 3 intervention, he or she will be referred to the SPED team to discuss further academic assessment to determine if he or she qualifies for special education.

A student in the RtI process or on a READ Plan will receive the same allotment of funds as other students. However, efforts will be made to provide students with licenses and materials the school has purchased. In some cases, the RtI Specialist can approve the purchase of additional materials. Ownership of such materials will be retained by the school—not the student—unless the materials are consumable in nature. The RtI Specialist or other Highly Qualified staff may provide tutoring for RtI students.

Students with 504 Plans

Students eligible for a 504 plan can access services through the 504 process:

A parent, staff member, or outside agency will submit a referral form for a student who may be eligible for a 504 plan. This referral will be evaluated by the 504 team, consisting of the Special Education Coordinator, an Elementary Academic Advisor, a High School Academic Advisor, the Administrative Director or Assistant Director, and other staff or specialists as needed. Parents will be invited to this meeting, but are not required to attend. The 504 team will evaluate the case to determine if there is an indication or documentation of a disability. If such a disability is found to exist, a 504 team meeting is convened to write the 504 plan. A copy of the 504 plan and Parental Rights are given to the family, and the 504 Plan accommodations are shared between all educational team members as necessary. If the student is not found to be eligible for a 504 plan, a copy of the Parental Rights will be given to the family, and the student will instead be referred to the RtI process if necessary.
Once a student has a 504 plan, the Special Education Coordinator will be responsible for holding annual review meetings, review of the current disability every 3 years, and distribution of plan accommodations to the student's educators and assessment coordinator.

English Language Students (ELL)

MVCS will serve its ELL students in accordance with all applicable federal laws and regulations. MVCS will comply with Section 22-24-105 of the Colorado Revised Statutes, and perform the following with respect to ELL students:

1. Identify students whose dominant language may be other than English.
2. Assess students, using instruments and techniques approved by the District, to determine if their dominant language is other than English.
3. Administer and provide research based programs accordingly.
4. All English Language Learners will be given the WIDA-ACCESS Placement Test to meet the requirement for annual State-required language acquisition testing.
5. Report the number of ELL students attending the school to the District and the State.

Low Performing Students

Students who enter MVCS with below-grade-level skills will have their needs addressed in several ways. Initially, these students will be provided with a Personalized Learning Plan which will take into consideration their past history along with their strengths and weaknesses. These plans build upon the strengths of each student to help ensure growth in areas that are more challenging. Every MVCS student will also have the opportunity to participate in an online Learning Style Profile that provides helpful strategies and curriculum suggestions, allowing for differentiation of curriculum at a level that meets current skills. When necessary, struggling students' needs will also be addressed in the RtI process, receiving interventions to catch them up to grade level. In addition, students with a documented need could qualify for an individualized pathway to graduation.

Students with Physical Disabilities

MVCS is committed to providing a facility that is ADA compliant to ensure accessibility for all students. MVCS will also provide any physical and/or occupational therapy which is required by a student's IEP. Because students enrolled in MVCS may take classes in a wide variety of learning environments selected by the parent, students can be matched with the environments most suited to their particular disability. Every effort will be made to accommodate student disabilities in a way that allows these students equal access to instruction. If a student with a disability of a severe nature (e.g. deafness, blindness) wishes to enroll in MVCS, MVCS will consult with the District to determine how to best meet the needs of the student.

Gifted and Talented Students

MVCS's Personalized Learning Plan process is so individualized, comprehensive, and rigorous that it can provide the level of differentiation need to provide a challenging academic program which will meet the needs of gifted students. Through the process of

developing a Personalized Learning Plan, the gifted student can identify learning objectives that are challenging and rewarding through curriculum selection, identification of appropriate tutors, and finding learning opportunities to challenge students. Since each PLP is created for a unique individual, the gifts of the individual should always be addressed.

In addition to the Personalized Learning Plan, MVCS will have resources available to support GT students. MVCS will offer the CogAT (or equivalent test) to 2nd and 7th grade students each year to help identify GT students. This assessment will also be made available to students in other grades upon request of a parent or MVCS staff member involved with the education of the student. CogAT data will be considered along with other data suggesting that a student is Gifted and Talented (creativity, leadership, visual arts, performing arts, musical, or psychomotor abilities). If a student is identified as GT, the staff will help with setting goals and providing support. To facilitate this, all GT students will create and maintain an Advanced Learning Plan (ALP) in Enrich. Adjustments will be made to the student's PLP which reflect those goals. Students may choose to participate in a GT class in a traditional District school as a crossover class at the middle school level.

Students with an Extended Illness

If for more than two weeks a student is unable to complete four hours (or two hours for Kindergarten students and qualifying seniors) of school per day due to physical illness, mental illness, or injury, the student will follow the Extended Illness Procedure. Under the agreement made between the parent/guardian and MVCS, the student may work occasionally on school work as able, but is not expected to progress in the academic subjects, log significant hours, or submit Weekly Progress Reports. The student may not access MVCS funds during this time without approval from the Funding Committee. A letter from a physician or medical provider verifying the student's inability to complete schoolwork will be required for these students.