# Festus R-VI School District

# Special Education Compliance Plan

***"Educating All Children to meet Tomorrow's Challenges"***

*The Festus R-VI School District is an equal opportunity employer and does not discriminate on the basis of age, gender, creed, color, national origin or handicap*.

# Festus R-VI

# Policy of Non-Discrimination

The **Festus R-VI School District** does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs or activities. Inquiries related to District programs and practices along with the location of services, activities, and facilities that are accessible by persons with disabilities may be directed to the Assistant Superintendent – Civil Rights Compliance *(Title VI/Title IX/Section 504/ADA/Age Act);* 1500 Mid-Meadow Lane; Festus, MO 63028; Telephone 636.937-8044. E-mail: llutt@festus.k12.mo.us

# Festus R-VI School District

## SPECIAL EDUCATION and SECTION 504 COMPLIANCE PLAN

1. **Compliance with Federal and State Special Education and Disability Laws**
   The Festus R-VI School District acknowledges and understands that it is subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, including the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA).

2. **Responsibility for Special Education Services**
   The Festus R-VI School District acknowledges and understands that it is responsible for assuring that all special education students attending the Festus R-VI School District receive a free appropriate public education (FAPE) under the IDEA.

   The Festus R-VI School District will be responsible for providing special education instruction according to the individualized education programs (IEPs) for each student with a disability enrolled in the District. The Festus R-VI School District will deliver special education instruction primarily within the regular education setting, and will provide resource room "pull out" services as required by student IEPs. However, all placements on the special education continuum will be offered and considered, when appropriate, by IEP Teams. The District will provide all necessary accommodations and instructional/curricular modifications as required by student IEPs.

   The Festus R-VI School District will provide special education related services and conduct initial evaluations and re-evaluations. Special education procedural safeguards notice will be provided to parents one time per year, except that a copy also shall be given to the parents:
   A. upon initial referral or parental request for evaluation;
   B. upon receipt of the first due process complaint and upon receipt of the first child complaint in a school year;
   C. upon a disciplinary change of placement; and,
   D. upon request by a parent.

A. Least Restrictive Environment Requirement and Age-Appropriate Classrooms

The Festus R-VI School District will educate its special education students to the maximum extent appropriate in age-appropriate general education classrooms with needed accommodations, instructional/curricular modifications, and other supports. If a student is unable to be involved in and progress in the general education classroom with such accommodations, instructional/curricular modifications and supports, the District will consider its continuum of alternative placements for that student. If the District identifies such a student, they will meet to determine if a reevaluation is necessary and hold an IEP review meeting to discuss the appropriate placement for the student.

B. Special Education Teacher Qualifications

The Festus R-VI School District will take measurable steps to recruit, hire, and retain **highly qualified** personnel to provide special education and related services to children with disabilities.

C. Related Services

The Festus R-VI School District will provide all related services required by the IEPs, including but not limited to initial evaluations and re-evaluations, speech/language therapy, occupational therapy, physical therapy, school health services, and an array of school counseling services.

## 3. Nondiscriminatory Enrollment/Enrollment IEP Procedures

Enrollment at Festus R-VI will be open to any child who resides within the District. All children who enroll in the Festus R-VI School District will be asked on an initial enrollment application form whether his or her child is on an IEP or a Section 504 Plan. The District will act in a timely manner to acquire the child's school records (including IEPs or Section 504 Plans). An IEP meeting will be timely scheduled to determine how the Festus R-VI School District can provide the child with a FAPE. The child's IEP team will make all placement decisions, including any decision to exit the child from special education.

4. **System of Interventions**

The Festus R-VI School District acknowledges and understands that all children can learn and achieve high standards as a result of effective teaching, and will use a system of interventions with students in need of academic and/or behavior support. The Festus R-VI School District will regularly convene a problem solving team to identify students who are not making expected progress. All problem solving teams (Student Support Teams) will typically consist of a principal, counselor, and regular education teacher, and as appropriate, the student's parents and classroom teacher.

The Festus R-VI School District will implement appropriate interventions for a student at the earliest indication of student need in order to ensure the student's success. The Student Support Team will consider all pertinent information and the unique needs of the child in order to generate strategies for meeting the child's needs in a non-special education setting. The Student Support Team will tailor appropriate interventions to meet the unique needs of each student identified.

A referral to special education for an initial evaluation will be made if the Student Support Team suspects a child has a disability or the parent requests an evaluation. The Festus R-VI School District understands that the documentation of a student's progress when implementing an intervention will become part of the body of evidence used in determining if a child has a disability and is eligible for special education services.

5. **Initial Evaluation and Re-Evaluation Procedures**

The Festus R-VI School District special education office will be responsible for conducting all initial evaluations and re-evaluations, obtaining written consent for evaluations and re-evaluations with assessment, tracking required timelines, scheduling, and facilitating eligibility determination meetings. If a child is determined to be eligible for special education, the District's special education director or designee will obtain written parental consent for initial placement.

6. **IEP Development and Review Meetings**

The Festus R-VI School District will be responsible for tracking annual IEP review meeting timelines. The District will be responsible for preparing and delivering legally compliant Notice of Meeting to parents.

7. **Extended School Year (ESY) Services**

   Extended school year (ESY) services may be necessary to provide a child with a disability a free appropriate public education pursuant to the law of special educational services. A student's Individualized Education Program (IEP) team will determine whether ESY services are necessary and the length, nature and type of services to be provided.

8. **Student Discipline**

   The Festus R-VI School District will respond in a timely manner to ensure that all federal and state special education and student discipline timelines are met. If appropriate, a manifestation determination review by an appropriately constituted IEP team will be completed prior to implementing any change of placement. Disciplinary procedures will comply with IDEA requirements.

9. **Confidentiality and Special Education Records**

   Pursuant to the IDEA, and the federal Family Educational Rights and Privacy Act (FERPA), the Festus R-VI School District has established policies and procedures to maintain the confidentiality of personally identifiable information in special education records during all stages of their collection, storage, disclosure, and destruction.

10. **Section 504 Eligibility and Services**

    The Festus R-VI School District will include in its student handbook a notice of nondiscrimination on the basis of disability and also appropriately post the nondiscrimination notice within its facility. The District will be responsible for determining student eligibility for Section 504 services, and, as a best practice, will convene a Section 504 team as necessary when a Festus R-VI student has been determined to be ineligible for services under the IDEA.

FESTUS R-VI SCHOOL DISTRICT
REORGANIZED 1949