



The mission of Argosy Collegiate Charter School is to prepare our scholars with the academic foundation and the character skills necessary for success in college, career, and life.

**Special Education
Policies & Procedures**

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INTRODUCTION

Argosy Collegiate Charter School's procedures have been developed as a resource for the Staff, Administration, and Community. This manual references state and federal regulations and the processes and are aligned with the following policies:

- The Massachusetts Department of Education, Massachusetts General Laws ch. 71B, et seq., Special Education Regulations 603 CMR 28.00 and IDEA 2004.
- The Individual with Disabilities Education Improvement Act of 2004 aligns IDEA closely to the No Child Left Behind Act (NCLB), helping to ensure equity, accountability and excellence in education for children with disabilities.
- Section 504 The Rehabilitation Act of 1973 (as amended).
- LOOK Act 2017, Massachusetts Law (Bill H. 4032).

IDEA 2004: The Individuals with Disabilities in Education Act of 2004 and Special Education

At Argosy Collegiate, we believe that every child who walks through our doors can and will succeed. ACCS' staff and administration will work diligently and effectively to partner with parents/guardians as part of their scholar's Special Education Team. The Special Education Team's goal is to recommend applicable support services based on appropriate testing and assessments. These supports must meet the unique needs of each scholar with a disability. The intent and purpose is to assure an educational program in the least restrictive environment that will immediately provide the services on the accepted Individual Education Plan.

Argosy Collegiate adheres closely to the state and federal requirements of the Individual with Disabilities in Education Act (IDEA 2004) which outlines the laws and regulations that are meant to protect a scholar with disabilities and ensure that he or she gets the services and assistance that may be necessary to make effective progress.

Therefore, it is our mission to determine and provide the supports that each scholar requires in order to meet the academic, behavioral, and social expectations of our rigorous program. Toward these ends, we have a comprehensive Scholar Support program that provides scaffolding for scholars based on each individual's particular disability.

The Argosy Collegiate Scholar Support Department consists of the Director of Student Services, Assistant Director of Student Services (2), a School Psychologist, School Adjustment Counselors (4), and special education teachers (12). Each year we add additional specialists depending on the needs of scholars. We work collaboratively with the local agencies for consultations and evaluations for speech and language, occupational, and autism specialists to provide additional support for scholars. Argosy Collegiate is committed to providing comprehensive and high quality services for scholars with disabilities and meets all requirements of state and federal legislation. The Student Services Department provides a variety of services to scholars on Individualized Education Plans (IEPs) according to each scholar's individual needs.

The Argosy Collegiate Student Support program is led by Assistant Directors of Student Services at each campus. The Director of Student Services meets with the Assistant Directors on a bi-weekly basis. The Assistant Directors meet regularly with all support staff and regular education teachers to review curriculum materials, support teachers in modifying their content and making accommodations to its delivery, review the progress of scholars on IEPs, and maintain communication with parents or guardians.

Scholars on IEPs are regularly assessed in their progress toward their goals and benchmarks through progress reports written by support staff with input from grade level teachers. Progress reports are required to be sent at least as often as parents are informed of their non-disabled child's progress.

Families with questions about Special Education or accommodation programs at Argosy Collegiate are urged to contact a member of the Special Education Administration Staff to learn more about the services for scholars with disabilities. Names, titles, and contact information can be located in Appendix A: Special Education Staff Roster.

Title II of the Americans with Disabilities Act and 504 Plans

Argosy Collegiate guarantees every child access to a Free and Appropriate Public Education (FAPE) by ensuring that all children are able to participate and be included in all activities, programs and services regardless of disabilities. This support includes accommodating eligible scholars, employees, applicants, and members of the general public in whatever methods that will provide access free from bias or discrimination.

Scholars who are eligible for 504 Plans are offered accommodations which are implemented by all staff and facilitated by Argosy Collegiate's 504 Plan Coordinator and monitored for compliance by our 504 Plan Compliance Officer who may be contacted for questions or further information. Name, title, and contact information can be located on the staff roster, updated annually.

RESPONSE TO INTERVENTION

Argosy Collegiate is committed to the academic success and social-emotional well-being of all scholars. If a scholar does not appear to be making adequate progress, grade-level teachers may engage in the Response to Intervention (RTI) process. RTI is a means of identifying, documenting, and assessing various interventions meant to enable teachers to best serve all scholars and allow for scholar progress. Several rounds of RTI and tiers of intervention may be engaged in order to support scholar progress in the curriculum.

REFERRALS FOR EVALUATION

A scholar may be referred for an evaluation by a parent or any person in a care-giving or professional position concerned with the scholar's development.

All interventions, instructional practices and accommodations will be documented in the RtI process if the referral for special education has been put forward by Argosy staff. RtI can also be implemented in conjunction with a referral for evaluation.

Once a formal referral for evaluation has been expressed either in writing or orally by a parent or other person in a care-giving capacity, Argosy may not delay the provision of said evaluation. Argosy must promptly and without delay send notice and seek permission to conduct an initial evaluation for special education eligibility. Argosy has five (5) school working days from receipt of referral to send the parent the evaluation consent form for signature and consent. Parent consent for evaluation must be obtained before initiating the evaluation.

REFERRAL PROCESS

School Based Referral

Once the RtI Team has determined that all efforts have been made to meet the needs of the scholar, the RtI Team may refer the scholar for evaluation in order to determine special education eligibility. Documentation of this referral must be included in the scholar record.

Parent Referral

A parent (including foster parent, guardian, an individual with whom the child lives, or an individual legally responsible for the child's welfare) may refer a scholar at any time for an initial evaluation to determine eligibility for special education. **This referral may be made either orally or in writing.** Upon receipt of parent referral, Argosy has five (5) school working days to provide the parent with an evaluation consent form.

All referrals must be given directly to the Director of Student Services or Designee to begin the process. Parents are contacted to clarify concerns and help develop the evaluation plan in all areas of suspected disability.

POLICY FOR PARENT WRITTEN REQUEST

When a parent either verbally requests, or submits a written referral for an evaluation, the following protocol is followed:

1. The written request (or information about a verbal request) is submitted to the Director of Student Services immediately.
 - a. If a verbal referral for an evaluation is made, the parent is asked to put consent in writing. The written request is time stamped when received;
 - b. Within 24 hours of receipt, the Director contacts the parent to review the request/referral for an evaluation and explains the process according to 603 CMR 28.05(1)
 - i. A Team meeting to discuss the referral for evaluation meeting is scheduled (if appropriate) to review concerns and recommend appropriate testing assessments
2. Within 5 school working days of receipt of the referral request for an evaluation, consent to test is sent out to parent for signature (Student Services N1, N1A, Parent's Rights Brochure and HIPPA Form)
3. Student Support Coordinator
 - a. inputs testing information in a Testing Status Tracker
 - b. will notify IEP Team of status of testing via Testing Tracker and
 - c. will continue to track receipt of documents to ensure compliance.
 - d. Within 30 days, if signed consent has not been received, the Student Support Coordinator will notify the Assistant Director of Student Services.
 - e. Additional contact with the parent will be made as a reminder of the proposed evaluation.

If parent refuses consent to test, s/he is asked to sign the refusal form and the Director will send a Refusal to Act Form (N2) to the parent and notify the Team. Appropriate follow up will be determined by the Team according to IDEA 2004.

If parent consents to testing and the signed N1A form is received by ACCS, it is then date stamped by the Student Support Coordinator.

The Student Support Coordinator then notifies the TEAM via NOE (please see SE 4) and initiates follow up and compliance documentation with the Assistant Director of Student Services.

4. The Student Support Coordinator continues the process by following the step-by-step process outlined below:
 - a. Input scholar's information into Esped.
 - b. To generate IEP/504 Plan documents and appropriate Timeline to follow documentation. (Esped forms #1-8)
 - c. Input scholar info into Testing Tracker and submit a revised copy to the Director.
 - d. Schedule Initial meeting (within 45 day Timeline) with parent and Team using N3, N3A invitation forms. (using Parent best available date/time, staff availability)
 - e. If consent is received between 30-45 school working days before the end of the school year, a Team meeting is scheduled to allow for the provision of a proposed IEP no longer than 14 days after the school year ends,
 - f. Input schedule into IEP/504 Plan Calendar and notify staff through Google Calendar
 - g. Use Testing Tracker and NOE via email to Staff for follow up ensuring that all Teachers' assessments, testing, evaluation, observation, health, home assessments etc. are received in the Records Office at least two (2) days before parent meeting.
 - h. Copies forms to generate a "Parent Packet" of all documents and "Teacher Packet" in preparation for meeting.
 - i. Offers a "Reminder call, email, or text" to the parent the day before meeting.
 - j. Schedules conference room for meeting

If scholar is determined to be eligible for special education services,

1. The Team develops an Individualized Education Plan,
2. Determines Least Restrictive Environment and placement
 - a. Address
 - i. Verbal and nonverbal communication needs,
 - ii. Unusual sensory responses.
 - iii. Resistance to environmental changes in daily routine,
 - iv. Needs resulting from engagement in repetitive movements,
 - v. Any positive behavioral supports resulting from ASD
 - vi. Any incidences of bullying
3. Member of the Special Education Team offers parent two DRAFT copies of the proposed IEP summary immediately after the conclusion of the meeting by including a copy of the completed service delivery grid describing the types and amounts including special education and/or related services
 - a. A statement of the major goal areas associated with the services.
 - b. The summary of the IEP *must* be acceptable to the parent as well as immediate provision to the IEP.
 - c. According to the 603CMR 28.05(07) the parent may be provided with a completed IEP within 3-5 days of the Team meeting.
 - d. Student Support Coordinator will complete documentation in Esped (# 1-10) IEP Team will complete documentation (IEP 1-8) and (# 24-28 PL 1 Forms)
 - e. Newly completed IEP will be sent to parent including N1and IEP 1-21 as appropriate

If the scholar is NOT eligible for special education services:

1. Within ten (10) days of the Team meeting, the parent is notified of the finding of No Eligibility (#34 N2 School Argosy Refusal to Act form)
2. Student Support Coordinator completes forms
 - a. #1-10 in Esped and
 - b. Mails N2 School Argosy Refusal to Act form to parent,
 - c. Files Scholar’s IEP No Eligibility forms in “Terminated Records” drawer in Records.

TIMELINES

NOTE: No testing / evaluations should begin prior to receiving the evaluation consent form back with a check mark indicating consent and a parent signature. Verbal consent is not applicable.

The state laws and regulations have established timelines that Argosy must adhere to in the special education eligibility process.

Argosy has thirty (30) school days, from receipt of parent consent, to conduct all required assessments, and an additional fifteen school days to convene a TEAM and determine whether or not the scholar is eligible for special education.

The total timeline is forty-five school working days.

SPECIAL EDUCATION TIMELINES

Once a referral is made either in writing from a parent or by the RTI Team it is necessary to follow the guidelines set out by the state laws and regulation.

Date Requirements	Necessary Forms
Within 5 school days of receipt of referral	<ul style="list-style-type: none">• N1: Notice of Proposal• N1A: Evaluation Consent Form• Parent’s Rights Brochure
Within 30 school days from receiving parental consent: <ul style="list-style-type: none">• Assessments must be completed• Parent’s Release of Information (If independent evaluations have been completed)• Developmental History Form Within 45 school days of receiving parental consent: <ul style="list-style-type: none">• Assessment reports must be completed• TEAM meeting must be held and an IEP developed (if applicable)	<ul style="list-style-type: none">• Reports must be made available to parents 2 days prior to the TEAM meeting• N3: Meeting Invitation• N3A: Attendance Sheet

<p>At the TEAM meeting</p> <ul style="list-style-type: none"> • Attendance • Eligibility Determination • IEP Development • Summary of IEP proposal or copy of IEP 	<ul style="list-style-type: none"> • N3A: Attendance Sheet • ED 1: Special Education Eligibility / Initial and Reevaluation Determination • SLD: Documentation of a Specific Learning Disability • ADM 1: Admin. Data Page • IEP 1-8: Individual Education Plan or Summary of Services
<p>No later than 3 school days after the TEAM meeting, a completed IEP needs to be submitted to the parents/guardian for signature, unless the parent is given a summary of goals/services in the IEP as developed at the meeting.</p> <p>If the parent is given a summary of goals/services, Argosy then has 10 school days to send proposed IEP for parent signature.</p>	<ul style="list-style-type: none"> • IEP 1-8: Individual Education Plan • N1 : Notice of Proposal • PL1: TEAM Determination of Placement • Summary of Proposed Individualized Educational Program
<p>In the case of a TEAM determination of a notice of non-eligibility, or Argosy Refusal to Act needs to be submitted to the parent/guardian within 3 school days.</p>	<p>N2: Notice of Argosy Refusal to Act</p>

EVALUATIONS

Evaluations of the scholar must be made in **all areas of suspected disability** in order to determine eligibility for Special Education.

Evaluation activities should be tailored to the specific referral questions for the individual scholar and needs to address whether or not there is a disability, and if the disability affects the scholar's learning.

Evaluations must provide information to determine present levels of academic achievement and related educational needs.

No single test should be used as the sole criterion for determining eligibility. Rather, a variety of techniques (both formal and informal assessments), including information provided by parents, observation of the scholar in the classroom, work samples/portfolios, interviews, and review of the record should be used.

Once the Student Support Coordinator receives the signed evaluation consent form, he/ she will notify all members of the TEAM via the Notice of Evaluation (NOE) that they may begin their evaluations. Additionally, at this time the TEAM meeting date will be confirmed with the parents / guardian and the TEAM will be notified of the date.

1. Each member of the TEAM is responsible for scheduling and completing their assessments according to the time parameters established.
2. Evaluation reports need to be available at least two working school days prior to the TEAM meeting.

3. The Student Support Coordinator sends out a meeting invitation, attendance sheet and notice of report pick-up to the parents.

CONFIDENTIAL NOTICE OF EVALUATION

Scholar Name: _____ DOB: ____/____/____

To: Teachers/Staff: _____

From: Sunil Jagannath, Director of Student Support

Date of the IEP/504 Plan Team ____/____/____

Please check	Type of Referral
	Initial - Consent received on: ____/____/____
	Reevaluation - Consent received on ____/____/____
	Review
	504 Plan Review
	Request for Testing
	Other

ASSIGNED ASSESSMENTS

All written Teacher/Staff Assessments are due by at least two days prior to IEP meeting deadline

Testing Assessment Deadline is ____/____/____

Please Check	Assessment Needed	Staff Responsible
	PART A: EDUCATIONAL STATUS: (Initials and 3 year Re-vals)	
	PART B: TEACHER ASSESSMENT (All IEP/504Plan Reviews, Initials and Reevals)	
	PSYCHOLOGICAL	
	OCCUPATIONAL THERAPY	
	SPEECH LANGUAGE THERAPY	
	HOME ASSESSMENT	
	CLASSROOM OBSERVATION	
	HEALTH ASSESSMNET	
	FUNCTIONAL BEHAVIORAL OBSERVATION/ASSESSMENT	
	OTHER	

REQUIRED ASSESSMENTS FOR AN INITIAL EVALUATION

Required assessments include:

1. An assessment in all areas related to the suspected disability.
2. An educational assessment by a teacher, including
 - Educational Assessment (Part A)
 - Teacher Assessment (Part B)
 - Specialists Assessment(s):
 - All areas of suspected disability must be assessed.
 - Functional behavioral assessments (FBA) must be conducted if the scholar's behavior interferes with learning.
 - Observation of the scholar by someone other than the classroom teacher.
 - A history of the scholar's educational progress in the general curriculum. Such assessment shall include information provided by a teacher(s) with current knowledge regarding the scholar's specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the Argosy curriculum; and
 - An assessment of the scholar's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults.
 - Argosy shall also thoroughly evaluate and provide a narrative description of the scholar's educational / developmental status.

Optional Assessments

Optional assessments. The Director of Student Services, Assistant Director of Student Services, and/or the TEAM may recommend or a parent may request one or more of the following:

- A comprehensive health assessment by a physician that identifies medical problems or constraints that may affect the scholar's education. The school nurse may add additional relevant health information from the scholar's school health records.
- A psychological assessment by a licensed school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination.
- A home assessment that may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher and includes information on pertinent family history and home situation and may include a home visit, with the agreement of a parent. (Developmental History Form)

EVALUATION PROCEDURES

1. TEAM members should coordinate their assessments with the scholar's teacher(s) and other evaluators so that the scholar is not over-tested on any given day. The persons conducting the assessments should ensure that the teacher is notified in advance of any pullout from class.
2. The Student Support Coordinator will inform the evaluators of the dates that the assessments are to be completed, within 30 school working days of the parent's

signed consent. If consent is received within thirty (30) to forty-five (45) school working days before the end of the school year, Argosy ensures that a TEAM meeting is scheduled so as to allow for the provision of the proposed IEP or written notice of the finding that the scholar is not eligible no later than fourteen (14) days after the end of the school year.

3. A TEAM meeting will be held within 45 school days to review the results of the evaluations and determine eligibility for special education.
4. Evaluation must be provided and administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is not feasible to so provide and administer.

EVALUATION REPORTS

All evaluation reports should be written in clear, jargon-free language. Assessments must also be translated into the parents' primary language, if the primary language is not English. Assessors should interpret and summarize results and diagnostic impressions to help the TEAM determine eligibility including the scholar's present levels of educational performance and areas of need arising from the scholar's disability. Educationally relevant accommodations and modifications should be identified to ensure the scholar's involvement and progress in the general education curriculum.

An eligibility determination needs to be made by the TEAM of qualified professionals and parent(s). The TEAM deciding on eligibility must rely on a variety of assessment materials when determining whether the scholar is eligible for special education. The TEAM must be sure that they have received parent input and have gathered sufficient data for making the eligibility determination. Information must be gathered in all areas of suspected disability.

Eligibility must not be based on lack of reading or math instruction or on English language learning needs.

OUTSIDE EVALUATIONS

Parents may at any time elect to have their child evaluated by an independent evaluator at private expense. When parents present the school with an outside evaluation report, if the scholar is **already on an IEP**, the **TEAM must reconvene** to consider the outside testing **within 10 working school days** of when Argosy receives the report. The parents must provide the TEAM with a complete copy of the written report in order for the TEAM to consider the recommendations.

If a scholar has **not** already been **identified as being eligible** for special education services and is not on an IEP, Argosy shall treat the receipt of the evaluation as a request for an initial evaluation to determine eligibility. Argosy maintains its right and

responsibility to perform an evaluation. The independent evaluation will be considered as part of Argosy's comprehensive evaluation.

The TEAM is required to **consider** the results of the independent evaluation.

Consideration of an outside evaluation at any time does not replace Argosy Collegiate responsibility for conducting evaluation for determining special education eligibility. The TEAM will make recommendations, determine if additional testing is necessary and if possible determine eligibility for special education services. Argosy staff are dedicated to preventing any duplication of evaluations.

RE-EVALUATIONS

A re-evaluation must be conducted for each scholar on an IEP every three years or more frequently if requested or recommended. Reevaluations occur not more frequently than once a year unless both parents and Argosy agree that evaluation is needed.

Conversely, the parent and Argosy may agree that a re-evaluation is not needed. When a scholar is referred for a reevaluation, existing evaluation data should be reviewed first.

If, in preparation for the 3 year re-evaluation, the IEP TEAM and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability, and to determine the child's educational needs, Argosy will convey to the parents:

- That determination and the reasons for the determination; and
- The right of the parents to request an assessment to determine whether the child continues to be a child with a disability, and to determine the child's educational needs.

Argosy is not required to conduct further assessment unless requested to do so by the scholar's parent(s)/guardian(s). The TEAM will conduct the 3-year re-evaluation meeting based upon the review of records, current performance, parent and staff input.

If the Argosy suspects that a scholar is no longer eligible for special education services, then a re-evaluation must occur to change the previous determination of eligibility. Special Education services or related services may not stop until a meeting is held, with the exception of graduation with a regular diploma or aging out. For those children, Argosy must provide a summary of academic and functional performance, including recommendations on how to assist the child to meet post-secondary goals.

NOTE: All requirements mandated for Initial Evaluations, remain true for reevaluations. Assessments and assessment reports must focus on the suspected disability as well as the scholar's current level of performance. Furthermore, all assessment reports must include educationally relevant accommodations and modifications should be identified to ensure the scholar's involvement and progress in the general education curriculum.

THE IEP TEAM

The following are mandated members of the IEP TEAM (individual may serve in more than one role as appropriate):

- Scholar's parent(s) / Guardian
 - Argosy's representative who has the authority to commit district resources
 - At least one regular education teacher who is familiar with the scholar (if the scholar is, or may be, participating in the regular education environment)
 - The scholar if age 14 or older
 - At least one teacher/specialist trained in the area of the suspected disability
 - Individual qualified to interpret the instructional implications of the evaluations
- Additionally, members may include:
- Other individuals who may be necessary for the development of the IEP at the discretion of the Director of Student Services
 - English Learner teacher if a scholar is identified as an English Learner
 - If transition services, or vocational education is to be discussed, a representative of said agency
 - Other individuals at the request of the parent

The TEAM meeting is designed to incorporate school staff, parents and other invited personnel as a unified group to determine eligibility and/or develop an IEP for a particular child.

The Argosy staff is dedicated to ensuring parental involvement in the TEAM process. Every effort will be made to ensure this participation. If a parent is unable to attend the TEAM meeting, Argosy will provide the parent/guardian with the opportunity to participate via conference call or tele-conference.

IDEA 2004 permits members being excused if parent and Argosy agree (written agreement from parent). An excused team member must provide input in writing.

DATE: ____/____/____

Student: _____

DOB: ____/____/____

To Whom It May Concern;

As is my right according to:

State Requirements: 603 CMR 28.02(21) And Federal Requirements: 34 CFR 300.116(a); 300.321; 300.328 See also, in the IDEA 97 regulations, 34 CFR Part 300, Appendix A, Question #22
Members of the Team attend Team meetings unless:

- a. the parent and district agree to use alternative means, such as a video conference or a conference call, for any Team meeting OR

- b. the district and the parent agree, in writing, that the attendance of the Team member is not necessary because the member's area of the curriculum or related services is not being modified or discussed OR
- c. the district and the parent agree, in writing, to excuse a required Team member's participation and the excused member provides written input into the development of the IEP to the parent and the IEP Team prior to the meeting.

I waive the right to hold an evaluation team meeting with the Argosy Collegiate Charter School 504 Plan Team on ___/___/___.

I have utilized communications with the Team including phone conversation and email documentation to participate in the changes requested on _____ **IEP or 504 Plan.**

If there is a need to meet, I know I have the right to request a meeting at any time.

Parent Signature: _____ Date: _____

PARENT SATISFACTION SURVEY

At the conclusion of the Team meeting, parents/guardians are offered a Parent Satisfaction Survey to complete. This survey is reviewed by the Director of Student Services and staff to ensure quality and compliance. The Director will follow up with the parent/survey if needed.

Date: _____

Parent Satisfaction Survey

Argosy Collegiate Charter School is invested in building excellent educational partnerships with our scholars' and parents/guardians. In an effort to assess and improve our support of students and their families with Individual Education Plans (IEP) and 504 Plans, we would like to have your input.

Below you will find questions that pertain to our efforts in this process. Please circle the appropriate response to the questions below so that your input can be included. Finally, please return the completed survey in the self-addressed, stamped envelope included in this packet or return the completed survey to the main office.

The results will be reviewed and shared to increase our quality and improve our services in any way possible!

Thank you for your time and input!

1. *I feel that my participation in the IEP/504 process was encouraged and included.*

Strongly agree Agree Disagree Strongly disagree

Comments: _____

2. *I feel the appropriate evaluations for your scholar were completed.*

Strongly agree Agree Disagree Strongly disagree

Comments: _____

3. *I feel that the appropriate IEP or 504 Plan has been created for my scholar.*

Strongly agree Agree Disagree Strongly disagree

Comments: _____

4. *I was made aware of my child's rights to a Free and Appropriate Public Education (FAPE) and placement.*

Strongly agree Agree Disagree Strongly disagree

5. *I feel that the meeting had a clear purpose and was productive.*

Strongly agree Agree Disagree Strongly disagree

Comments: _____

(Please see reverse side)

6. *I was made aware of my Parental Rights as a part of this process. (Eg. given/offered "Parent's Notice of Procedural Safeguards")*

Yes No

Comments: _____

7. *What was the most positive part of the meeting experience today?*

8. *How can Argosy Collegiate staff improve?*

9. *Please include any suggestions, recommendations or further input:*

10. *I have remaining questions or concerns and would like a member of the Student Support Team to contact me.*

Yes No

Optional Information

Parent/Guardian Name: _____

Scholar's Name: _____ Grade: _____

Contact info: _____

IEP PROCESS

At least two days prior to the TEAM meeting, evaluation reports need to be made available to parents or guardians. Reports should clearly express the data as well as the findings from the evaluation sessions. Nationally normed, standardized tests are necessary for determining eligibility for special education.

TEAM meetings are projected to last approximately one hour. If the TEAM feels that they have not covered all necessary facets of eligibility, IEP development and placement, the TEAM may agree to extend the meeting or reconvene to continue the conversation.

For an annual IEP, copies of the existing IEP may be brought forward as the foundation for creating the new IEP. Note: The word DRAFT must be written or stamped at the top of each page. The TEAM chairperson, or designated TEAM member, will mark-up a DRAFT of the IEP reflecting the TEAM input. At the end of the meeting, either the Chairperson's DRAFT is copied or a summary of services and goal areas is prepared and given to TEAM members. All DRAFT copies are collected and destroyed.

Parents must be given either a DRAFT or a Summary of Proposed IEP at the end of the meeting.

If parent and Argosy agree, amendments and revisions can be made via written documentation without a formal TEAM meeting. Meeting attendance sheet listing all TEAM members participating in the planning of the amendment, as well as amendment forms and N-1, should be completed. Alternatives to "physical meetings" are explicitly allowed including video conferencing, telephone conferencing, or virtual meetings.

ELIGIBILITY

The Special Education Eligibility Flowchart has been designed by the Massachusetts Department of Education (ED 1) to assist TEAMS in making eligibility determinations. It is necessary to complete this form as a collective group at the TEAM meeting.

The flowchart is a worksheet and not a notice/form. This worksheet should become part of the scholar record but does not need to be mailed to parents and, if the scholar is determined eligible for services, it should not be attached to the IEP.

The Determination of Eligibility is based upon the examination of data, including information provided from the parent.

Determinations include:

1. The scholar is eligible. If the scholar has one or more of the disabilities defined at 603 CMR 28.0(7) and if, as a result of the disability (ies), the scholar is unable to progress effectively in the general education program without the provision of specially designed instruction, or is unable to access the general curriculum without the provision of one or more related services, the TEAM shall determine the scholar is eligible. If the TEAM determines the scholar is an eligible scholar, the TEAM shall develop an individual education program.
2. The scholar is not eligible. “If the TEAM determines that the child is not eligible, the TEAM chairperson shall record the reason for such finding, list the meeting participants and **provide written notice to the parents** of their rights in accordance with federal requirements **within ten (10) days** of the TEAM meeting.”

As part of the TEAM process, a flow sheet (ED 1) is used to answer the three questions of eligibility. Listed on this form are the disability categories as well as questions of effective progress and the need for specially designed instruction.

If as the result of the TEAM meeting, the child is not found to be eligible for special education services, Notice of Argosy’s Refusal to Act (Form N2) needs to be completed.

As required by law, when the existence of a specific learning disability has been determined, it is necessary to document said disability. The Department of Elementary and Secondary Education has developed appropriate forms for the development of determination of SLD. SLD forms can be located on pages 21-24.

Eligibility must not be based on lack of reading or math instruction or on English language learning needs.

DISABILITY CATEGORIES

Autism - A developmental disability significantly affecting verbal and nonverbal communication and social interaction. The term shall have the meaning given it in federal law at **34 CFR §300.8(c) (1)**:

- i. Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3 that adversely affect a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in paragraph (b) (4) of this section.
- ii. Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in paragraph (c) (4) of this section.
- iii. A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria in paragraph (c) (1) (I) of this section are satisfied.

Developmental Delay - The learning capacity of a young child (3-9 year old) is significantly limited, impaired or delayed and is exhibited by difficulties in one or more of the following areas: receptive and/or expressive language; cognitive abilities; physical functioning; social, emotional, or adaptive functioning; and/or self-help skills.

Intellectual Impairment - The permanent capacity for performing cognitive tasks, functions, or problem solving is significantly limited or impaired and is exhibited by more than one of the following: a slower rate of learning; disorganized patterns of learning; difficulty with adaptive behavior; and/or difficulty understanding abstract concepts. Such term shall include scholars with mental retardation.

Sensory Impairment - The term shall include the following:

1. **Hearing** - The capacity to hear, with amplification, is limited, impaired, or absent and results in one or more of the following: reduced performance in hearing acuity tasks; difficulty with oral communication; and/or difficulty in understanding auditorily-presented information in the education environment. The term includes scholars who are deaf and scholars who are hard-of-hearing.
2. **Vision** - The capacity to see, after correction, is limited, impaired, or absent and results in one or more of the following: reduced performance in visual acuity tasks; difficulty with written communication; and/or difficulty with understanding information presented visually in the education environment. The term includes scholars who are blind and scholars with limited vision.
3. **Deaf-Blind** - Concomitant hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs.

Neurological Impairment - The capacity of the nervous system is limited or impaired with difficulties exhibited in one or more of the following areas: the use of memory, the control, and use of cognitive functioning, sensory and motor skills, speech, language, organizational skills, information processing, affect, social skills, or basic life functions. The term includes scholars who have received a traumatic brain injury.

Emotional Impairment - As defined under federal law at 34 CFR §300.7, the scholar exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance: an inability to learn that 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; or a tendency to develop physical symptoms or fears associated with personal or school problems. The determination of disability shall not be made solely because the scholar's behavior violates the school's discipline code, because the scholar is involved with a state court or social service agency, or because the scholar is socially maladjusted, unless the TEAM determines that the scholar has a serious emotional disturbance.

Emotional disturbance is defined as follows:

- i. The term means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:
 - a. An inability to learn that cannot be explained by intellectual, sensory, or health
 - b. Factors.
 - c. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
 - d. Inappropriate types of behavior or feelings under normal circumstances.
 - e. A general pervasive mood of unhappiness or depression.
 - f. A tendency to develop physical symptoms or fears associated with personal or school problems.
- ii. The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

Communication Impairment - The capacity to use expressive and/or receptive language is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: speech, such as articulation and/or voice; conveying understanding, or using spoken, written, or symbolic language. The term may include a scholar with impaired articulation, stuttering, language impairment, or voice impairment if such impairment adversely affects the scholar's educational performance.

Physical Impairment - The physical capacity to move, coordinate actions, or perform physical activities is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: physical and motor tasks; independent movement; performing basic life functions. The term shall include severe orthopedic impairments or impairments caused by congenital anomaly, cerebral palsy, amputations, and fractures if such impairment adversely affects a scholar's educational performance.

Health Impairment - A chronic or acute health problem such that the physiological capacity to function is significantly limited or impaired and results in one or more of the following: limited strength, vitality or alertness including a heightened alertness to environmental stimuli resulting in limited alertness with respect to the educational environment. The term shall include health impairments due to asthma, attention deficit disorder or attention deficit with hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, if such health impairment adversely affects a scholar's educational performance.

Specific Learning Disability - The term shall have the meaning given in federal law at 34 CFR §300.7 and §300.541.

Specific learning disability is defined as follows:

- i. General. The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia.
- ii. Disorders not included. The term does not including learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

The passage of [IDEA 2004](#) brought about significant changes in the determination of eligibility for scholars with Specific Learning Disabilities (SLD). The following information outlines the four necessary components for SLD eligibility determination under federal and state requirements and the accompanying forms (see appendix) provide documentation to meet the requirements.

COMPONENT 1: Historical Review and Educational Assessment
Documented on [SLD 1](#)

Historical Review [34 CFR 300.309(b)] *

To ensure that underachievement in the area of concern is not due to lack of appropriate instruction in reading or math the Team must consider that:

- A. the scholar has been provided appropriate instruction in general education settings and that instruction has been delivered by qualified personnel;
- B. there is data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the scholar's progress and this documentation was provided to the scholar's parents.

If the components of the Historical Review have been met then the eligibility determination can continue using data from a response to scientific, research-based intervention method, or using results from an IQ/achievement discrepancy model. Each evaluation method is described below in Component 2: Area of Concern and Evaluation Method.

If some, but not all of the aspects of the Historical Review have been met, and additional information is needed, then further information should be gathered within the general education setting during the evaluation period. See [SLD TA 3](#) for assistance in gathering the required information. Concurrently, move forward with all other eligibility requirements.

If information is not available to assess the aspects of the Historical Review, the referral for special education evaluation should not go forward until the school has sufficient information to determine that the scholar has been given appropriate opportunities to learn in the general education environment. This instruction should be delivered by qualified personnel and databased documentation of repeated assessments that reflect the scholar's progress should be collected. This documentation is to be provided to the scholar's parents. See [SLD TA 4](#).

Participation Skills [603 CMR 28.04(2) (a) (2) (ii)]

As part of the scholar’s educational history, the Team must be able to provide an assessment of the scholar’s attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults. Refer to [Educational Assessment: Part B](#) (28R/1).

Performance History [603 CMR 28.04(2) (a) (2) (iii)]

As part of the scholar’s educational history, the Team must review supporting evidence within the area of concern that indicates the scholar has:

- consistently performed within the range of performance of same-age peers; or
- consistently performed better than same-age peers; or
- consistently performed less well than same-age peers; or
- demonstrated inconsistent performance throughout his/her educational history.

Refer to [Educational Assessment: Part A](#) (28R/1).

Medical Information [34 CFR 300.311(a) (4)] and optional [603 28.04(2) (b) (1)]

As part of the required documentation, the Team must provide educationally relevant medical findings, if any. The parent will most likely provide this information.

* Indicates a new requirement for SLD eligibility as of IDEA 2004.

COMPONENT 2: Area of Concern and Evaluation Method
Documented on [SLD 2](#)

Area of Concern [34 CFR 300.309(a) (1)]

To determine the existence of a SLD the Team must establish that the scholar is not able to demonstrate the necessary processing skills to achieve adequately for his/her age or to meet ELA or Math Curriculum Framework standards when provided with appropriate learning experiences and instruction in one or more of the following areas:

- Oral Expression
- Written Expression
- Basic Reading Skills
- Reading Comprehension
- Reading Fluency Skills
- Listening Comprehension
- Mathematics Problem Solving
- Mathematics Calculation

Evaluation Method [34 CFR 300.307(a)] *

IDEA 2004 allows for a process of eligibility based on the scholar's response to scientific, research-based intervention. It does not require the completion of an IQ/ achievement discrepancy model, although it can be used at the Argosy's discretion.

A. Response to Scientific, Research-Based Intervention

Determine that the scholar is not making effective educational progress for his/her age or to meet ELA or Math Curriculum Framework standards when using a process based on the scholar's response to scientific, research-based intervention. This could be established through a research-based, Response to Intervention (RTI) model or a multi-tiered instruction process. Argosy's staff are encouraged to consider this option, however the scholar should be participating in the process before the referral for evaluation occurs. In addition to the data gathered through the response to scientific, research-based intervention process, supplementary data may be necessary. The Team should consider the need for appropriate diagnostic tests that determine how the scholar learns and what is impeding learning.

B. IQ/Achievement Discrepancy Model

Using appropriate assessments, determine that the scholar exhibits a pattern of strengths and weaknesses in performance, achievement or both, relative to age, or ELA or Math Curriculum Framework standards, or intellectual development. This can be established through the implementation of technically sound assessment instruments that assess cognitive and behavioral factors as well as physical or developmental factors. This is often referred to as the IQ/Achievement discrepancy model.

COMPONENT 3: Exclusionary Factors

Documented on [SLD 3](#)

Exclusionary Factors [34 CFR 300.309(a) (3)]

No matter what evaluation method used, the Team must ensure that the identified area of difficulty is not primarily the result of:

- cultural factors;
- an environmental or economic disadvantage;
- limited English proficiency;
- a visual, hearing, or motor disability;
- mental retardation; or
- an emotional disturbance.

COMPONENT 4: Observation

Documented on [SLD 4](#)

Observation [34 CFR 300.310]

The scholar must be observed in his/her natural learning environment to document academic performance and behavior in the area(s) of difficulty. An observation can be conducted after the scholar has been referred for evaluation, or information from an

observation in routine classroom instruction that was done before the scholar was referred for an evaluation can be used. If the scholar is less than school age (3-5 years old) the observation must be done in the scholar's natural environment.

* Indicates a new requirement for SLD eligibility as of IDEA 2004.

Eligibility Continued:

Effective Progress

TEAMs judge whether a scholar is making effective progress in school.

The TEAM must make a judgment on whether the scholar is making effective progress in the general education program, academic and non-academic offerings of Argosy and vocational programs and activities.

To judge whether a scholar is making effective progress, the TEAM must determine whether the scholar has:

- Made documented growth, with or without accommodations, in knowledge and skills acquisition including social/emotional development, the learning standards set forth in the Massachusetts Curriculum Frameworks and the curriculum of the Argosy;
- Made growth according to the chronological age, the developmental expectations and the individual educational potential of the child.

When considering if the scholar has made effective progress, the TEAM must specifically look at whether the disability (ies) is causal to an inability to make progress. Such a finding is pivotal in the eligibility determination. The law clearly states that scholars may not be determined eligible solely because of a need for reading or math instruction or because of limited English proficiency or social maladjustment.

TEAMs sometimes struggle in trying to decide if a scholar is making effective progress and look for specific guidelines to assist in making this important decision. Effective progress, however, is not easily translated to test scores, academic achievement, social skills or other individual or specific variables, but rather is an interrelated measure. TEAMs, therefore, should carefully review evaluation data and make scholar-centered decisions on this important issue.

TEAMs judge whether the lack of progress is a result of the disability.

TEAMs must look at the evaluation results to see whether the lack of progress is a result of the disability or a result of other factors. Only if the TEAM determines the lack of progress is connected to a disability or disabilities may the TEAM continue on to discuss a possible finding of special education eligibility.

According to state and Federal regulation, a **scholar may not be found eligible solely because the scholar is unable to follow the school discipline code, has limited English proficiency, social maladjustment or has lacked reading or math instruction.** These reasons may become part of the TEAM's deliberations, but the

essential finding of the TEAM must be that the lack of progress is, at least in part, a result of the disability(ies).

If the TEAM determines that there is a disability, it must then ask a final question: Does the scholar require specially designed instruction in order to make progress?

SPECIALLY DESIGNED INSTRUCTION

Specially Designed Instruction consists of modifications not regularly provided for scholars in the general education program. Specially designed instruction includes modifications that affect content, delivery of instruction, methodology and/or performance criteria and are necessary to assist the scholar in participating and learning.

Specially designed instruction is an absolute requirement for scholars found eligible for special education. Related services necessary to access the general curriculum are considered special education and may be provided alone, or in combination with specially designed instruction.

If the scholar only requires accommodations, then that scholar is not eligible for special education. General educators within the general education environment typically provide accommodations. Accommodations do not involve modifying the material content but do allow scholars to access curriculum.

If TEAM concludes that the scholar is eligible for special education and/or related services:

If the evaluation TEAM determines that the scholar is eligible for special education and/or related services, an Individualized Education Program (IEP) must be developed. Whenever possible, the IEP can be developed in a single TEAM meeting, after the determination of eligibility. (IEP1-8)

If the TEAM concludes that the scholar is not eligible for special education and/or related services:

If the TEAM determines that the scholar does not have a disability, if the scholar does not show a lack of progress or if the scholar does not require specially designed instruction and/or related services, then the TEAM is required to make a Finding of No Eligibility (N2). All TEAMS should discuss regular education interventions in order to help the scholar access all aspects of the curriculum and is meeting any areas of need.

If as a result of a re-evaluation a scholar is found no longer eligible by the TEAM, but the parent is not in agreement with the decision, the end date of services must allow 30 days for the parent to seek resolution of their differences. End date of service may be adjusted to consider impact on schedules at the secondary level. End date should be clearly identified in the N2.

Parent understanding of the evaluation data and agreement with it:

Upon completion of the evaluation TEAM meeting, the parent /guardian should be asked if they agree with the evaluation findings. TEAM members should check a parent's understanding of the evaluation data and their agreement with it. If parents disagree with

a particular school assessment, parents may have a right to an Independent Educational Evaluation (IEE) at public expense, and must be provided with the letter informing them of the IEE process.

PARENTS DUE PROCESS RIGHTS

Parents have the right to appeal any aspect of the eligibility process through the Bureau of Special Education Appeals (BSEA). Parents should be provided the contact information for the BSEA as part of the N2 form, Finding of no Eligibility, as well as the Parent's Rights Brochure.

INDEPENDENT EDUCATIONAL EVALUATIONS

When a scholar has been referred for a special education evaluation and the school has obtained consent from the scholar's parent, the district must assess the scholar in all areas related to the suspected disability as well as conduct a comprehensive educational assessment. Whenever possible, an IEE request will be completed within 30 days of a parent's written request.

"Parents may obtain an independent educational evaluation of their child by appropriate professionals at their own expense at any time. In addition, federal and state law provides parents with a procedure for obtaining public funding of an IEE if they disagree with the school Argosy's evaluation. This IEE is to be conducted by a qualified examiner who is not employed by the responsible school district."

In accordance with Massachusetts General Law C. 71B, s.3 and the regulations implementing that law, 603 CMR 28.04(5), parents are entitled to receive a publicly funded IEE under the following circumstances:

- The requested evaluation must be in an area that was assessed by the school and the district, and the request must be within sixteen (16) months from the date of that evaluation with which the parent disagrees. Parents may opt to have fewer assessments done if they are satisfied with some of the assessments already completed. Should parents wish to request an independent evaluation that includes assessments not already done by the district, the district is not automatically required to pay for these assessments.
- A qualified person who is registered, certified, licensed or otherwise approved by the Commonwealth to conduct these assessments must conduct the evaluation. Documentation regarding these qualifications will be requested of the evaluator and required by the district. Additionally, the evaluator must abide by the rates set by the state agency responsible for setting such rates. These rates can be found at 114.3 CMR 30.00.
- An IEE must contain a written summary of procedures, assessment results, and diagnostic impressions including educationally relevant recommendations.

When a parent has requested an IEE at the district's expense, they must provide in writing:

- What evaluation(s) they are dissatisfied with

- A list of the specific evaluations that are being requested
- The name, address, and telephone number of the agency or individual chosen to complete the evaluation
- The application for financial contribution from the school district
- A completed Release of Information form, if the parent wants the district to forward a copy of the scholar's relevant educational records to the evaluator

In order to determine whether or not a family is eligible for public funding for an IEE, the family's financial status must be determined. If the child is eligible for free or reduced lunch, the district must fund the evaluation in full. If the family is not eligible, the district is required to fund the evaluation on a sliding fee scale, according to the family income.

The district uses a standard letter, outlining the requirements for requesting an IEE.

Included with this letter should be a copy of:

- Free or Reduced price lunch form
- An evaluation consent form recommending a school based evaluation (if applicable).

If the family is either not eligible for public funding, refuses to provide the information to the district, or requests a publicly funded independent evaluation in an area not yet assessed by the district, a response must be provided to the parent within **five school days** whether or not the district will fund the evaluation. Should the district decide to not fund the evaluation, the district must proceed directly to the BSEA. Any requests by a parent for a publicly funded independent evaluation must be given to the Director of Student Services' office immediately.

Once the independent evaluation for a child already on an IEP is received, the TEAM must reconvene within **ten school days** to consider the results and make any necessary changes to the IEP. If a parent presents an independent private evaluation for a child prior to the initiation of an initial evaluation by the district, the district will convene a meeting to review the report and develop a proposal for evaluation. This will begin the initial referral and evaluation process. The outside evaluation will be considered by the TEAM along with the district's evaluation.

EXTENDED EVALUATIONS

If the TEAM has found the scholar eligible, and feels as though more information is necessary to develop an IEP, the TEAM may want to consider an Extended Evaluation (EE1, EE2). An Extended Evaluation may be used to gather further information needed to write an IEP. It is limited in time to a maximum of eight weeks. An Extended Evaluation may only be used if a parent agrees. It cannot be used to gather more information to determine eligibility.

TEAMs must be aware of the state regulatory restrictions placed on the use of the Extended Evaluation. Extended Evaluations **cannot** be used for the following purposes:

- to extend the evaluation timeliness for required assessments;
- to deny programs or services to a scholar;

- to constitute a temporary placement.

If there is sufficient information available to determine some objectives and services, the TEAM should write a partial IEP or full IEP in conjunction with an Extended Evaluation Form. This action will ensure, with parental acceptance of the IEP, that a scholar is not denied services determined necessary at a TEAM meeting.

An Extended Evaluation may run from one to eight calendar weeks (Note: this is not school working days, but rather regular calendar weeks). The TEAM may decide to meet during that evaluation period. However, the TEAM must reconvene as soon as the additional evaluation data is available in order to review assessment data and/or complete the writing of the IEP.

IEP DEVELOPMENT

Once a scholar is found to be eligible, the IEP needs to be developed using the evaluation data and current classroom performance to guide development of goals and benchmarks for the scholar.

Immediately following the development of the IEP, the parent must be provided with two (2) copies of the IEP. This must be done without undue delay.

No later than 30 days after receipt of the proposed IEP, proposed placement, and N1 notice (reflecting mailing date of the IEP), the parents shall

1. accept or reject the IEP in whole or in part; request a meeting to discuss the rejected portions of the IEP or the overall adequacy of the IEP; or if mutually agreed upon, accept an amended proposal; and
2. accept or reject the proposed placement. Upon parental response to the proposed IEP and proposed placement, the district shall implement all accepted elements of the IEP without delay.

The IEP can be amended at any time if the child's profile and/or goals need to be altered to reflect current levels of performance. This remains the case if new assessment information is obtained.

Annually, the IEP must be reviewed and updated to reflect the growth the scholar has made, and new goals need to be developed. Input from general educators, special educators, parents and related service providers needs to be included. Input from the scholar is required if the scholar is over 14 years old.

Recommended services for each scholar must be individually considered and recommended and should not depend on known or existing services. All IEP sections need to be considered by all IEP TEAMS. No section should be skipped. Services within the IEP may assist the scholar with the following:

- To reach the IEP goals
- To be involved and progress in the general curriculum
- To participate in extracurricular and nonacademic activities

- To allow the scholar to participate with non-disabled scholars while working towards the IEP goals

The IEP is not intended to be a lesson plan but should provide a clear picture of the scholar's current abilities and needs, and should identify key goals and objectives that provide a direction and focus for the scholar's learning over the next IEP period.

GENERAL CURRICULUM

The IEP should be considered a primary tool for supporting a scholar's involvement and progress in the general curriculum, identifying the supports and services necessary to mitigate the impact of their disability allowing the scholar to access a **Free and Appropriate Public Education (FAPE)**. As defined by Federal regulation, the general curriculum is the curriculum used with non-disabled children. All scholars, regardless of the nature or severity of the disability or their educational setting, must have access to and progress in the general curriculum.

Within Massachusetts, the general curriculum is defined as the Massachusetts Curriculum Frameworks in the following areas: English Language Arts, Mathematics, History and Social Sciences and Science and Technology. Other curriculum areas can and should be discussed if the scholar's disability affects progress in those areas.

School districts must maintain high standards for children with disabilities. These standards should be consistent with the expectations for all scholars in the educational system.

General educators play a critical role in the TEAM process as the experts on the general education curriculum and classroom environment. Their participation in the TEAM process is required under state and Federal laws and regulations.

The IEP must include:

1. Parent and/or scholar input or concerns
 - Focused, concise statement addressing educational concerns for the scholar, as well as any social and emotional concerns that the parents or scholar may have.
2. TEAM vision for the upcoming 1-5 years.
 - A vision statement is required for all scholars. The character of the statement will change based on the age of the scholar.
 - The intent of the vision statement is to look forward to future goals, usually 1-5 years in the future. The TEAM steps back from the here and now to take a broader, long-range perspective as it looks to where this scholar is headed in the future. Knowing where the scholar is headed makes it easier for the TEAM to eventually determine what progress needs to be made this year.
3. Scholar strength and key evaluation results
 - Type of disability in accordance with the definitions defined in the state and federal regulations

- General education performance
 - MCAS (state) or district scores (brief summary of assessment data)
 - Relevant information from any school or independent assessments
 - Progress toward goals
4. Explanation of how the disability affects progress in the general curriculum areas. This should not be a reiteration of the profile.
 5. Necessary accommodations
 - These are developed by the service providers in conjunction with the regular education teacher(s). NOTE: If the scholar is included with non-disabled peers, input from regular educators is mandatory as they are responsible for the carry through on the accommodations. This only includes accommodations not identified as common practice through the District Curriculum Accommodation Plan (DCAP).
 - Accommodations are changes in course/test presentation, location, timing, scholar response or other attributes that are necessary to provide access for a scholar with a disability to participate and which do not fundamentally alter or lower the standard of expectations.
 6. Types of specially designed instruction (modifications)
 - Team must consider how Content, Methodology/Delivery of Instruction will be modified from the general education resource.
 - Performance Criteria reflects the modification of the content of the performance or the test by the scholar.
 - This is not an area of the IEP to list accommodations (the “HOW” something is done). Modifications address the “WHAT”.
 - Modifications are changes in course/test presentation, location, timing, scholar response or other attributes that are necessary to provide access for a scholar with a disability to participate BUT which also fundamentally alter and/or lower the standard of expectations.
 7. Current performance levels
 - An accurate description of how the scholar is performing in the various areas of need as identified by the IEP. Must convey sufficient information to provide clear levels of current functioning.
 8. Measurable annual goals
 - Goals should relate directly to those areas where the scholar's disability affects performance and should reflect a focus on those areas that make the biggest difference in the scholar's performance. Goals should not identify multiple curricular standards in a single curriculum area nor qualify as a detailed weekly or monthly lesson plan.
 - The IEP should be written with a direct connection between the current performance levels and the measurable annual goals. The current performance levels state what the scholar can currently do and identify key stumbling blocks. The goals state what the TEAM believes that the scholar will accomplish by the end of the IEP period. The current performance levels become the starting points for determining the goals and the goals become the end points for scholar accomplishment for the IEP period.

- Goals are designed to provide reasonable educational benefit. The goals should be measurable. The objectives/benchmarks break the measurable annual goal into major milestones that the scholar is expected to reach within a specified amount of time. To help ensure measurability objectives/benchmarks may also have target behavior, conditions, and outcomes. Goals also address the data collection strategy for measuring and documenting progress.

9. Break down of service provisions

- Service Delivery must denote the type of service provider i.e. Special education staff / Occupational Therapist / Speech Therapist. If provided by a private vendor, the generic title (Occupational Therapist, Speech/Language) is still used, as is the reference to the type of service.
- A specific amount of time per cycle needs to be identified for all areas. “Ongoing, as needed” is not acceptable.

All services, even services we provide by private vendors, need to be included on the service delivery grid as the district services.

10. Nonparticipation justification

- Justification for any removal from general education and the basis of this conclusion by the TEAM
- Is not a placement
- Driven by least restrictive environment (LRE)

To reinforce IDEA’s strong preference for involvement in the general education environment, the law requires a clear statement justifying why removal is necessary when removal occurs. TEAMS no longer need to identify the steps for moving a scholar to a less restrictive environment. Rather TEAM members must clearly identify times when a scholar is removed from the general education classroom and give good reason for such removal (Massachusetts Department of Education IEP Process Guide. June, 2001).

AUTISM SPECTRUM DISORDER

Whenever an evaluation indicates that a child has a disability on the autism spectrum, which includes autistic disorder [autism], Asperger's disorder, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Rhett's Syndrome as defined in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV, 2000), the IEP Team shall consider and shall specifically address the following: the verbal and nonverbal communication needs of the child; the need to develop social interaction skills and proficiencies; the needs resulting from the child's unusual responses to sensory experiences; the needs resulting from resistance to environmental change or change in daily routines; the needs resulting from engagement in repetitive activities and stereotyped movements; the need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder; and other needs resulting from the child's disability that impact progress in the general curriculum, including social and emotional development. Argosy staff use the form (below):

TEAM CONSIDERATION SUMMARY FOR SCHOLARS IDENTIFIED WITH A DISABILITY ON THE AUTISM SPECTRUM

(which includes autistic disorder [autism], Asperger's disorder, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Rhetts Syndrome as defined in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV, 2000), the IEP Team shall consider and shall specifically address the following:

The district Collegiate Charter School ensures that for review of scholar records and documentation indicates that for scholars identified with a disability on the autism spectrum, IEP Teams consistently consider and specifically address the following:

- ✓ The verbal and nonverbal communication needs of the child;
- ✓ The need to develop social interaction skills and proficiencies;
- ✓ The needs resulting from the child's unusual responses to sensory experiences;
- ✓ The needs resulting from resistance to environmental change or change in daily routines;
- ✓ The needs resulting from engagement in repetitive activities and stereotyped movements;
- ✓ The need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from the autism spectrum disorder;
- ✓ 7) Other needs resulting from the child's disability that impact progress in the general curriculum, including social and emotional development.

The Team documents its discussion in the IEP through the goals and services, as well as in the Notice of Proposed School The district Action (N1) sent to parents.

MASSACHUSETTS BULLYING PREVENTION AND INTERVENTION PLAN

In 2010, legislation was passed that requires school leaders to create and implement strategies to prevent bullying, and to address bullying and retaliation promptly and effectively if they occur. Sections 7 and 8 of the law have specific implications for the IEP process and for scholars with disabilities.

Section 7 states: Whenever the IEP Team evaluation indicates that a scholar's disability affects social skills development, or when the scholar's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. (G.L. c. 71B, §3, as amended by Chapter 92 of the Acts of 2010.)

Section 8 states: For scholars identified with a disability on the autism spectrum, the IEP Team must consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. (G.L. c. 71B, §3, as amended by Chapter 92 of the Acts of 2010.)

Argosy Collegiate Charter School adheres to an *Act Relative to Bullying in Schools* which was endorsed by Governor Patrick on May 10, 2010. ACCS is in compliance with the new anti-bullying legislation (as required by M.G.L. c. 71, § 37O).

Parts of the law (M.G.L. c. 71, § 37O) that are important for scholars and parents or guardians to know are described below.

- (a) The right of an individual to report to appropriate authorities a crime committed by a scholar or another individual.
- (b) Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a scholar or other persons alleged to have committed a crime or posing a security risk.
- (c) The exercise of an individual's responsibilities as a mandated reporter of child abuse/neglect pursuant to MGL c. 119, s 51A to the appropriate state agency.
- (d) The protection afforded publicly funded scholars under other state or federal laws, including those laws that provide for the rights of scholars who have been found eligible to receive special education services.
- (e) Any teacher, employee or agent of a public education program from using reasonable force to protect scholars, other persons or themselves from assault or imminent, serious physical harm.

Argosy Collegiate Charter School's Bullying Prevention and Intervention Plan (BPIP) has been formalized and submitted to the Department of Elementary and Secondary Education and includes the above listed requirements. BPIP Handbook and forms are available upon request in the main office.

LEAST RESTRICTIVE ENVIRONMENT (LRE)

The district shall ensure that, to the maximum extent appropriate, children with disabilities are educated with children who do not have disabilities, and that special classes, separate schooling, or other removal of children with special needs from the general education program occurs only if the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.

As the TEAM discusses placement, the least restrictive environment will be selected as it correlates with the scholar's needs. To the extent possible, scholars with disabilities will be educated with their non-disabled peers. The school examines placement patterns to establish Least Restrictive Special Education placement on an annual basis.

TEAMs should consider in-district settings as they relate to the scholar's needs. These settings include the general education classroom, a resource room or separate classroom. If a scholar's IEP cannot be met within the public charter school setting, an out-of-district placement may be explored. If the TEAM designates an out-of-district placement, the TEAM shall state the basis for its conclusion that education of the scholar in a less restrictive environment with the use of supplementary aids and services could not be achieved to provide the scholar with a free, appropriate public education in the least restrictive environment. In most cases, the TEAM who wrote the IEP will decide the placement immediately after the IEP is developed.

If the scholar's needs and corresponding services are complex and the TEAM is considering an initial out-of-district program or a different setting for a scholar currently in an out-of-district placement, the program school shall schedule another meeting to determine placement, and shall invite representatives of the school district where the student resides to participate as a member of the placement team pursuant to 603 CMR 28.06(2)(e)(1). Additionally, a subsequent meeting might be scheduled to finalize the placement decision. In all cases, the parent continues to be an equal participant in the TEAM process. Without identifying a specific placement type, the Argosy TEAM will notify the school district where the student resides within two school days. Upon a determination as in 603 CMR 28.10(6)(a) above,).

The TEAM meeting convened by Argosy shall first consider if the school district where the student resides has an in-district program that could provide the services recommended by the Team, and if so, Argosy shall arrange with the school district where the student resides to deliver such services or develop an appropriate in-district program at the program school for the student.

If the placement Team, in accordance with the procedures of 603 CMR 28.06(2)(e), determines that the student requires an out-of-district program to provide the services identified on the student's IEP, then the placement proposed to the parent shall be an out-of-district day or residential school, depending on the needs of the student. Upon parental acceptance of the proposed IEP and proposed placement, programmatic and financial responsibility shall return to the school district where the student resides. The school district where the student resides shall implement the placement determination of the Team consistent with the requirements of 603 CMR 28.06(3).

PLACEMENT

The TEAM decision regarding a scholar's placement is made once the IEP is fully developed. It is based upon the individual needs of the particular scholar. The TEAM Determination of Placement page, (PL 1) should be included with the IEP. If a placement decision is not possible at the IEP meeting, a separate meeting must be held within ten school days to discuss the options available.

At the TEAM meeting, after the IEP has been developed, the TEAM shall consider the identified needs of the scholar, including the language proficiency level for identified English learners, the types of services required, and whether such services may be provided in a general education classroom with supplementary aids and/or services or if necessary after considering Least Restrictive Environment, in a separate classroom or school.

TRANSITION SERVICES

Success in adult life is a goal we have for all scholars. Depending on the disability and the support services required in adult life, successful transition from high school to adult life might require that planning activities begin exploring their interests in middle school. Starting the process early prepares scholars with disabilities to think about what they want to be able to do in adult life. In high school, transition planning includes exploring post-secondary opportunities and employment options, living arrangements, social supports, and

community access. It may include connecting with the adult service agencies that may provide them with services when they graduate school or turn 22 years of age (Massachusetts Department of Education).

For scholars who will turn 14 during the IEP time frame, transition planning is a necessary component to the development of the IEP. The TEAM considers the scholar's course of study in relation to the scholar's future goals. The scholar must be invited to all educational meetings where transition planning is discussed if they are 14. Transition planning can be discussed prior to the scholar's 14th birthday. The scholar must be invited to the IEP meeting starting at age 14. The Student Support Coordinator will prepare an invitation to be hand carried to the scholar. Beginning at age 14 or earlier if applicable, the vision section of the IEP, based on the individual scholar's needs, should consider the scholar's preferences and interests. Transition into adult life, postsecondary and working environments can be considered. Once a scholar has turned 14, the IEP must include a post-secondary vision statement as well as identify the transition services that support that vision.

IDEA defines transition services as: A coordinated set of activities for a scholar, designed within an outcome-oriented process that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the individual scholar's preferences and interests, and shall include instruction, community experiences, the development of employment and other post-school adult living objectives and, when appropriate, acquisition of daily living skills and functional vocational evaluation.

The transition plan should be written as an outcome-oriented statement that includes adult life, post-secondary and work environment desires.

The Massachusetts Department of Education has provided a transition planning worksheet for assisting TEAMS with post-secondary planning.

This form is not an IEP form, rather a document whose content is directly linked to the IEP vision and guided by the identified needs of the scholar. Some components of the transition plan will be addressed in the IEP. Upon graduation, scholars receive a summary of performance based on the transition plans and their high school course of studies.

REQUESTING AN OBSERVATION

- Parents are asked to submit their observation requests in writing to the Director of Student Services and/or Assistant Director of Student Services at their child's school to include the following information:
 - Scholar's name
 - Parent's name, telephone and/or email contact information
 - Scholar's classroom teacher and assigned grade

- Observer's name, and if the observer is someone other than the parent, any relevant affiliation of the observer, along with telephone number and/or email contact information
 - Purpose of the observation, including any particular part of the school day the observer wishes to see, and the desired outcome of the observation. A Signed Release of Information (see attached form) giving permission for the district and observer to exchange information, including directly arranging the schedule for the observation.
- A request for observation shall be made to the principal at least 2 school working days in advance of the requested observation date. Principals will immediately notify the teachers involved and determine the appropriateness of the specific date requested.
 - The Principal shall notify the Director of Student Services of the request to observe/evaluate.
 - Different observation requests may require more planning and observation time than others depending on the complexity of the scholar's needs being evaluated or observed. For example, timely access following a request to observe a specific classroom, to which the parties agree, can be achieved in an hour. In other instances, such as when a designee needs to observe the current and proposed programs, including periods of unstructured time to observe a scholar's interactions and responses, the observation may take longer to schedule. The duration and extent of the observation will be determined on an individual basis.
 - For evaluators, observations may occur at greater frequency to complete an assessment. An evaluator must be credentialed/licensed in the area being evaluated. This will also be scheduled with the principal or his/her designee. The principal has the authority to determine the number, times, and dates of observations by visitors. This will be done in consultation with staff so as to give adequate notice to the staff of the impending visits.
 - The district does not generally schedule observations for certain portions of the year, such as during MCAS testing or during the first few weeks of school or the month of June. In addition, because it may not be possible to accommodate all requests during the last quarter of the year, parents are urged to submit any observation request they may have as early as practicable in the school year. School staff retains its right and obligation to restrict program observation where necessary to protect the safety of a child or the integrity of the program.

EXPECTATIONS DURING THE OBSERVATION

- For evaluators, the length of the observation shall be a reasonable time to address the purpose of the observation and desired outcome and shall be limited to an amount of time agreed upon by the evaluator and school principal/designee.
- The number of people scheduled to observe a child or program at one time shall be limited to 2 people and no children may accompany a parent, advocate, or evaluator.

- A school staff member will accompany the observer during the observation period. Given the ongoing responsibility of teachers and/or therapists to serve scholars, they will generally not be available for conversation during or immediately before/after the observation period.
- Those observing will be seated in an area that will not disrupt instruction.
- Staff members involved in a classroom observation will welcome observers to the class but will not interact with the observers before, during, or immediately after the observation period. Discussion of the observation may take place at a subsequent conference. Discussions should last no more than 20 minutes unless a TEAM Meeting is scheduled.
- Those observing shall respect scholar confidentiality and shall not share any impressions of other scholars with anyone. Observers will be asked to sign a statement (see attached form) that in the event that they obtain personally identifiable or confidential information during the course of an evaluation/observation, they will not disclose it.
- School safety procedures will be adhered to at all times. All visitors must register in the main office upon arriving and sign out when leaving. Any visitor who fails to comply with school regulations will be asked to leave the school and its grounds immediately.
- Principals retain the authority to exercise their discretion at any time to reschedule or terminate an observation in the event of a building emergency or a disruption that impacts the physical or emotional wellbeing of the children in the school or the program being observed or when necessary to protect:
 1. The safety of the children in the program during the observation
 2. The integrity of the program during the observation; and
 3. Children in the program from disclosure by an observer of confidential or personally identifiable information he/she may obtain while observing the program.

**Argosy Collegiate Charter School
Guidelines for Classroom/Program Observation
Confidentiality Agreement**

I/we understand that scholar confidentiality must be respected at all times when observing a classroom, program, or scholar.

I/we will not share any impressions of other scholars with anyone.

In the event that personally identifiable or confidential information is obtained during the course of an evaluation/observation, I/we will not disclose it.

Observer

Date

Observer

Date

FOLLOW UP

If the parent requests a Team Meeting and evaluation was conducted as part of the observation, the evaluator shall provide a written evaluation report to the district at least 10 days prior to the scheduled Team Meeting

ASSESSMENT AND GRADING

Fair, reliable, and valid assessment is very important for teachers and support staff to interpret the academic progress of scholars and to continually improve the academic program at Argosy Collegiate. We backwards plan from a 12th grade college readiness goal and work to support all scholars to that end. Scholars are assessed in a variety of ways including performance-based assessment such as classwork/activities, classroom discussions, presentations, essays and other writing assignments, homework, and more traditional measures such as quizzes, unit tests, semester, and end of year exams. While assessments take time and effort from scholars and staff, all of the assessments we administer outside of semester and end of year exams, take less than 2% of our learning time. The data gained is critical in guiding the instruction that prepares scholars for college, career, and life. We compare teaching and learning without frequent and actionable data to driving to a new destination without a map or directions. Should families have any questions about the assessments we use, please contact our Director of Academic Achievement. Each year Argosy families will receive reports detailing the results from the following assessments:

- a. **Massachusetts Comprehensive Assessment System (MCAS).** So that scholars are held to the same standards as other scholars in the Commonwealth of Massachusetts, Argosy Collegiate staff administer the MCAS to demonstrate both school-wide and individual scholar progress. The MCAS assessments are administered between March and June each year, with data made available to schools in the fall of the following school year. Current exams include MCAS for grades 6, 7, 8, and 10 in both ELA and Mathematics as well as grade 9 in STEM.
- b. **NWEA Measures of Academic Progress (MAP).** The NWEA MAP assessments are progress monitoring assessments that assess scholars in the content area of reading, mathematics, and science three times a year in the fall, winter, and spring. The standards-based and Massachusetts Frameworks-aligned assessment offers normative comparisons and essential data for the teachers to inform classroom instruction. Testing dates are indicated on the Annual Calendar. The NWEA MAP assessment is administered approximately every 12 weeks and allows us to address scholars' on-going academic needs by further developing targeted instruction in day to day classes, support blocks, and Saturday Academy.
- c. **Progress Reports.**
 1. **Weekly Collegiate Reports** – Each Thursday afternoon, ACCS sends home a Collegiate Report to provide a view of the scholar's week in terms of meeting the expectations of school. The report shows the merits and demerits earned, areas of strength and improvement, as well as areas in which the scholar demonstrated challenge. The goal of the Collegiate Report is to provide families and caregivers the information they need to discuss meeting expectations in school and learning the behaviors that lead to academic success. The Collegiate Reports are tied into a token economy system using

DREAM Dollars/Points. If a scholar earns 100 or more Collegiate Points, they can participate in Collegiate Friday, wearing their collegiate uniform. If a scholar earns fewer than 100 points, they must wear their building specific uniform. To learn more about how scholars earn merits and demerits (which affect Collegiate Points and DREAM Dollars), please see the Code of Conduct section.

- 2. Academic Progress Reports.** Argosy Collegiate Middle School follows a quarterly calendar for academic report cards. At the close of each of the four quarters, scholars and families are issued a Report Card that includes the grade earned in classes. Scholars in student service programs such as special education or English language learners are issued progress reports at this time to communicate scholars' academic progress and scholar progress towards their individual annual measurable goals and objectives. At this time, Argosy Collegiate also invites families and caregivers to participate in Family-Scholar Conferences to discuss scholars' academic and social progress and ways the school and families can partner to support scholars' success. These conferences may include teachers, scholars, administrators, the Dean of Students, or the Dean of College and Career Readiness.

Argosy Collegiate High School follows a semester schedule for classes to better align with our dual enrollment/college partners. Report cards are issued at the close of the Fall and Spring semesters. At the midpoint of each semester, scholars are issued progress reports that show scholars' academic standing at that time. Scholars in student service programs such as special education or English language learners are issued progress reports at this time to communicate scholars' academic progress and scholar progress towards their individual annual measurable goals and objectives. Families and caregivers as well as teachers can schedule conferences with teachers at this time to discuss progress and ways the school and families can partner to support scholars' success. These conferences may include teachers, scholars, administrators, the Dean of Students, or the Dean of College and Career Readiness.

Grading. At ACCS, our academic expectations are high for all scholars. We work with urgency to identify skill levels for each scholar and create individualized learning plans to challenge all learners. We expect all scholars to work hard, no matter their learning styles or level of mastery at any given time.

Grading of all scholars with disabilities is based on their individual IEP objectives and goals. Parents receive reports on scholar's progress towards reaching their goals set in the IEP at least as often as parents of non-disabled scholars are informed (according to State Requirements 603 CMR 28.07(3)).

Our middle school model is created to identify gaps in learning and to close them as quickly as possible so that scholars are prepared for our college-prep high school program. Once at the high school, scholars further develop areas of academic interest, begin to create their own path for study, and set goals for dual enrollment classes, and begin to plan for college. At ACCS, our grading policy is designed to create good habits of study, organization, and

learning strategies at both campuses. As scholars advance through middle to high school, they experience certain shifts in grading to prepare them for college expectations where independent work and responsibility are critical to success. For example, homework and note-taking are more heavily weighted in 6th and 7th grade but decrease in 8th grade as these skills become a basic expectation for collegiate success. Assessments become more heavily weighted over time to align with college expectations.

All scholars on IEP’s will be graded based on their progress towards their goals and objectives, when stated.

MIDDLE SCHOOL GRADING

Numeric and percentage grades at ACCS Middle School. Most notable within our grading policy is that there is no D grade. For averages below 70%, scholars earn an F or a failing grade.

A+ 97 - 100%	A 93 - 96%	A - 90 – 92%
B+ 87 - 89 %	B 83 - 86%	B- 80 – 82%
C+ 77 - 79%	C 73 - 76%	C- 70 – 72%
F 69% or below		

HIGH SCHOOL GRADING

Numeric and percentage grades at ACCS High School. At the high school level, ACCS’s grading policy adjusts to better align with our college partners.

A+ 97 - 100%	A 93 - 96%	A - 90 – 92%
B+ 87 - 89 %	B 83 - 86%	B- 80 – 82%
C+ 77 - 79%	C 73 - 76%	C- 70 – 72%
D+ 67 - 69%	F 66% or below	*Dual Enrollment courses may assign a D (63-66%) or D- (60-62)

SERVICES DURING SUSPENSION

Scholars who are suspended from school for ten (10) or fewer consecutive days, whether in or out of school, have the opportunity to make academic progress during the period of suspension, make up assignments, and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed. Argosy’s plan to support scholars who have been removed from the school setting may include but is not limited to tutoring, alternative placement, Saturday school, and online or distance learning. If Argosy Collegiate removes a scholar for more than ten (10) consecutive school days, the school is required to provide the scholar and the parent/guardian of the scholar with a list of alternative educational services. Upon selection of an alternative educational service by the scholar and the scholar’s parent/guardian, the school shall facilitate and verify enrollment in the service.

SCHOLAR PHYSICAL RESTRAINT

Argosy Collegiate adheres closely to the 603 CMR 46.00, *Prevention of Physical Restraint and Requirements* effective January 1, 2016. Argosy maintains a strict Code of Conduct and clear disciplinary procedures. These procedures do not allow for corporal punishment but rather include a clear set of consequences including demerits, detentions, and loss of privileges, suspensions, and expulsions. In accordance with M.G.L. §37G, corporal punishment of pupils is prohibited. School personnel can use reasonable force as is necessary to protect pupils, other persons, and themselves from an assault by a pupil. When such an assault has occurred, a Principal/ED shall file a detailed report of such with the school board. All personnel authorized to administer any forms of restraint shall be trained annually in accordance with Department of Education guidelines.

DISCIPLINE OF SCHOLARS WITH SPECIAL NEEDS

The Individuals with Disabilities Education Act (IDEA) provides eligible scholars with certain procedural rights and protections in the context of scholar discipline. A brief overview of these rights is provided below. In addition to the IDEA, this section follows the Department of Education, 34 Code of Federal Regulation (CFR) 300.519-300.528 and Section 504 of the Rehabilitation Act (Section 504) and 603 CMR 46.00, *Prevention of Physical Restraint and Requirements* effective January 1, 2016). All scholars are expected to follow the Argosy's Code of Conduct, unless otherwise determined by the scholar's Individualized Education Plan Team and written in the scholar's IEP. Federal and state laws provide certain procedural rights and protections relating to discipline of scholars who have been identified under such laws as having special needs based upon a disability.

In general, if the child has violated Argosy's disciplinary code, the school may suspend or remove the child from his or her current educational placement for no more than ten (10) consecutive school days in any school year or ten (10) cumulative days that constitute a pattern of behavior.

Any time Argosy wishes to remove a child from his or her current educational placement for more than ten consecutive school days in any school year, or if a scholar is removed for disciplinary reasons for more than a total of ten days in any school year when a pattern of removal is occurring, this is a "change of placement." A change of placement invokes certain procedural protections under federal special education law. These include the following:

- (a) Prior to any disciplinary removal that constitutes a change in placement; the school must inform the parent/guardian that the law requires that the school Argosy consider whether or not the behavior that forms the basis for your child's disciplinary removal is related to his or her disability. This is called a "manifestation determination." Remember that the parent always has the right to participate as a member of the group of people making this determination.
- (b) Prior to any removal that constitutes a change in placement, the school must convene a Team meeting to develop a plan for conducting a Functional Behavioral Assessment that will be used as the basis for developing specific strategies to address a child's behavior. If a behavioral intervention plan has been previously developed, the Team will review it to make sure it is being implemented appropriately, and will modify it if necessary. Please review the following Policy for Discipline of Scholars with Disabilities involving Suspension (below).

Argosy Collegiate Policy for the Discipline of Scholars with Disabilities when the suspension exceed ten (10) school days

At Argosy Collegiate Charter School, the procedure for initiating the **Manifest Determination** process is as follows: When a scholar receives OSS violation reaches a total of nine (9) or more days of suspensions or OSS violations resulting in a change of placement outside of their normal classroom placement, the scholar is referred to the Student Services' Director who initiates the following procedure for a manifest determination

MANIFEST DETERMINATION

A **Manifest Determination** is required under the current regulations of the IDEA Act when a scholar's placement, due to violations of the school's disciplinary code, is assigned to Out-of-School Suspension (OSS) resulting in a change of placement of ten (10) or more school days.

According to the Individuals with Disabilities in Education Act (IDEA 2004):

SECTION 615 DISCIPLINE

“Special Note: Statute does not give any required timeframe, but current regulations (34 CFR 300.520(b)) require the Team to convene “not later than 10 business days after either first removing the student for more than 10 school days in a school year or commencing a removal that constitutes a change of placement” to develop assessment plan for conducting an FBA and implementing a BIP, or reviewing the current plan.”

Procedure:

1. The Director of Student Services or the Assistant Director of Student Services notifies staff that is required to attend the manifest determination meeting and distributes the worksheets to the appropriate staff for completion. The child's parent is mailed the Notice of Procedural Safeguards prior to any disciplinary action being taken.
2. The appropriate staff is required to complete the manifest determination worksheet and return it to the Assistant Director of Student Services and the Student Support Services' Clerk at least two days before the manifest determination meets.
3. The Director of Student Services or Assistant Director of Student Services schedules a meeting and notifies staff that is required to attend. The Director of Student Services and/or Assistant Director of Student Services shall chair the meeting.
4. Participants attending a meeting may include, as appropriate, regular education and special education teaching staff, school adjustment counselors, school nurse, the scholar's parent or guardian, and the scholar.
5. The team reviews the scholar's academic and behavioral history and the manifest determination worksheet teacher responses.
 - a. **If there IS a question of a learning disability** the scholar may be referred for further testing or assessment as determined by the team. Examples of the assessments that may be completed include: Psychological Evaluation and

Educational Assessments; Connors Rating Scale; Functional Behavioral Observation and Assessment (FBO/A); and Behavior Management Plan (BMP). The Team may also decide to develop a plan of action with specific steps and strategies to be implemented by all staff working with the scholar. The Team then schedules a second meeting to review the results of the testing (if such was completed) and/or to evaluate the effectiveness of the plan of action and ascertain, based on all the information at its disposal, if the scholar's behavior is a manifestation of a disability.

- b. **If the scholar HAS ALREADY been determined to have a learning disability**, the Team reviews all of the documentation and completes the questions on the manifest determination forms. The scholar may be referred for a Functional Behavioral Observation and Assessment or the Team may develop a Behavior Management Plan.
- c. **If the Team determines that the scholar's behavior is NOT a manifestation of a learning disability**, the scholar may be referred for a Functional Behavioral Observation and Assessment or the Team may develop a Behavior Management Plan.

The Team must complete all **Manifest Determination** forms and will advise the parent of the Team's recommendation. Based on its determination, the Team will follow all rules and regulations as stated in the IDEA 2004 Reauthorization Act to insure the scholar's Free and Appropriate Public Education (FAPE).

In the event there are additional assignments to suspensions which increase the total to ten (10) or more days out of the normal classroom placement, the Director of Student Services or Assistant Director of Student Services will schedule a meeting with the parent or guardian, scholar, Principal, and Court Liaison in order to determine the legal steps that will be taken by the school.

DUAL IDENTIFICATION (English Learners with Disabilities)

The following is a review of Special Education Policies and Procedures as they directly apply to the identification of English Language Learners.

LOOK Act (2017)

Argosy Collegiate acknowledges that scholars that qualify for services through an IEP or 504 Plan may additionally be identified as English Language Learners. Argosy Collegiate supports the dual-identification of scholars in accordance with the Language Opportunity for Our Kids (LOOK) Act of 2017 (Bill H. 4032) through the use of DESE recommended identification, placement, and monitoring procedures.

Home Language Survey (see English Learner Education Policies and Procedures)

The Department of Elementary and Secondary Education-approved Home Language Survey is part of the school registration process and part of the documentation for every parent or guardian to fill out. The Assistant Director of English Learner Education (ELE) will train all intake staff annually as to the implementation of this process. The Home Language Survey is part of the registration packet that is provided to the parent/guardian

of all scholars entering Argosy Collegiate Charter School. The Home Language Survey is kept in the scholar's permanent folder. Additionally, a supplemental Questionnaire created by the Assistant Director of ELE is also provided to the parent/guardian upon enrollment in order to gather additional language information. When registering a scholar, if a family indicates that a language other than or in addition to English is spoken and/or used in the home, the EL teachers will reach out to the parents/guardians. The purpose of this initial contact is the following:

- To establish a working relationship with the family
- To inform the parent/guardian about the programs that are available for EL
- To inform the parent/guardian about the school expectations, policies and procedures
- To assist parents/guardians in finding community resources that may facilitate cultural adjustment for the family
- To inform the parent/guardian of the District EL procedures

A master inventory of all scholars' home language survey results is kept on file by the Director of Scholar Support and Assistant Director of ELE.

Identification of English Learners (see English Learner Policies and Procedures)

In accordance with the 2017 Language Opportunity for Our Kids (LOOK) Act, Argosy Collegiate Charter School has adopted procedures to "identify and monitor" the English language progress of scholars identified as English Learners (EL). As of October 2017, in accordance with MA Department of Elementary and Secondary Education guidelines, all scholars whose Home Language Surveys indicate a language other than and/or in addition to English is spoken in the home and/or if the scholar is exposed to said language(s) will be assessed via the WIDA Screener within the first 30 days of school. The WIDA Screener will be administered by a MA licensed EL teacher; the WIDA Screener assesses the scholar's listening, reading, speaking, and writing in English as well as the scholar's Overall English proficiency. Based on the results of the WIDA Screener, placement decisions will be made and communicated to the scholar and scholar's family within the first 30 days of school.

If a scholar is identified as an English Learner, an English Learner Teacher will provide documentation or attend scholar meetings to ensure consideration of language proficiency to IEP and/or 504 Plan Team meetings.

Evaluation of English Learners to Determine Eligibility

Considerations for the scholar's English proficiency and language modalities must be considered to determine appropriate evaluation tools.

- *Required Assessment for an Initial Evaluation:* If a scholar is identified as an English Learner, considerations of the scholar's language proficiency and the impacts of validity and reliability related to language on proposed assessments must be examined. Considerations include diagnostic assessments and/or administration of assessment by a bilingual diagnostician. IEP Teams are recommended when feasible to consider a bilingual diagnostician and/or a primary language assessment

tool for scholars scoring at a foundational level on the WIDA Screener and/or the ACCESS for ELLs 2.0 language proficiency assessment. The administration of selected assessments will be administered by a certified professional identified through the criteria listed in the assessment's protocol.

IEP Development

If a scholar is dual-identified, being found eligible for special education and as an English Learner, an English Learner Teacher will provide documentation and/or attend scholar IEP meetings to ensure consideration of language proficiency to be included in the development of the IEP.

- *Placement:* At the TEAM meeting, after the IEP has been developed, the TEAM shall consider the identified needs of the scholar, including language proficiency for identified English learners, the types of services required, and whether such services may be provided in a general education classroom with supplementary aids and/or services or if necessary after considering Least Restrictive Environment, in a separate classroom or school. Placement decisions require a variety of information including but not limited to a review of existing records, results of pre-referral interventions, work samples, formal and informal assessments, observations, and any curriculum accommodations or modifications.

Scholar Records

Record of placement decisions for all dual identified scholars will be documented and placed in the scholar's individual IEP or 504 file located in the records office.

APPENDIX A. Special Education Staffing Roster (updated 9/23/2021)

Name	Title	Email	Phone
Sunil Jagannath	Assistant Executive Director Director of Student Services & 504 Plan Compliance Officer	sjagannath@argosycollegiate.org	508-740-0251
Monica Filgo	Principal, Grades 6-12 504 Coordinator	mfilgo@argosycollegiate.org	508-617-1337
Kimberly Reynolds	Assistant Director of Student Services	kreynolds@argosycollegiate.org	508-536-1863
Grace Szulak	Assistant Director of Student Services	gszulak@argosycollegiate.org	508-617-1347
Alexandra Godino	Assistant Director of English Learner Education	agodino@argosycollegiate.org	508-536-1096
Marika Isom	Student Support Coordinator	misom@argosycollegiate.org	508-863-2340

APPENDIX B. Resources

Parent's Notice of Procedural Safeguards

- DESE website link: <http://www.doe.mass.edu/sped/prb/>

Voluntary Termination of Special Education Services by Parent

- DESE website link: http://www.doe.mass.edu/sped/advisories/10_1.html

Scholar Records

- DESE website link: <http://www.doe.mass.edu/lawsregs/603cmr23.html?section=07>

Home / Hospitalized Educational Service

- DESE website link: http://www.doe.mass.edu/pqa/ta/hhep_qa.html

Translated IEP Forms & Notices:

- DESE website link: <http://www.doe.mass.edu/sped/iep/tforms.html>

The District Curriculum Accommodation Plan (DCAP)

- The DESE website link: www.The.district.k12.ma.us/support-services/curriculumaccomodation.html

Observation Protocol

- Guidelines for Classroom/Program Observation - The district website link: <http://www.The.district.k12.ma.us/school-administration/specialeducation/341-observation-guidelines.html>

APPENDIX C: ADDENDUM – FOR HIGH SCHOOL SCHOLARS **Voluntary Termination from School Prior to Graduation or Age 22**

Scholars, eligible for special education services, who withdraw from district prior to graduation or reaching age 22, must be given the opportunity to access special education services in pursuit of their diploma. If at any time prior to their 22nd birthday, the scholar is interested in receiving special education services and working towards their diploma, they may contact the The district Special Education Department and request their file be activated. This information must be conveyed to eligible scholars at the time they withdraw from school, ideally through direct conversation. A letter confirming this information is mailed to the scholar with a copy placed in the Central Office file at the time they leave district.

Graduation Requirements for Special Education Scholars

In accordance with M.G.L. c.71, s.1, a scholar with a disability who requires special education is entitled to receive publicly funded special education until s/he turns twenty – two or “attains a high school diploma or its equivalent,” whichever comes first. To receive a diploma, all district scholars, including those receiving special education services, must meet the graduation requirements. Furthermore, the scholars must either earn a scaled score of at least 240 on the grade 10 MCAS English Language Arts and Mathematics tests, or earn a scaled score between 220 and 238 on these tests and fulfill the requirements of an Educational Proficiency Plan (EPP). Scholars must also earn a scaled score of at least 220 on one of the high school MCAS Science and Technology/Engineering (STE) tests: Biology, Chemistry, Introductory Physics, or Technology/Engineering.

Age of Majority

Massachusetts has established 18 as the age of majority. At that age, all scholars are considered adults and competent to make their own decisions. This right extends to every scholar with a disability who is receiving special education services.

At least one year before a scholar's 18th birthday, the district must inform the scholar and the parents of the transfer of rights at age 18 (Age of Majority letter / form). The district must include a statement in the IEP that the scholar and parents have been informed of this transfer of rights. Parents will continue to receive written notices but will no longer have decision-making authority unless one of the following occurs:

- 1) Parents receive guardianship of the scholar from the court.*
- 2) Scholar chooses to share decision-making with the parents or other adult, including allowing them to co-sign the IEP; this choice must be made in the presence of the TEAM and documented in writing.*
- 3) Scholar chooses to delegate decision-making to the parents or other adult; this choice must be made in the presence of the TEAM and documented in writing.*

TEAMs should distribute the district 'Age of Majority' packet (3 pages) to scholars and parents on or before the 17th birthday. By the 18th birthday, scholars must choose an option on page 2 of the 'Age of Majority' packet. If, at this time, scholars choose to take sole

responsibility for their special education decisions, they must complete the choice at the bottom of page 2, identifying if they wish to continue their special education services.

College Testing Information

The College Board has recently changed its eligibility requirements for testing accommodations. The districts and parents are reporting that the College Board is rejecting many requests for accommodation because the documentation supporting the request is not sufficient under its new eligibility standards. As a result, parents and scholars are asking districts to conduct additional evaluations or eligibility assessments to support scholars' requests for accommodation.

What is the district's responsibility to provide supporting documentation to the College Board when a scholar has requested accommodations on College Board tests (e.g., PSAT/NMSQT, SAT or AP)?

The district provides the College Board with documentation supporting the scholar's request for accommodation when such documentation is available, consistent with the Massachusetts Scholar Records Regulations (see 603 CMR 23.00),

*In some cases, the College Board is asking that the scholar provide documentation of specific additional assessments or updated assessment information that the district does not need in order to deliver appropriate special education services to the scholar. **The district is not obligated to provide or pay for updated or additional assessments to support a scholar's request for accommodation on College Board examinations if such assessment information does not already exist and is not necessary for the appropriate special education program for the scholar at the time of the request.** The parent is responsible for paying for additional assessments that are needed for the sole purpose of supporting the scholar's request for accommodation on the College Board examinations.*

If the parent requests an evaluation or assessment, whether or not the request describes the reason for the request, the district must respond in accordance with the requirements of state and Federal special education law. The district may either agree or disagree to conduct such an assessment and provide notice to the parent of the decision. The district's decision not to conduct the assessment is subject to the due process requirements of the law.

If a request for an evaluation is made for the purpose of demonstrating a need for accommodations on College Board tests, and the school The district has no reason to believe the scholar has a disability or needs special education services, then the district can deny the request for an eligibility evaluation; the district must notify the parent of the decision.

A scholar with a disability may be found not eligible for special education. However this child might be eligible for a Section 504 accommodation plan under the Americans with Disabilities Act. This is a general education responsibility; therefore this is a separate referral and consideration process and is not directly linked to special education. Please contact the building principal or building 504 coordinator for information regarding Section 504.