SPECIAL EDUCATION PLAN

FOR CHILDREN WITH DISABILITIES

EDUCATION AGENCY NAME: Baldwin County Board of Education

By submitting this plan, the signatures of the education officials signed below ensure that special

education services will be provided in accordance with federal and state laws and regulations and

will be consistent with the individualized needs of children with disabilities. This document is

subject to the Freedom of Information Act .

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 Special Education Coordinator:

 Superintendent/Director:

Date: October 1, 2012

CHAPTER 1

FULL EDUCATIONAL OPPORTUNITY GOAL

I. Baldwin County Public Schools provides appropriate educational opportunities to children with

disabilities ages 3 to 21.

II. Baldwin County Public Schools ensures that a free appropriate public education, consistent with the

standards established by this plan and by state and federal regulations, is being provided to all

children with disabilities ages 3 to 21.

III. Timetable for accomplishing the full educational opportunity goal for children ages birth to 21.

A. The Alabama Department of Rehabilitation Services provides full educational opportunities for

children with disabilities ages birth through 2.

B. Baldwin County Public Schools provides full educational opportunities for children with

disabilities ages 3 to 21.

IV. Baldwin County Public Schools ensures its commitment to implement 34 CFR §300.101; 34 CFR

§300.109 and 34 CFR §300.201; AAC 290-8-9-.01(1).

CHAPTER 2

CHILD IDENTIFICATION

I. Baldwin County Public Schools ensures that all children residing within the jurisdiction of the Baldwin

County Public Schools, birth to 21, regardless of the severity of their disability and who need special

education and related services, are identified, located, and evaluated. Child Find applies to children

who attend private schools, including children attending religious schools within the public education

agency's jurisdiction, highly mobile children with disabilities (i.e., migrant and homeless children),

and children who are suspected of having a disability and are in need of special education even

though they are advancing from grade to grade. Child Find also includes a practical method of

determining that eligible children with disabilities are receiving needed special education and related

services. Child Find activities will be conducted on a continuous basis as described below:

 **A. Procedures used to identify and locate children:**

1. The Baldwin County Public School System provides on-going public notice of the services

available to students with disabilities by:

a. Posting information in public library sites

b. Presentations to the Baldwin County Interagency Council

c. Articles/notices in local newspapers

d. Communication/meetings with private and parochial schools

e. Participation in local Children’s Facilitation Team

f. Presentations at local school functions

g. Town meetings

h. Annual notice with physicians, day care centers, and schools through mail

i. Baldwin County Board of Education website

2. The Baldwin County Public School System maintains contact and accepts referrals from

individuals and agencies that provide services that include but are not limited to the following:

a. Baldwin County Mental Health

b. Private and parochial schools, preschools and daycare centers

c. Medical personnel

d. Private psychologists and Licensed Professional Counselors

e. Private speech and hearing centers

f. University speech and hearing centers

g. Alabama Institute for the Deaf and Blind

h. Easter Seals of Southwest Alabama

i. Vocational Rehabilitation Services

j. Children’s Rehabilitation Services

k. Baldwin County Head Start Program

l. Baldwin County Department of Human Resources

m. Baldwin County Health Department

n. Department of Youth Services

o. United Cerebral Palsy

p. Early Intervention Services

The Baldwin County Public School System implements procedures to ensure that students who may

be in need of special education are referred. At-risk teachers, Title I programs, social workers,

school nurses, and alternative education programs are available to help students who are at-risk of

school failure and for possible special education services. Special Services personnel provide

printed, web-based information and in-service training for local school personnel on the referral process for

special education services.

Local school intervention teams are given resources to assist in developing strategies for students

who are experiencing academic and/or behavioral difficulties. If difficulties continue after the

implementation of appropriate interventions, the team considers referral for possible special

education services. State test results and Response to Instruction (RTI) strategies are analyzed at the prereferral stage as well as in the IEP Evaluation Team meeting to assist in determining the need for individual psycho-educational evaluation and possible special education and related services. Data meetings are held in local schools to review and analyze state testing data to generate strategies for improvement. Each Baldwin County school develops a Continuous Improvement Plan to target specific students for intensive instruction.

 **B. Procedures used to determine which children with disabilities, ages 3-21, within the Baldwin**

**County Public School System’s jurisdiction are currently receiving needed special education**

**and related services:**

Projected enrollment of students with disabilities is annually reviewed to determine teacher and para educator allocation for each year. Each Special Services teacher of students with disabilities is required to enter and complete all special education processes in STI SETSWeb. Teachers are required to utilize

SETSWeb to determine the status of services (referral, evaluation, eligibility, reevaluation, etc.) for

any student receiving special education services to ensure accurate data is regularly collected and

timelines are met. The Special Services Coordinator monitors the timelines by publishing a monthly

report to ensure: (1) 60-day compliance for initial referrals, (2) completion of triennial reevaluations,

and (3) referrals from Early Intervention are completed with IEP by student’s third birthday. Email is

used to alert teachers of approaching deadlines. If personnel continue to be remiss, the Special

Services coordinator will contact the building administrator.

 **C. Procedure used to determine which children with disabilities housed in jails/detention**

**centers/boot camps within your jurisdiction that were eligible to receive special education**

**services from the public education agency**.

The special education teacher assigned to each facility that houses students in jail/detention centers/boot camp monitors the student population on a daily basis. She/he reviews the list and determines which student(s) receives special education and related services in the previous Baldwin County school or

School district. Special Services ensures that Special Services personnel in jails/detention

centers/boot camps receive the Individual Education Program (IEP) for identified students, so each

student may continue to receive the services to which he is entitled. If an updated process,

reevaluation or current IEP, is required, the appropriate meeting is scheduled and held to initiate and

complete the process. Monitoring the daily population list allows appropriate action for students who

enter or withdraw from juvenile justice facilities.

 **D. Procedure for meeting yearly with representatives of private schools regarding special**

**education services to be provided to eligible children with disabilities who have been placed**

**by their parents in a private school.**

Special Services sends a written notice to all private schools within the Baldwin County Public

School System jurisdiction requesting a representative’s attendance at the annual summer meeting

to discuss the local plan for Child Find, referral, evaluation, and services for eligible children with

disabilities who have been placed by their parents in private school. Issues regarding disability

areas and referral procedures are addressed. Each representative is requested to provide

information regarding the needs and services of children with disabilities in each private school. The

information distributed at the meeting is mailed to each private school representative who does not

attend. During the school year a second survey is mailed to each private school representative to

ascertain the level of satisfaction.

 **E. Procedure for ensuring participation in the transition conference for children with disabilities**

**who participated in early intervention programs**

A representative from Early Intervention contacts Special Services personnel to schedule a referral

meeting. During the second Friday of each month, transition meetings are held in conjunction with

referrals from Early Intervention at the Loxley Satellite Office. Predictability in scheduling ensures

regular participation by Early Intervention and relevant parents. The Special Services Coordinator

monitors the timelines by publishing a monthly report to ensure referrals from Early Intervention are

completed with IEP by student’s third birthday. Special Services is a member of the Early

Intervention Council of Southwest Alabama, which is comprised of parents, service agencies, and

special educators from Baldwin, Choctaw, Clarke, Escambia, Mobile, Monroe, and Washington

counties in Alabama.

**II. The following person is responsible for Child Find:**

Carol Palumbo

Special Services Coordinator

1091 “B” Avenue

Loxley, AL 36551

(251) 972-6860

 **III. Procedure to ensure that tracking system is in place to ensure that identification, evaluation,**

**eligibility, and IEP development are completed within the time frames allowed by state and**

**federal regulations.**

The coordinator generates monthly reports of current referral to eligibility processes and reevaluation

for eligibility processes. The list of students is distributed to all Special Services central office

personnel. The coordinator also communicates with Special Services teachers and issue alerts for

future deadlines.

 **IV. Baldwin County Public Schools ensures its commitment to implement the Alabama**

**Administrative Code (AAC) 290-8-9-.01 and 34 CFR §300.111; 34 CFR §300.124; 34 CFR**

**§300.101-102; 34 CFR §300.130-131, and 34 CFR §300.201.**

**V. Baldwin County Public Schools ensures its commitment to implement the AAC 290-8-9-.10(7)**

**and 34 CFR §300.130-144.**

CHAPTER 3

EVALUATION

**I. Procedure used to evaluate children for special education services including vision and**

**hearing screening.**

1. The Baldwin County Public School System provides evaluations for any referred or identified

child, birth to twenty-one, who may need special education and related services, utilizing

qualified personnel and appropriate assessment instruments as outlined by state standards. For

an identified child between the ages 0-2, referred from Early Intervention, parent, or other

agency, referrals meetings are held on weekly throughout the calendar year. The meetings are

held on Wednesdays during the scholastic year and on Wednesdays during the four-day summer

schedule at the Central Office. For any child between the ages of 3-21 who is referred by

parent, other agency, or private school, the referral to eligibility process is initiated in the weekly

meetings held at the Central Office.

Once parent permission is obtained for an initial evaluation or reevaluation, the IEP Team

chairperson forwards a request to the school nurse to conduct a vision and hearing screening.

Vision screening procedures include telebinocular screenings for all students who can be

conditioned to the procedure. Hearing screening procedures include pure-tone audiometric

screening for all students who can be conditioned to the procedure. Should a student be unable

to condition to formal screening, a quantitative functional vision and/or hearing screening is

utilized. Should a student fail either the vision or hearing screening initially, a rescreening is

conducted after a two-week period.

A letter is mailed to the parent of any child who fails the second screening informing the parent

that follow-up with an evaluation by qualified medical personnel is necessary. Parents are

invited to contact the school nurse should they need assistance with this request. School nurses

utilize the Lion’s Club, United Way, Children’s Rehabilitation Services and other organizations to

fund the evaluations. If a parent is unable to seek the appropriate evaluation, the Special

Services nurse arranges bus transportation and escorts the student to the appropriate physician.

The school nurse forwards a report from the vision /hearing specialist to the IEP Team

Chairperson to include with the information forwarded to the appropriate psychometrist or school

psychologist for evaluation.

2. The Baldwin County Public School System employs thirteen certified full time school

psychometrists and/or school psychologists to conduct the evaluations of children referred for special education services and the reevaluations of identified students. If an evaluation is required by a specialist, the Baldwin County Public School System contracts with qualified professionals.

3. Baldwin County Public School System works with other agencies in the area that serve children

with disabilities to share evaluation information (Headstart, Mental Health, university projects, etc.)

4. Baldwin County Public School System considers all evaluations including those completed by

other agencies and arranged by parents.

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

A. Baldwin County Mental Health

372 South Greeno Road

Fairhope, Alabama 36532

251.990.4194

B. Dr. Cathy Brumback

22787 Highway 98

 Building A

Fairhope, Alabama 36532

251.990.2305

C. Dr. Anna Costarides

1707 Center Street

Suite 201

Mobile, Alabama 36604

251.405.5100

D. Dr. Laura Goulden

2450 A Old Shell Road

Mobile, Alabama 36607

251.478.3044

E. Leasha M. Barry, PhD, BCBA-D

Professor

School of Education

University of West Florida

11000 University Pkwy, 85-189

Pensacola, FL 32514

**III. Baldwin County Public Schools ensures its commitment to implement the AAC 290-8-9-.02**

**and 34 CFR §300.121-122; 34 CFR §300.131; 34 CFR §300.201; 34 CFR §300.300-301; and 34**

**CFR §300.303-305.**

**IV. Baldwin County Public Schools ensures its commitment to implement the AAC 290-8-9-.03**

**and 34 CFR §300.8; 34 CFR §300.15; 34 CFR §300.201; 34 CFR §300.301; and 34 CFR**

**§300.303-305.**

CHAPTER 4

ELIGIBILITY

I. **Procedures used in determining a student eligible for special education.**

During the school year, the IEP or Eligibility Team is comprised of the parents and qualified

professionals including a local education agency representative, a general education teacher, a

special education teacher and someone trained to interpret the meaning and instructional

implications of the evaluation results. During the summer months, the Eligibility Team is comprised of

the persons with the same qualifications, but one person may represent more than one required

area. For example, the principal may serve as the representative for the local education agency, but

may also be familiar with the curriculum and the child and serve as the General Education Teacher.

The eligibility meetings are held at the local schools in order to provide input from parents, regular

educators, and administrators who have observed the child in the general education environment.

The local school principal or principal’s designee schedules the IEP or Eligibility Team meetings.

The IEP or Eligibility Team members discuss all of the information about the child and make an

informed determination regarding eligibility for special education and related services.

All evaluations and other pertinent information are recorded on the eligibility report and each member

signs their agreement or disagreement with the conclusions of the team. One copy of the report is

given to the parents, one copy stays in a confidential file at the local school and one copy is returned

to the central office. The Individualized Education Plan is either developed at the conclusion of the

eligibility meeting if eligible or will be scheduled for a mutually convenient later date.

Special Services personnel are trained annually to ensure that required assessments are conducted

and required components are included in each eligibility determination. A list of minimum evaluative

components is included in each eligibility packet to assist teams in making accurate decisions.

**II. Baldwin County Public Schools ensures its commitment to implement the AAC 290-8-9-.03-**

**.04 and 34 CFR §300.8; 34 CFR §300.201; and 34 CFR §300.306-308.**

CHAPTER 5

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

I. **Procedure utilized in developing IEPs**.

The Special Services case manager convenes appropriate members of the IEP Team to discuss the

Individualized Education Program (IEP) for the child. Proper notices are sent to all parties

requesting their attendance at the IEP Team meeting. If another agency is invited to the meeting,

the parent’s consent is essential before the agency representative attends the meeting.

Special Services personnel share evaluation data gathered in the educational setting. All data is

considered – curriculum-based assessments as well as standardized evaluations. Additionally,

parents and other agency personnel are encouraged to share any evaluation data or further

information that would be helpful to the IEP Team in designing educational services.

Baldwin County Public Schools are responsible for providing the special education and related

services identified in the IEP. Subsequent reviews of the IEP to ensure that the services are

appropriate are held at the request of the parent or school personnel as necessary and annually as

required by law. A copy of the IEP is provided to the parent following each IEP Team meeting.

All students’ programming is reviewed annually to consider eligibility for extended school year

services. The length of a program for a student with disabilities may not be limited to the regular

school term/year if significant regression, caused by an interruption in educational services, renders

it impossible or unlikely that the student will retain critical or emerging skills even after an appropriate

recoupment period.

IEPs for all students in private schools are developed and presented to the parents of each student if

the child is determined eligible for services. Services available to students in the public and private

school settings are explained to the parent. The parent accepts or denies the services. In June

2003, representatives from private schools in Baldwin County and representatives from Baldwin

County Public Schools determined that services would be only provided to private school and home

school students eligible for Speech and Language Impairment in grades Kindergarten through eight.

The policy is reviewed annually. Additionally, any preschool student who is determined eligible for

services will receive any services deemed necessary by the IEP Team. The meetings with private

school representatives are held annually. The policy regarding students placed in private schools by

parents continues.

Training to develop legally defensible IEPs is held annually in February/March. Elementary and

secondary Special Services personnel are trained separately. Each component of the IEP is

reviewed and examined. All teachers receive training in the following: (1) completion of the Notice

of Proposed Meeting/Consent for Agency Participation, (2) standards-based goals, (3) benchmarks

when appropriate, (4) transition when appropriate, and (5) Alabama Student Assessment forms.

Transition from graduation to community is emphasized in the training for secondary teachers.

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

Baldwin County Public Schools values and encourages the involvement of parents in the education

of their child. Schools in Baldwin County house available materials for parents. Social workers

employed by Baldwin County provide training sessions for parents. Schools also sponsor programs

that target parents. The Parent Liaison Program trains parents to become well informed and

knowledgeable advocates for their children. All parents may invite a trained parent liaison to any

meeting regarding a student with disabilities. Baldwin County Public Schools also provide written

information about special education services to parents and ensures that parents are informed of

their procedural safeguards under IDEA.

Parents and any representative the parents consider an important member of the team receive

proper notice of the IEP Team meeting. The Notice of Proposed Meeting/Consent for Agency

Participation is sent to the parent ten days prior to the meeting date unless an earlier date is mutually

beneficial to the LEA and parent. Other methods of acquiring parental input are recommended if a

parent is unable to attend. Other methods of acquiring parental input include, but are not limited to

the following: (1) Conference Call, (2) Written Input from the Parent, or (3) Alternate Meeting Place.

Baldwin County Public School does not hold any meeting without sending notice to the parent. If parents are unable to attend, all documents are delivered to them.

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

Parents and other participants in coordination with Baldwin County Public Schools contribute to the

design of an appropriate program for the student. Parental input is obtained in writing from the

parent if attendance at the IEP meeting is not possible. Alternative methods of participation are

considered if parents are unable to attend. The alternative methods may include, but are not limited

to the following: (1) conference call, (2) video or audio recording, and (3) written input. The IEP

Team determines the services for which Baldwin County Public Schools will be responsible and

cooperates with the parents in obtaining the services specified in the IEP. Baldwin County Public

Schools is responsible for ensuring that the specified special education and related services in the

IEP are provided to the child and determine, on an individualized basis, an appropriate method for

monitoring the IEP.

When a student residing within Baldwin County Public Schools ’ district is placed in a private school

by the parents, the parents and appropriate representatives from the LEA are sent notice to the IEP

Team meeting. Parents and participants from a private school or other agency contribute to the

design of an appropriate program for the student.

Teachers are trained annually in alternative methods of ensuring parents are afforded every

opportunity to participate in the development of special education and related services for students.

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

**properly.**

Baldwin County Public Schools’ Special Services staff includes an audiologist. The audiologist

checks hearing aids and FM systems for students with hearing impairments weekly. The audiologist

is also responsible for overseeing the maintenance of all equipment needed for students with hearing

impairments. All equipment is kept in peak working order, but when repair is required, the Baldwin

County Public Schools provide replacement equipment in the interim. The audiologist updates

equipment and resources annually. The audiologist keeps a log of equipment and the repair of each

item.

In addition, the audiologist is responsible for conducting hearing screenings for students who have

been referred for additional educational assessment to determine if further medical attention or

further educational assessment may be necessary to adequately meet the needs of students with

disabilities. Referral is made through procedures outlined in a handbook of Special Services

procedures. Each Special Services teacher has a copy of the handbook to use as a resource and

reference. Participation as a member of specific IEP teams is also the responsibility of the

audiologist. Services to be provided by the audiologist are included in the **Special Education,**

**Related Services, Supplementary Aids & Services, Assistive Technology, Program**

**Accommodations/Modifications and Support for Personnel** section of the IEP.

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

Career interest inventories, student and parent surveys, Career Cruising program and the EXPLORE teast are administered to eighth grade students who will attend high school. A Parent meeting is held in at a centralized location of the county for parents of eighth grade students who will attend high school during the following scholastic year. Areas of targeted interests become the focus for transition planning for

each ninth grader. During the spring IEP meeting for each rising ninth grade student, the parent,

student, other agency representatives (if appropriate and permitted), and relevant IEP Team

members determine the highest most appropriate exit/diploma option and develop the most

appropriate postsecondary goals.

A Transition class is offered in seven high schools for students with disabilities. Training

for the development of transition programming is provided annually to all secondary teachers in

middle and high schools. Special Services and Career Tech collaborate to develop programming for

students with disabilities. The Baldwin County School System receives match funding for two (2)

job coach positions through a collaborative agreement with the Alabama Department of

Rehabilitation Services. The job coaches provide job readiness training, job development, job

coaching, and job placement. The job coaches ultimately assists students with disabilities in

obtaining competitive employment.

 **VI. Baldwin County Public Schools ensures its commitment to implement the AAC 290-8-9-.05 -**

**.07 and 34 CFR §300.5-.6; 34 CFR §300.34; 34 CFR §300.101-102; 34 CFR §300.104-108; 34**

**CFR §300.110; 34 CFR §300.114-118, 34 CFR §300.201; 34 CFR §300.320-325; and 34 CFR**

**§300.327-328.**

CHAPTER 6

PROCEDURAL SAFEGUARDS

**I. Confidentiality procedure for:**

**A. Access to Records**

The Record of Access form is posted on the outside of each file cabinet where confidential folders

are housed in Special Services classrooms. The Record of Access form is also posted at the

central office where personally identifiable information is filed. Qualified school personnel or state

and federal agency representatives who access information from any confidential folder are required

to sign and date the Record of Access form on the left side of each confidential student folder.

Special Services teachers are provided with information and in-service training annually regarding

confidentiality according to the Family Educational Rights and Privacy Act (FERPA). The Access to

Records form is also accessible in the STI SETSWeb student folder for each student with disabilities

and automatically records entry into the student records. Individuals accesses these electronic records are instructed to electronically sign the Record of Access and list the reason that they are access the student record.

 **B. Records on More Than One Student**

Parents have access to their child’s records at any time. If any information contains references to

another student, the parents may only review the data regarding their child. Every attempt is made

to isolate the information that pertains to their child, but if the data cannot be isolated, Baldwin

County Public Schools Special Services staff reports the information using an appropriate alternate

method.

 **C. List of Types and Locations of Information**

The case manager in the local school maintains a complete set of records in locked file cabinets for

each identified student with disabilities. The contents of the confidential folder include current and

previous IEPs that may contain behavioral management plans with current and previous eligibility

and psychological reports. In order to access records during the summer months, each Special

Services teacher leaves marked keys in the local school. Duplicate eligibility reports and

psychological protocols plus copies of correspondence sent from the central office administrators are

housed in the special education central office files. STI SETSWeb allows continuous access by

qualified personnel to student records.

 **D. Fees for Copying**

Baldwin County Public Schools does not charge a fee for providing copies of student records.

 **E. Disclosure Procedures Pertaining to Special Education Records**

The case manager in the local school maintains a complete set of records in locked file cabinets for

each identified student with disabilities. The contents of the confidential folder include current and

previous IEPs that may contain behavioral management plans with current and previous eligibility

and psychological reports. In order to access records during the summer months, each Special

Services teacher leaves marked keys in the local school. Duplicate eligibility reports and

psychological protocols plus copies of correspondence sent from the central office administrators are

housed in the special education central office files.

Upon request, Baldwin County Public Schools ’ staff provides to parents a list of the types and

locations of educational records collected, maintained, or used by Baldwin County Public Schools

pertaining to their child. Parents are provided copies or access to any or all records pertaining to

their child when requested. There is one exception to copying records. Certain educational

assessment protocols may not be copied due to publishers’ copyright laws.

 **F. Transfer of Records**

Records are transferred to other Alabama districts and other states upon request. Transfer of

records is processed expeditiously to ensure continuation of services for all students with disabilities.

Parents may also request a copy of all records when moving to another Alabama district or state.

Records are copied for parents without charge.

**G. Amendment of Records at Parent's Request**

Parents or the eligible student must submit written request to the superintendent of the Baldwin

County School System to amend the record. In so doing, they shall identify the part of the record

they want changed and specify why they believe it is inaccurate, misleading, or in violation of the

student’s privacy or other rights.

Baldwin County Public Schools may comply with the request or decide not to comply. If a decision is

made not to comply, system personnel shall notify the parents or eligible student of the decision and

advise them of their right to a hearing to challenge the information believed to be inaccurate,

misleading, or in violation of the student’s rights. Information that is amended is included in all

relevant documents.

 **H. Opportunity for a Hearing**

Upon request, Baldwin County School officials shall arrange for a hearing, including the hearing

officer, and notify the parents or eligible student, reasonably in advance of the date, place, and time

of the hearing.

A hearing officer who is a disinterested party shall conduct the hearing; however, the hearing officer

may be an official of the District. The parents or eligible student shall be afforded a full and fair

opportunity to present evidence relevant to the issues raised in the original request to amend the

student’s education records. One or more individuals, including an attorney, may assist the parents

or student.

 **I. Result of Hearing**

Baldwin County School officials prepare a written decision based solely on the evidence presented at

the hearing and as recorded in the official board record of the hearing.

 **J. Hearing Procedures**

If Baldwin County School officials decide the challenged information is not inaccurate, misleading, or

in violation of the student’s right of privacy, it shall notify the parents or eligible student they have a

right to place in the record a statement commenting of the challenged information and/or a statement

setting forth reasons for disagreeing with the decision. Information that is amended is included in all

relevant documents.

The statement is maintained as part of the student’s education records as long as the contested

portion is maintained. If the Baldwin County School System discloses the contested portion of the

record, it also discloses the statement.

 **K. Consent**

The Special Services case manger in Baldwin County Public Schools ensures that parental consent

is obtained when any confidential records are requested from or dispatched to other agencies. The

Authorization for Release of Confidential Information form is used for obtaining the parent

signature to request or send any records. When another agency requests records from Baldwin

County Public Schools, the file clerk in the Special Services Central Office attempts to obtain

consent prior to sending any requested record. If the parental consent is unattainable, the records

are forwarded to the requesting agency and notification is mailed to the parent at the last known

address.

 **L. Destruction of Information**

Baldwin County Public Schools retain a copy of the special education records containing confidential

information for a period of five years after the termination of the special education program for which

they were used in a secure location. At the end of the five-year retention period, Baldwin County

notification of records to be destroyed is published in the newspaper. The parent may choose to

collect the information or have it destroyed by Baldwin County Public Schools. If the parent does not

claim the records, the records are destroyed by shredding.

**M. Disciplinary Information**

Baldwin County Public Schools may include in the records of a child with a disability a statement

of any current or previous disciplinary action that has been taken against the child and transmit

the statement to the same extent that the disciplinary information is included in, and transmitted

with, the student records of nondisabled children. The statement may include a description of any

behavior engaged in by the child that required disciplinary action, a description of the disciplinary

action taken, and any other information that is relevant to the safety of the child and other individuals

involved with the child. If the child transfers from one school to another, the transmission of any of

the child's records must include both the child's current IEP and any statement of current or previous

disciplinary action that has been taken against the child to the same extent that disciplinary

information is transmitted with the records of nondisabled children.

**N. Rights for Children**

All procedural safeguards afforded to students with disabilities through IDEA are explained to

parents and, if appropriate, to students in the initial referral to eligibility meeting. Subsequent

questions that arise may be submitted to the Special Services Coordinator or designee at the Central

Office. Baldwin County Public Schools afford the child with disabilities the rights of privacy afforded

to parents regarding records in accordance with the Family Education Rights and Privacy Act

(FERPA). On their nineteenth birthday, students with disabilities are be given the opportunity to

document in writing the receipt of his/her IDEA rights during an IEP meeting.

 **O. Parental Notice and Consent**

No special education or related service is provided without consent from the parent or surrogate

parent. Proper notices are sent to all parties requesting their attendance at the IEP Team meeting

for discussion regarding the student. If another agency is invited to the meeting, the parent’s

consent is essential before the agency representative attends the meeting. Parental notice is sent to

all parents ten days prior to any meeting regarding students with disabilities.

 **II. Name, title, address, and telephone number of the person responsible for ensuring the**

**confidentiality of all personally identifiable information.**

Carol Palumbo

Special Services Coordinator

1091 “B” Avenue

Loxley, Alabama 36551

334.972.6860

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

The case manager in the local school maintains a complete set of records in locked file cabinets for

each identified student with disabilities. The contents of the confidential folder include current and

previous IEPs that may contain behavioral management plans with current and previous eligibility

and psychological reports. In order to access records during the summer months, each Special

Services teacher leaves marked keys in the local school. Duplicate eligibility reports and

psychological protocols plus copies of correspondence sent from the central office administrators are

housed in the special education central office files.

Upon request, Baldwin County Public Schools’ staff provides to parents a list of the types and

locations of educational records collected, maintained, or used by Baldwin County Public Schools

pertaining to their child. Parents are provided copies or access to any or all records pertaining to

their child when requested. There is one exception to copying records. Certain educational

assessment protocols may not be copied due to publishers’ copyright laws.

Due process and mediation records are housed in a secure warehouse. Only authorized personnel

can access the secure area.

**IV. Procedure for:**

**A. Identification of children in need of a surrogate parent**

Any person who becomes aware of a student in Baldwin County Public Schools who may need

special education or is currently identified as a student with disabilities and believes that an

appropriate person is not available to represent the student in special education decisions may

submit a request to the Special Services Office in writing or by telephone.

**B. Appointment of a surrogate parent**

If the any principal or teacher in the Baldwin County Public Schools system determines that any

student is without appropriate representation, the special education supervisor appoints a surrogate

parent within ten calendar days. The Special Services Coordinator of Baldwin County Public Schools sends written notice of the appointment to the surrogate parent and to the

person/agency who made the request for the appointment.

 **C. Training surrogate parents**

Baldwin County Public Schools solicits individuals to serve as surrogate parents. Currently, a retired administrator and a local city councilman with expertise in child advocacy serve as surrogate parents. The special education coordinator has trained the designated representatives in procedures governing special education and the role of a surrogate parent. Baldwin County stands prepared to provide a surrogate parent to any student in need of assistance.

 **D. Rescission of a surrogate parent**

The Coordinator of Special Services in Baldwin County Public Schools rescinds the

appointment of a surrogate parent when:

1. a surrogate parent sends written notice to the school system of their resignation;

2. a surrogate parent has been unable or unwilling to perform assigned responsibilities; or

3. a student no longer requires a surrogate parent.

 **E. Tracking the requirements of Ala. Admin. Code r. 290-8-9-.8(1)(h) (INTERNAL MONITORING**

**OF SURROGATE PARENT SERVICES)**

The Coordinator of Special Services in Baldwin County Public Schools maintain a tracking system

of student who were considered for or were appointed a surrogate parent including copies of letters

and other data relative to the student’s consideration for surrogate parent services, and information

related to the training provided for surrogate parents by the school system as well as all items

specified in the Ala. Admin. Code r 290-8-9-.8(h).

 **V. Procedure for maintaining records that demonstrate that complaint resolution, mediation**

**agreements, and due process hearing decisions are implemented.**

The special education coordinator ensures that all administrative remedies determined through

complaint resolutions, mediation agreements, and due process hearings are implemented in

compliance with imposed timelines. A meeting with all stakeholders is scheduled to plan and assign

all relevant tasks. Special Services supervisors monitor the timelines for completion. Final

documents are submitted by the Special Services coordinator to the Alabama State Department of

Education. All records are filed in a locked Central Office warehouse accessed only by the Division

of Instructional Support Special Services staff. Due process and mediation records are housed in a

secure warehouse. Only authorized personnel can access the secure area.

 **VI. Baldwin County Public Schools ensures its commitment to implement the AAC 290-8-9-.08**

**and 34 CFR §300.9; 34 CFR §300.32; 34 CFR §300.121; 34 CFR §300.123; 34 CFR §300.150-153;**

**34 CFR §300.201; 34 CFR §300.229; 34 CFR §300.300; 34 CFR §300.500-504; 34 CFR §300.530-**

**536; 34 CFR §300.610-627; and 34 CFR Part 99 (Family Educational Rights and Privacy Act ).**

**CHAPTER 7**

**SYSTEM OF PERSONNEL DEVELOPMENT**

1. **Qualified Personnel.**

**A. Baldwin County Public Schools ensures that qualified personnel will be provided to**

**implement special education services.**

The Department of Human Resources actively seeks qualified personnel to provide instruction for

students with disabilities in Baldwin County. Baldwin County Public Schools is committed to having

well-trained personnel to implement all phases of educational programming. Planning for in-service

is a continuous process during the scholastic year, but concentrated planning with the South

Alabama Research and In-service Center occurs in the spring in preparation for summer in-service

programs. Additionally, Special Services personnel participate as presenters of summer in-service

programs. Addressing current special education procedures and regulations necessitate planning

for in-service programs. In-service programming for Special Services paraeducators is provided

annually.

The Local School’s Problem Solving Team coordinates the in-service training for school base teams

to strengthen the implementation of prereferral strategies. All Baldwin County Public Schools include

a Local Problem Solving Team.

All school personnel, parents, and other agency representatives are afforded the opportunity to

comprehend the services that are available to all preschool children with disabilities. In-service

training targets the disbursement of information to the public regarding the resources available to

children born with disabilities.

 **B. Procedure to recruit and retain qualified personnel.**

The Department of Human Resources recruits personnel through recruitment fairs on campuses of

Alabama colleges and universities, in other states. An affable relationship with the

local universities provides an avenue of communication that ensures notification of possible

candidates for special education teaching positions. Many potential candidates participate in

practicum or student teaching experiences in Baldwin County Public Schools and pursue available

positions in the school system.

 **II. Procedures to fully inform teachers and administrators of their responsibilities for**

**implementing least restrictive environment requirements.**

In-service is ongoing throughout the scholastic year and the summer break. The Special Services

staff monitors areas of strength and areas requiring improvement throughout the year. Classrooms

for Excellence, a campaign to promote best practices in co-teaching, was launched in 2004 as a five-

year project to advance inclusion practices and increase the number of students with disabilities who

are included in the general education setting. Although this project has concluded, “Inclusion” of special education students in the regular classroom, with supports, continues today. A State Personnel Development Grant (SPDG) has been approved for the coming (2012-13) school year. As part of the Alabama State Department of Education’s 2020 vision, this grant will focus on improving graduation rates for all students, including those students with disabilities. Building on current initiatives (ARI, AMSTI, PBS), it will develop a coordinated framework to ensure that educators in inclusive settings receive the training necessary for their students’ success.

Training to develop legally defensible IEPs is held annually in February/March. Elementary and

secondary Special Services personnel are trained separately. Each component of the IEP is

reviewed and examined. All teachers receive training in the following: (1) completion of the Notice

of Proposed Meeting/Consent for Agency Participation, (2) standards-based goals, (3) benchmarks

when appropriate, (4) transition when appropriate, and (5) Alabama Student Assessment forms.

Transition from graduation to community is emphasized in the training for secondary teachers.

**III. Procedures to fully inform general educators and administrators of the special education**

**process.**

In-service is provided on a continuous basis. Experts in the field of special education and related

processes educate administrators and teachers. Professional organizations provide opportunities for

Baldwin County Public Schools personnel to learn current regulations that govern special education.

Training to develop legally defensible IEPs is held annually in February/March. All general educators and administrators may attend.

 **IV. Baldwin County Public Schools ensures its commitment to implement the AAC 290-8-9-.01-**

**.07; and 34 CFR §300.119; 34 CFR §300.119.156, and 34 CFR §300.704(iv) (4).**

CHAPTER 8

DISCIPLINARY PROCEDURES

**I. Procedures for the suspension and expulsion of children with disabilities.**

Suspension and expulsion may be appropriate disciplinary action for student with disabilities. If

suspension is considered, the IEP Team must decide whether the offense is related to the disability.

A short-term suspension, up to ten scholastic days, may be used for any one disciplinary incident for

a student with disabilities. Suspension, which results in more than ten consecutive scholastic days,

or a series of suspensions that create a pattern of exclusion, are considered significant changes in

placement and require due process through IEP Team action.

After ten days of removal from the school setting, decisions regarding suspension or expulsion must

be made during an Individualized Education Program (IEP) meeting that includes all appropriate IEP

Team members. A disabled student may be suspended if it is determined that the offense is not

related to the disability. A written statement regarding any suspension decision shall be maintained

in the local school office and are filed electronically through inow (computerized school data base program).

A student with disabilities may not be expelled (total removal from a student’s current education

service) from school for any behavior that has a direct and significant relationship to that student’s

disability. An IEP Team in a Manifestation Determination meeting makes this decision. If the IEP

Team determines that the behavior in question does not have a direct and significant relationship to

the student’s area of disability, the school system may expel the student. A complete cessation of

education services is not permissible. Expulsion constitutes a change in placement that requires due

process through IEP Team action.

Baldwin County Board of Education maintains an on-campus suspension program as necessary to

provide a structured disciplinary atmosphere in which a student is isolated or removed from regular

classroom activities, but is not dismissed from the school setting. Access to the student’s special

education services are made available.

All expelled students in Baldwin County Schools are afforded an expulsion hearing. A special education supervisor is a member of the committee that conducts these hearings. It is her responsibility to ensure that special education services are considered for any student facing an expulsion from school.

**Procedure**

Under the provisions of IDEA, as a proactive measure a student in any Baldwin County School

whose behavior impairs or impedes his/her learning or that of others should have included in the

Individualized Education Program (IEP) strategies, supports, and positive behavioral interventions to

address the behavior before disciplinary removals become an issue. If the student already has a

behavior plan but it is ineffective or needs modification, teachers or parents may request an IEP

team meeting to express their concerns and to change the plan.

Before implementing disciplinary proceedings, a Baldwin County principal or assistant principal must

notify the pupil of the misconduct with which he is charged. The student is entitled to:

1. A written or oral statement of the charges against the student

2. If the student denies the charge, a summary of the evidence against the student

3. An opportunity to explain the student’s conduct.

Baldwin County school personnel should be aware of constitutional due process protections that

apply to the removal of all students, including students with disabilities. Discipline provisions for

students with disabilities are most important and parents must be included in the decision making

process during every phase of the discipline process. Decisions regarding suspension or expulsion

must be made during an (IEP) meeting that includes all appropriate IEP team members. Parents are

included as members of the team and must be invited to all meetings. Suspensions and expulsions

may be deemed an appropriate disciplinary action for students with disabilities. Suspension and

expulsions of more than ten days is a change in placement and triggers the procedural protections of

the law.

 **II. Baldwin County Public Schools ensures its commitment to implement the AAC 290-8-9-.09**

**and 34 CFR §300. 520 and 34 CFR §300.530-537.**

CHAPTER 9

FINANCIAL REQUIREMENTS

I. Baldwin County Public Schools uses funds provided under Part B only for costs that exceed the

amount computed under 34 CFR §300.184 and that are directly attributable to the education of

children with disabilities.

II. Baldwin County Public Schools will use funds provided under Part B to supplement and, to the extent

practicable, increase the level of state and local funds expended for the education of children with

disabilities, but in no case to supplant those state and local funds.

III. Baldwin County Public Schools will not use Part B funds for services for children with disabilities

unless state and/or local funds are first used to provide services to those children that, taken as a

whole, are at least comparable to services provided to other children with disabilities.

IV. Baldwin County Public Schools will describe how it will use Part B funds by completing the annual

budget application data requirement and submitting it to the Alabama Department of Education for

approval prior to the receipt of funds.

V. Baldwin County Public Schools ensures its commitment to implement 34 CFR §76.650-662 and 34

CFR §300.16; 34 CFR §300.200; 34 CFR §300.202; 34 CFR §300.220; 34 CFR §300.224; 34 CFR

§300.226, and 34 CFR §300.228.

VI. Baldwin County Public Schools will use funds under Part B of this Act to carryout school wide

programs under Section 1114 of the Elementary Secondary Education Act (ESEA), not to exceed the

amount received by the public education agency under Part B of this Act for that fiscal year. 34 CFR

§300.206.

CHAPTER 10

ADMINISTRATION

I. Baldwin County Public Schools ensures its commitment to utilize any required state forms.

II. Baldwin County Public Schools ensures that it will provide information necessary to enable the

Alabama Department of Education to carryout its duties under Part B of the Act, including with

respect to 34 CFR §300.157, information relating to the performance of children with disabilities

participating in programs carried out under part B of the Act. 34 CFR §300.211.

III. Baldwin County Public Schools ensures that it will maintain records that verify the correctness of

information submitted. 34 CFR §76.772; 730; 731.

IV. Baldwin County Public Schools ensures that it will afford the Alabama Department of Education

access to records that verify correctness of information. 34 CFR §76.772; 730; 731; 740.

V. Baldwin County Public Schools ensures that it will implement the Alabama State Plan for Special

Education, the AAC, and all state and federal laws and regulations applicable to children with

disabilities.

VI. Baldwin County Public Schools ensures it will provide instructional materials in accessible format to

blind persons or other persons with print disabilities. 34 CFR §300.210 (2) (3).

VII. Baldwin County Public Schools ensures it will make available to parents of children with disabilities

and to the general public all documents related to the eligibility of Baldwin County Public Schools

under Part B of the Act. 34 CFR §300.212.

VIII. Baldwin County Public Schools ensures it will implement Section 1308 of the ESEA to ensure

linkage of records pertaining to migratory children with disabilities for the purpose of electronically

exchanging, among the states, health and educational information regarding those children. 34 CFR

§300.213.

IX. Baldwin County Public Schools ensures that children attending charter schools that are public

schools of the public agency, will serve those children with disabilities in the same manner as the

public education serves children with disabilities in its other schools. 34 CFR §300.209.