



Special Education Policy
Updated/Board approved Nov. 14, 2023

Purpose

This Policy intends to safeguard the rights of students to access and receive an appropriately individualized education in compliance with federal and state law requirements and to make sure parents/guardians are fully informed as to their child's rights to individualized student programs and services in the area of special education.

Definitions

Students with disabilities - school-aged children attending Provident Charter School (the "School") who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services. School-aged children who have identified disabilities but do not require special education may be entitled to accommodations or services or to enroll in courses of study at the School which serve students with disabilities pursuant to other law or Board Policy.

Individualized education program (IEP) - the written educational statement for each student with a disability that is developed, reviewed and revised in accordance with federal and state laws and regulations.

Parent/Guardian - shall have the definition of parent in the Individuals with Disabilities Education Act (IDEA) and accompanying regulations, which includes a biological or adoptive parent of a child; a foster parent, unless prohibited by state law or regulations; a guardian authorized to act as the child's parent, in accordance with law or regulations; an individual acting in the place of a parent, including a grandparent or other relative, with whom the child lives or an individual legally responsible for the child's welfare; or an appointed surrogate parent, in accordance with law and regulations.

Authority

The Board of Trustees directs that all students with disabilities shall be identified, evaluated, and provided with appropriate educational programs and services, in accordance with federal and state laws and regulations. The School shall establish and implement a system of procedural safeguards and parental notification as part of its special education plan.

The School shall develop and submit a special education plan to the Department of Education which shall comply with the requirements of state and federal laws and regulations.

Delegation of Responsibility

The CEO or designee shall develop procedures for evaluating the effectiveness of the School's special education plan and shall report to the Board of Trustees the criteria and results of such evaluation on an as-needed basis.

The CEO or designee shall promulgate Administrative Procedures implementing this Policy, consistent with the guidelines listed herein, and in accordance with applicable law and regulations. These Administrative Procedures shall include, but need not be limited to, the following topics:

- Positive Behavior Support
- Child Find Procedures
- Special Education Evaluations and Independent Education Evaluations
- Section 504 Compliance

Guidelines

The program to which each student with an IEP is assigned shall be one that provides a free and appropriate public education and offers the least restrictive environment, in accordance with federal and state law and regulations.

No student with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the School, or be subjected to discrimination by the School.

Recording of Meetings

Except as specifically provided for within this Policy, the School prohibits audio, video and electronic recording of meetings between parents/guardians and School teachers, paraprofessionals, program specialists, consultants or administrators.

An attempt to record a meeting by a parent/guardian after a verbal prohibition by School staff shall result in immediate termination of the meeting and may result in ejection from School property and possible prosecution.

The School shall permit audio recording of a meeting when a participant submits, at least two (2) days prior to the meeting, documentation that substantiates:

- (1) Participant has a disability or limited English proficiency that significantly limits their ability to meaningfully understand or participate in the meeting's intended decision-making and recording is the only feasible means of accommodating the limitation; or

- (2) Individual has a legitimate interest in attending the meeting but for good cause is unable to do so, and recording is the only feasible means by which they can meaningfully understand and participate in the decision-making.

When permission to record a meeting is granted, the School employee responsible for the meeting shall arrange to record the meeting by similar means. Such recording shall be considered part of the student's educational record and be subject to relevant law and regulations. When the School permits a meeting to be recorded, such permission is granted on the condition that the parent/guardian agrees that such recording may not be used for the purposes of litigation.

The School may permit videotaping of a meeting when written consent is given by all participants at the meeting.