



EXECUTIVE EDUCATION ACADEMY CHARTER SCHOOL

555 Union Boulevard | Allentown, PA 18109

610-841-7044 | fax 610-841-7187 | www.ee-schools.org

Special Education Policy **Revised: 10/24 /2019**

Purpose

Executive Education Academy Charter School "EEACS" shall offer each enrolled student with a disability education programs and services that appropriately meet the student's needs for educational, instructional, transitional and related services. A student who requires special education shall receive programs and services according to an individualized education program (IEP). The IEP shall provide access to EEACS' general curriculum and participation in state and local assessments, including supplemental aids and services that permit the student to be educated, to the maximum extent appropriate, with nondisabled peers. EEACS shall provide a continuum of placement options to appropriately meet the needs of students with disabilities.[\[1\]\[2\]\[3\]\[4\]\[5\]\[6\]\[7\]](#)

Definitions

Students with disabilities - school-aged children enrolled in EEACS who have been evaluated and found to have one or more disabilities as defined by law and regulations, 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 which serve students with disabilities pursuant to other law or Board of Trustees (Board) policy.[\[8\]\[9\]\[10\]](#)

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.[\[5\]\[9\]\[12\]](#)

Parent/Guardian - for purposes of this policy and Board policies related to special education, parent/guardian shall have the definition of **parent** in IDEA statute and 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.[\[8\]\[13\]](#)

Authority

The Board directs that all students with disabilities who are enrolled in EEACS and who are in need of special education and related services, or thought to be in need of special education and related services, shall be identified, located and evaluated. Students with disabilities who are determined to be in need of special education and related services shall be provided with appropriate educational programs and services, in accordance with federal and state laws and regulations.[\[1\]\[14\]\[15\]\[16\]\[17\]\[18\]\[19\]](#)



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EEACS prohibits discrimination based on disability. Students with disabilities are entitled to enroll in EEACS and receive services and accommodations, which will permit them to participate in EEACS programs, services and activities as required by law. [\[20\]](#)[\[21\]](#)

EEACS shall establish and implement a system of procedural safeguards and parent/guardian notifications, in accordance with federal and state laws and regulations. [\[24\]](#)[\[25\]](#)[\[26\]](#)

EEACS shall include required information on students with disabilities served by EEACS, and the services, programs and resources provided for students with disabilities, in its Annual Report, in accordance with law and regulations. [\[27\]](#)

In order to maintain an effective program of special education and related services, the Board may request assistance and enter into contracts with Carbon Lehigh Intermediate Unit No. 21 in order to provide educational programs and related services to address the needs of students with disabilities enrolled in EEACS. [\[3\]](#)[\[29\]](#)[\[30\]](#)

Delegation of Responsibility

The Chief Executive Officer or designee is directed to annually recommend to the Board the employment and retention of necessary, qualified staff and provision of required facilities, programs and services to provide for the needs of students with disabilities. [\[31\]](#)[\[32\]](#)

Fiscal and Program Compliance

The Chief Executive Officer or designee shall establish procedures to ensure that EEACS complies with all federal and state laws and regulations, and program requirements for special education-related funding and reimbursement.

EEACS shall notify a student's school district of residence when: [\[34\]](#)

1. A student with an IEP begins attending EEACS.
2. EEACS has identified an enrolled student as a student with a disability and has developed an IEP for the student.
3. A student with a disability enrolled in EEACS subsequently enrolls in another public or private school entity.

Guidelines

Individualized Education Programs (IEPs)

Each student with a disability shall be educated pursuant to an IEP, which shall provide an appropriate education in the least restrictive environment, in accordance with federal and state laws and regulations. [\[5\]](#)[\[35\]](#)[\[36\]](#)

When a student with an IEP transfers into EEACS, EEACS shall, upon enrollment, ensure that the student receives special education and related services in conformity with the



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IEP, either by adopting the existing IEP and offering comparable services or by developing a new IEP in accordance with the requirements of federal and state laws and regulations.

For students who are fourteen (14) years of age or older, EEACS shall include a transition plan in the IEP, which includes appropriate measurable postsecondary goals related to training, education, employment and, when appropriate, independent living skills.

Child Find

EEACS shall take appropriate steps to ensure that all students with disabilities who are enrolled in EEACS and are in need of special education and related services are identified, located and evaluated. [\[16\]](#)[\[37\]](#)[\[38\]](#)

Refer to EEACS' separate Child Find Notice.

The Chief Executive Officer or designee shall establish procedures and public awareness and outreach activities sufficient to inform parents/guardians of children applying to or enrolled in EEACS of child identification activities, available special education services and programs, the manner in which to request those services and programs, and the procedures to be followed to ensure confidentiality of information pertaining to students with disabilities in accordance with federal and state laws and regulations. Public awareness and outreach activities shall include, but not be limited to: [\[16\]](#)[\[37\]](#)[\[38\]](#)

1. Written information regarding EEACS's special education services and programs shall be published in school handbooks and on EEACS's website.
2. Directly, or through the Intermediate Unit, EEACS shall publish an annual written notice in newspaper(s) or other media.
3. Directly, or through the Intermediate Unit, EEACS shall offer parent/guardian and family training and informational activities regarding EEACS's special education programs and services. Activities shall be publicized to all parents/guardians with enrolled students.
4. Directly, or through the Intermediate Unit, EEACS shall provide periodic training to Charter School staff on EEACS's special education programs and services, and established procedures for screening and evaluation of students.

Public awareness and outreach activities shall include methods for reaching homeless students, students who are wards of the state, highly mobile students (such as migrant students), individuals with disabilities and individuals with limited English proficiency.

Screening

EEACS shall establish a system of screening activities, which may include pre-referral intervention services, to accomplish the following: [\[39\]](#)[\[40\]](#)



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1. Identify and provide initial screening for students prior to referral for a special education evaluation, including pre-referral intervention services.
2. Provide peer support for teachers and other staff members to assist them in working effectively with students in the general education curriculum.
3. Identify students who may need special education services and programs.

The screening process must include: [\[39\]](#)[\[41\]](#)[\[42\]](#)

1. Hearing and vision screening in accordance with law and regulations, for the purpose of identifying students with hearing or vision difficulty so that they can be referred for assistance or recommended for evaluation for special education.
2. Screening at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

Screening activities are conducted on an ongoing basis throughout the school year. Parents/Guardians may request screening in writing for their children by contacting EEACS.

When screening indicates that a student may be a student with a disability who is eligible for special education, EEACS shall seek parental consent to conduct an evaluation.[\[44\]](#)

EEACS may develop a program of pre-referral intervention services that meets the requirements of applicable law and regulations.[\[39\]](#)

Screening or pre-referral intervention activities shall not block the rights of a parent/guardian to request, at any time, including prior to or during the screening or instructional support activities, an evaluation for the purpose of determining if the child is a student with a disability and eligible for special education and related services.[\[39\]](#)

Confidentiality

EEACS shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.[\[45\]](#)[\[46\]](#)[\[47\]](#)[\[48\]](#)

EEACS staff shall maintain the confidentiality of student records and personally identifiable information, as required by law, regulations and Board policy.

Recording of Meetings

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

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



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EEACS shall permit audio recording of a meeting when a participant submits, at least five (5) days prior to the meeting, documentation that substantiates:

1. Participant has a disability or limited English proficiency that significantly limits his/her ability to meaningfully understand or participate in the meeting's intended decision-making and recording is the only feasible means of accommodating the limitation.
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 s/he can meaningfully understand and participate in the decision-making.

When permission to record a meeting is granted, the EEACS 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.

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

Legal

[1. 22 PA Code 12.1](#)

[2. 22 PA Code 12.4](#)

[3. 22 PA Code 711.2](#)

[4. 22 PA Code 711.3](#)

[5. 22 PA Code 711.41](#)

[6. 34 CFR 300.1](#)

[7. 34 CFR 300.114-300.117](#)

[8. 20 U.S.C. 1401](#)

[9. 22 PA Code 711.1](#)

[10. 34 CFR 300.8](#)

[12. 34 CFR 300.320-300.324](#)

[13. 34 CFR 300.30](#)

[14. 20 U.S.C. 1400 et seq](#)

[15. 22 PA Code 12.41](#)

[16. 22 PA Code 711.21](#)

[17. 29 U.S.C. 794](#)

[18. 34 CFR Part 300](#)

[19. 42 U.S.C. 12101 et seq](#)

[20. 22 PA Code 711.7](#)

[21. 24 P.S. 1723-A](#)

[24. 20 U.S.C. 1415](#)

[25. 22 PA Code 711.62](#)

[26. 34 CFR 300.500-300.518](#)



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27. 22 PA Code 711.6

29. 24 P.S. 1725-A

30. 24 P.S. 1744-A

31. 22 PA Code 711.5

32. 34 CFR 300.207

34. 22 PA Code 711.9

35. 20 U.S.C. 1414

36. 34 CFR 300.320-300.327

37. 20 U.S.C. 1412

38. 34 CFR 300.111

39. 22 PA Code 711.23

40. 34 CFR 300.226

41. 24 P.S. 1402

42. 28 PA Code 23.1 et seq

45. 20 U.S.C. 1232g

46. 22 PA Code 711.8

47. 34 CFR 300.611-300.627

48. 34 CFR Part 99

24 P.S. 1372

24 P.S. 1715-A

24 P.S. 1732-A

24 P.S. 1749-A

22 PA Code 711.1 et seq

Pennsylvania Training and Technical Assistance Network (PaTTAN)