

#### English Language Coordinator

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#### American with Disabilities (ADA) Compliance Act Coordinator/Special Programs Manager

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#### Request for Parent/Guardian Interpreter Services or Disability Accommodations

Professional interpreter services may be requested at any time for parents/guardians of students with disabilities by contacting Konteint Redmon, Special Programs Manager, by email at [kredmon@k12.com](mailto:kredmon@k12.com).

Additionally, if any parent/guardian has a disability or other limitation that would impact their ability to participate fully in their child's educational planning process, Alabama Virtual Academy would be happy to discuss accommodations that may be available in order to maximize the parent/guardian's participation. Individuals seeking to discuss accommodations for this reason may contact Konteint Redmon, Special Programs Manager, by email at [kredmon@k12.com](mailto:kredmon@k12.com).

## Procedural Safeguards

In accordance with federal and state regulations, Alabama Virtual Academy will provide an annual public notice to families informing them of Alabama Virtual Academy's child find responsibilities, procedures involved in the identification of educational disabilities and determination of students' service and support needs.

Families are encouraged to review the following information that describes these regulations. Information regarding Alabama Virtual Academy's internal practices to comply with these will be available in the Alabama Virtual Academy's Special Programs Manuals and Handbooks.

## Child Find

Alabama Virtual Academy strives to identify, locate, and evaluate all enrolled children who may have disabilities. Disability, as stated in IDEA, includes such conditions as hearing, visual, speech, or language impairment, specific learning disability, emotional disturbance, cognitive disability, other health or physical impairment, autism, and traumatic brain injury. The process of identifying, locating, and evaluating these children is referred to as Child Find.

As a public school, we will respond vigorously to federal and state mandates requiring the provision of a Free Appropriate Public Education regardless of a child's disability or the severity of the disability. In order to comply with the Child Find requirements, Alabama Virtual Academy will implement procedures to help ensure that all Alabama Virtual Academy students with disabilities, regardless of the severity of their disability, who are in need of special education and related services—are identified, located, and evaluated—including students with disabilities who are homeless or students who are wards of the state.

Parent/Guardian permission and involvement is a vital piece in the process. Once a student has been identified as having a "suspected disability" or identified as having a disability, Alabama Virtual Academy will ask the student or the student's Parent/Guardian for information about the child such as:

- How has the suspected disability or identified disability hindered the student's learning?
- What has been done, educationally, to intervene and correct the student's emerging learning deficits?
- What educational or medical information relative to the suspected disability or identified disability is available to be shared with the school?

This information may also be obtained from the student's present or former teachers, therapists, doctors, or from other agencies that have information about the student.

All information collected will be held in strict confidence and released to others only with parental permission or as allowed by law. In keeping with this confidence, Alabama Virtual Academy will keep a record of all persons who review confidential information. In accordance with state regulations, parents have the right to review their child's records.

As part of the Child Find process, some services may include a complete evaluation, an individualized education program designed specifically for the child, and a referral to other agencies providing special services.

## Consent

Alabama Virtual Academy cannot proceed with an evaluation, or with the initial provision of special education and related services, without the written consent of a student's parents/legal guardians. For additional information related to consent, please refer to the Procedural Safeguards Notice which can be found at the Alabama State Department of Education website at <https://www.alsde.edu/sec/ses/Pages/forms-all.aspx?navtext=Forms> or by accessing the link via the Child Find section of the Alabama Virtual Academy website. Once written parental/guardian consent is obtained, Alabama Virtual Academy will proceed with the evaluation process. If the parent disagrees with the evaluation results, the parent can request an independent education evaluation at public expense.

## Special Education (IEP) or Service Agreements (504 Plans)

Once the evaluation process is completed, a team of qualified school personnel, parents/guardians, and other relevant service providers hold an evaluation determination meeting to come to agreement on whether the student meets eligibility for one of the disability categories under IDEA for information related to eligibility criteria associated with the disability categories defined under IDEA). If the student is eligible and requires specially designed instruction, an Individualized Education Plan (IEP) will be coordinated; during which the IEP team will review and finalize the proposed details of an appropriate educational program to meet the student's documented needs.

For students confirmed to present with special education needs, once the IEP team agrees on the IEP and the student's educational placement, a Prior Written Notice (PWN) (Notice of Proposal or Refusal) will be sent to the parent/guardian. Alabama Virtual Academy can only proceed with implementing the student's IEP (or 504 Plan) upon receipt of signed consent. Some students are found to present with one or more disability, but do not meet the eligibility criteria outlined under IDEA (special education); however their disability may still require Alabama Virtual Academy to develop a 504 Service Agreement (504 Plan) to outline the special provisions a student may require for adaptations and/or accommodations in school-based instruction, facilities, and/or activities.

Students may be eligible to certain accommodations or services if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program and otherwise qualify under the applicable laws. Alabama Virtual Academy will ensure that qualified students with disabilities have equal opportunity to participate in the school program and activities to the maximum extent appropriate for each individual student. In compliance with applicable state and federal laws, Alabama Virtual Academy will provide students with disabilities the necessary educational services and supports they require to access and benefit from their educational program. This is to be done without discrimination or out of pocket cost to the student or family for the essential supplementary aids, services or accommodations determined to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities and to the extent required by the laws. For more information (<https://www.alsde.edu/sec/pss/Pages/504compliance-all.aspx>) related to Section 504 of the Rehabilitation Act of 1973.

Parents/Guardians have the right to revoke consent for services after initial placement. Please note, a revocation of consent removes the student from ALL special services and supports outlined on the IEP or 504 Plan. (REFER TO STATE GUIDELINES: <https://www.alsde.edu/sec/ses/Pages/faqs-all.aspx>)

## Privacy & Confidentiality

To maintain privacy of students' special education records, both within its central office and across school systems and databases. ALVA follows protocols consistent with the federal regulations associated with the Family Educational Rights and Privacy Act (FERPA) for additional information about the privacy and security guidelines for your child's educational records.

## Accommodations

Notice of these rights is available, upon request, on audiotape, in Braille, and in languages other than English. Should you need further assistance or information regarding any of these accommodations, please contact Konteint Redmon, Special Programs Manager, by email at kredmon@k12.com.

## Summary

Alabama Virtual Academy recognizes that despite best intentions of all parties, disagreements or miscommunications may arise between the school-based team and Alabama Virtual Academy families or students. Should this situation occur, the Alabama Virtual Academy special education case manager will initiate an IEP team discussion where the specific details contributing to any educational concern are fully discussed and addressed as the entire team determines would consider most appropriate for the student. Collaboration is a primary focus for this type of meeting, and the Alabama Virtual Academy Special Education Team seeks to establish and maintain the confidence of its families to always serve its students in order to maximize their educational success.

## Dispute Resolution Options

- IEP Facilitation – IEP facilitation is a voluntary process that can be utilized when all parties to an IEP meeting agree that the presence of a neutral third party would help facilitate communication and the successful drafting of the student's IEP. This process is not necessary for most IEP meetings. Rather, it is most often utilized when there is a sense from any of the participants that the issues at the IEP meeting are creating an impasse or acrimonious climate.
- Mediation – A voluntary process in which both parties seek to resolve the issues involved in the concern with an unbiased, third party mediator from the DEPARTMENT OF EDUCATION. The mediator who will write up the details of the agreement that the parties come to through the mediation conference, the agreement is signed by both parties, and thus what the document states is mandated to be implemented; This process is overall less time-consuming, less stressful, and less expensive to complete than a due process hearing (see below)

## Formal Due Process

Families are NOT obligated to pursue the above alternatives to due process should they feel their concerns can only be resolved through a formal due process hearing. If a formal complaint against ALVA is submitted to the STATE DEPARTMENT OF EDUCATION [www.alsde.edu](http://www.alsde.edu).