

Henderson County Schools

1805 Second Street, Henderson, Kentucky 42420
(270) 831-5000 Fax: (270) 831-5009
www.henderson.kyschools.us



To: Marganna Stanley, Superintendent
From: Bonnie Gelke, Director of Special Education
RE: Revised Special Education Procedures
Date: 11/10/15

32

We would like to recommend revision of the **Henderson County School District Special Education Procedures** (chapter 5, section 2, and article 2) for your review. If you have any questions or concerns, please advise.

payment source for providing or paying for the special education and related services to the child is being determined, unless the ARC recommends implementation at a different specified time.

(6) The HCSD shall ensure that:

(a) The child's IEP is accessible to each regular education teacher, special education teacher, related service provider, and other service providers who are responsible for its implementation;

(b) Prior to the implementation of the IEP, each implementer is informed of his specific responsibilities related to implementing the child's IEP; and

(c) The specific accommodations, modifications, and supports are provided for the child in accordance with the IEP.

(7) An IEP shall be in place for all eligible children aged three (3) through five (5).

Section 2. ARC Meetings.

(1) The HCSD shall ensure that each child has an ARC which includes the membership in 707 KAR 1:320(3) and is initiated and conducted for the purpose of developing, reviewing, and revising the IEP.

(2) The HCSD chooses to prohibit the use of any audio or video recording at ARC meetings, unless such recording is necessary to ensure that the parent understands the IEP or the ARC process or to implement other parental rights guaranteed under the law. Audio or video recording have the potential to intimidate individual participants and may otherwise inhibit the discussions and decision-making process of the ARC, and thus would not be in the best interests of the child. Any ARC Member who wishes to seek exception to this policy has the responsibility to show cause as to the need of the parent.

The need of the parent is defined as a unique circumstance or situation that would result in the parent's inability to participate in and understand the ARC process or give informed consent. For example, a parent who is hearing impaired and wears hearing aid(s) may not be able to utilize the services of an interpreter, but may require the recording in order to review the meeting with increased sound capabilities prior to giving consent for the initial evaluation. The HCSD Representative, in consultation with the DoSE, shall determine, on a case-by-case basis, the HCSD decision when a request is presented for audio or video recording of ARC meetings.

(3) An ARC shall not have to be convened in order to make minor, nonprogrammatic, changes to an IEP, such as typographical errors, incorrect directory information about the student (such as, birth date, age, grade, address, or school), and other information required on the IEP that was agreed upon by the ARC but incorrectly recorded. If the HCSD makes any minor, nonprogrammatic changes, all members of the ARC shall be given a copy of the changes and an explanation as to why the changes were made within ten (10) school days of the changes being made. If any member of the ARC objects to the changes, an ARC meeting shall be convened within a reasonable period of time to discuss the changes.

(4) The HCSD shall ensure that within sixty (60) school days following the receipt of the parental consent for an initial evaluation of a child:

(a) The child is evaluated; and

(b) If the child is eligible, specially designed instruction and related services will be provided in accordance with the IEP.

(5) Exception –The sixty (60) school-day timeline shall not apply in the following

situations:

(a) If the child moves to the HCSD after consent for the initial evaluation is given but before the evaluation can be completed, as long as the HCSD is making sufficient progress to complete the evaluation and the parent and the HCSD agree to a specific time when the evaluation shall be completed; or

(b) If the parent repeatedly fails or refuses to produce the child for evaluation.

(6) Within this sixty (60) school-day period, the HCSD shall ensure that the ARC meeting to develop an IEP for the child is conducted within thirty (30) days of the determination that the child is eligible.

(7) The appropriate HCSD Representative shall ensure that the ARC:

(a) Reviews each child's IEP periodically, but not less frequently than annually, to determine whether the annual goals for the child are being achieved; and

(b) Revises the IEP as appropriate to address:

1. Any lack of expected progress toward the annual goals;
2. Any lack of expected progress in the general education curriculum.
3. The results of any reevaluation;
4. Information about the child provided by, or to, the parents;
5. The child's anticipated needs; or
6. Other matters.

Section 3. ARC Membership.

(1) The appropriate HCSD Representative shall ensure that the ARC for each child with a disability includes:

(a) The parents of the child;