

Procedures to Ensure IDEA Protections Given Disciplinary Action

“Basis of Knowledge”

Procedure for Identifying Students who may qualify for IDEA protections:

1. The ECE is now in charge of all referrals for JCPS Alternative Schools (which include Minor Daniels Academy and Breckinridge Metro) for ECE students and students in the referral process. In order to provide appropriate safeguards regarding disciplining students who are in the referral process or already identified as ECE, beginning in January of 2016, the ECE Department notified all schools of the new process. When submitting requests for Alternative Schools for an ECE student or a student in the ECE referral process, the referring school clicks on the - "ECE / in ECE Process," button to complete the school request process. All of these requests are then sent to the ECE Specialist in charge of processing JCPS Alternative School requests. *(This should address Section 16 Basis of Knowledge (a & b) Parents have expressed that their child is in need of special education and related services or requested an evaluation – therefore the child is in the referral process).*
2. Partner with Curriculum and Instruction to include the *Basis of Knowledge* rubric (pg2) as a part of a Multi-Tiered System of Supports (MTSS) training protocol for all JCPS administrators and school staff including the Alternative Schools. *(This should address Section 16 Basis of Knowledge (c) The teacher of the child, or other LEA personnel has expressed concern about a pattern of behavior or performance - therefore the child should begin the referral process).*

Action Steps taken:

1. Develop a procedure (see #1& 2) to ensure IDEA protections given disciplinary action with all schools and the following departments within JCPS: ECE, Student Due Process and Curriculum & Instruction
2. Review training and procedures with Assistant Superintendents for Alternative Schools
3. Review training and procedures with principals and staff from:
Minor Daniels, Breck Metro, TAPP

ARC Conversation Tool: Consideration of BASIS OF KNOWLEDGE

Section 16. Basis of Knowledge. (1) An LEA shall be deemed to have knowledge that a child is a child with a disability if: (a) The parent of the child has expressed concern in writing (or orally if the parent cannot express it in writing) to supervisory or administrative personnel of the appropriate LEA or to the teacher of the child, that the child is in need of special education and related services; (b) The parent of the child has requested an evaluation pursuant to the requirements in 707 KAR 1:300; or (c) The teacher of the child, or other personnel of the LEA, has expressed concern about a pattern of behavior or performance of the child directly to the director of special education or other supervisory personnel of the LEA. (707 KAR 1:340)

Guideline: If a student displays or experiences 3 or more of the following behaviors or events in any domain, or a total of 10 behaviors or events across all domains; within the last 12 months; this may constitute a pattern and form a basis of knowledge for IDEA Consideration.

- **The ARC must review ALL relevant information and historical data that may provide the ARC with data related to establishing a basis of knowledge.**

Based on review of student data and records - Check all that apply

Academic Domain

___ Consistent pattern of failing grades

___ Novice Performance on KPREP and/or District Assessments in multiple academic areas

___ Academic Performance is significantly below similar age peers

AND:

___ Response to appropriate Tier III Academic Interventions implemented with fidelity, were not adequate in assisting the student to meet the stated academic goal

___ Historical review of Academic Progress:

___ Other Relevant Information Considered by the ARC:

Attendance Domain

___ 10 or more unexcused absences

___ 10 or more unexcused tardies

___ 3 or more changes in comprehensive schools (A1)

___ 2 or more enrollments at choice/restorative schools

___ Historical review of Attendance

___ Other Relevant Information Considered by the ARC:

Behavior Domain

- ___ 5 or more days of in-school or out-of-school suspension
- ___ 3 or more bus suspensions
- ___ Repeated student/teacher/parent conferences with no improvement in behavior
- ___ Few positive relationships with peers and/or adults at school

AND:

- ___ Response to appropriate Tier III Behavior Interventions (developed with the help of the school psychologist) implemented with fidelity, were not adequate in assisting the student to meet the stated behavioral goal
- ___ Historical review of Behavior documentation
- ___ Other Relevant Information Considered by the ARC:

Social Emotional/Health/Trauma Domain

- ___ 2 or more psychiatric hospitalizations
- ___ Receiving ongoing mental health services in or out of school
- ___ Exposure to multiple adverse childhood experiences or traumatic events (e.g. Physical abuse, sexual abuse, psychological abuse, various forms of neglect, household dysfunction)
- ___ On-going involvement with juvenile justice system
- ___ Historical review of relevant records
- ___ Other Relevant Information Considered by the ARC: