

# LITTLE WOUND SCHOOL

# Mustangs



**SCHOOL YEAR 2023-2024**  
**SPECIAL EDUCATION HANDBOOK**

Board Approved February 7, 2022

# **SCHOOL VISION, MISSION, GOALS & STUDENT OUTCOMES**

THE VALUES, MISSION, PARAMETERS, STRATEGIES AND OBJECTIVES OF LITTLE WOUND SCHOOL ARE FORMALLY ADOPTED BY THE SCHOOL BOARD. THESE STATEMENTS SERVE AS THE GUIDING PRINCIPLES THROUGH WHICH THE PROGRAMS, SERVICES AND INDIVIDUALS WORKING AT LITTLE WOUND SCHOOL ARE ADMINISTERED AND OPERATE.

## **LWS Values**

We Believe In:

- We have to lead by example
- Watakuye - Kinship
- Wocekiya- Prayer
- Wa cante Ognaka- Generosity
- Wowacintanka- Fortitude
- Woksape- Wisdom
- Woahola- Respect
- Wa cante Tinza- Courage
- Wa onihan - Honor

## **Mission**

Taopi Cikala Owayawa, Inspires our wakanyeja by providing a safe, academic, and strong Lakota cultural foundation through nurturing healthy wakanyeja to reach their hopes and dreams.

WOTAKUYE “Whom I cherish into the future”

Wo-Collective, Sacred

Taku-What is valued

Ye- Go into the future

## **Parameters**

- We will provide a safe environment to ensure a sense of belonging.
- We commit to having a positive attitude, open-mindedness, and active participation.

- We will welcome and create partnerships with parents and families to support their child's education.
- We will partner with local, tribal, and other agencies to support our school.
- We are committed to making decisions in the best interest of students.
- We are committed to providing professional development for all staff to provide quality programming for our school.
- Every student will learn the Lakota language, culture, history, and song.
- We will always utilize acceptable use of technology to achieve our mission and objectives.
- We will provide ongoing and consistent delivery of teaching and learning.
- We will not tolerate bullying in any form.

## **Strategies**

- We will enhance the Lakota language, culture, and values in the learning community.
- We will support families to be their child's first teachers.
- Provide an array of rigorous learning experiences for all students.
- We will provide a safe place for all students to learn and grow.
- We are committed to continuing support to staff and students.

## **Objectives**

- All students will demonstrate the Lakota Values, language, and culture in their daily lives.
- All students will achieve and exceed their academic goals.
- All students will consistently attend school.

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## **PROCEDURE – SPECIAL EDUCATION AND RELATED SERVICES FOR ELIGIBLE SERVICES**

The purpose of the Little Wound School’s Special Education program and procedures is to address program areas where applicable federal, tribal, or state regulations require specific local procedures or permit local discretionary choices. See attached Little Wound School Special Education procedures, Appendix A.

Little Wound School personnel who are not familiar with the regulations need to contact the Special Education Director, Principal or Superintendent if there are questions regarding special education. As a guideline Little Wound School can consult the Bureau of Indian Education regulations governing implementation of special education services pursuant to the Individuals with Disabilities Education Improvement Act (IDEA) of 2004, regulations located at 34 C.F.R. Chapter III, Parts 300 and 303, , and when applicable State of South Dakota regulations located at ARSD 24:05. These procedures do not address all of the requirements established in the regulations. These procedures describe how the Little Wound School implements the Special Education Program. **If there is a conflict between this Special Education Handbook and federal or tribal law, then the federal or tribal law will supersede this handbook.**

### **FREE APPROPRIATE PUBLIC EDUCATION (FAPE)**

Little Wound School will apply annually for federal special education funding to assist in the provision of special education and related services. This funding is in addition to the base amount given to the special education program through the Indian Student Equalization Program (ISEP).

Special Education services are provided to eligible special education students ages five to 21, and will be provided without charge to the student. This does not include incidental fees that are normally charged to all students. Special Education services will include elementary and secondary education and in alignment with the students Individual Education Plan (IEP).

Little Wound School will provide a continuum of services for students, regardless of the funding source. In the event the Little Wound School is unable to provide special education or related services, we will make arrangements through an outside agency’s contractual services.

## **PARENT/GUARDIAN PARTICIPATION IN MEETINGS**

Little Wound School encourages all parent/guardian involvement and sharing of information between the Little Wound School and the parents/guardians to support the provision of appropriate services to its students. These procedures use the term “Parent/Guardian” which includes biological, adoptive, and legal persons in the capacity of the parent/guardian.

Parents/Guardians will be provided the opportunity to participate in all meetings with respect to the identification, evaluation, educational placement and provisions of FAPE.

When a meeting is scheduled, the parents/guardians will be:

1. Notified of the meeting early enough that they will have an opportunity to attend(5 day notice);
2. Notified of the purpose, time and location of the meeting and who will be in attendance.

When the meeting is addressing the IEP or Eligibility Determination:

1. The Little Wound School will notify the parents/guardians that they may invite others who have knowledge or special expertise of the student;
2. The meetings will be scheduled at a mutually agreeable time and location.

The Little Wound School will take necessary action to ensure the parent/guardian understands the proceedings of the IEP team meeting. In case an interpreter is needed for the parent/guardian the parent/guardian will notify the Little Wound School prior to the meeting and Little Wound School will provide an interpreter.

The staff member responsible for inviting the parents/guardians to the meetings will keep documentation of the information provided and the methods used to notify the parents/guardians of the meeting (i.e. mailed notice, meeting notice, prior written notice). It must be documented on the meeting notice that the Little Wound School may proceed with the IEP or Eligibility Determination meeting if the Little Wound School is unable to contact the parent/guardian after 3 attempts. This documentation will be housed in the student’s original special education file.

If the parent/guardian would like to attend the IEP or Eligibility Determination meeting, the Little Wound School will make arrangements for other means for the parent/guardian to be in attendance, which can include by teleconference. In the event the parent/guardian participates via telephone, this will be documented in the team meeting notices and housed in the student’s original special education file.

A meeting does not include informal or unscheduled conversations involving the Little Wound School personnel.

## **PRIOR WRITTEN NOTICE**

### **A. NOTICE**

Your school must give you written notice (provide you certain information in writing), whenever it:

1. Proposes to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of a free appropriate public education (FAPE) to your child;
2. Refuses to initiate or to change the identification, evaluation, or educational placement of your child or the provision of FAPE to your child.

### **B. CONTENT OF NOTICE**

The written notice must:

1. Describe the action that your school proposes or refuses to take;
2. Explain why your school is proposing or refusing to take the action;
3. Describe each evaluation procedure, assessment, record, or report your school used in deciding to propose or refuse the action;
4. Include a statement that you have protections under the procedural safeguards provisions in Part B of the IDEA;
5. Tell you how you can obtain a description of the procedural safeguards if the action that your school is proposing or refusing is not an initial referral for evaluation;
6. Include resources for you to contact for help in understanding Part B of the IDEA;
7. Describe any other choices that your child's individualized education program (IEP) Team considered and the reasons why those choices were rejected; and
8. Provide a description of other reasons why your school proposed or refused the action.

### **C. NOTICE IN UNDERSTANDABLE LANGUAGE**

The notice must be:

1. Written in language understandable to the general public;
2. Provided in your native language or other mode of communication you use, unless it is clearly not feasible to do so.

If your native language or other mode of communication is not a written language, your school must ensure that:

1. The notice is translated for you orally by other means in your native language or other mode of communication;
2. You understand the content of the notice;
3. There is written evidence that 1 and 2 have been met.

### **D. NATIVE LANGUAGE**

*Native language*, when used with an individual who has limited English proficiency, means the following:

1. The language normally used by that person, or, in the case of a child, the language normally used by the child's parent/guardian;
2. In all direct contact with a child (including evaluation of the child), the language normally used by the child in the home or learning environment.

For a person with deafness or blindness, or for a person with no written language, the mode of communication is what the person normally uses (such as sign language, Braille, or oral communication).

### **E. ELECTRONIC MAIL**

LWS offers parents/guardians the choice of receiving documents by email – parent/guardians may choose to receive the following by email:

1. Prior written notice;

2. Procedural safeguards notice;
3. Notices related to a due process complaint.

## **PARENTAL/GUARDIAN CONSENT**

### **A. PARENTAL/GUARDIAN CONSENT FOR SERVICES**

LWS must obtain your informed consent before providing special education and related services to a child for the first time.

LWS must make reasonable efforts to obtain informed consent from the parent/guardian before providing special education and related services to a child for the first time.

If the parent/guardian does not respond to a request to provide consent for a child to receive special education and related services for the first time, or if the parent/guardian refuses to give such consent, LWS school may not use the procedural safeguards (i.e., mediation, due process complaint, resolution meeting, or an impartial due process hearing) in order to obtain agreement or a ruling that the special education and related services (recommended by your child's IEP Team) may be provided to the child without consent.

If a parent/guardian refuses to give consent for a child to receive special education and related services for the first time, or if the parent/guardian does not respond to a request to provide such consent and the school does not provide the child with the special education and related services for which it sought consent, LWS:

1. Is not in violation of the requirement to make a free appropriate public education (FAPE) available to the child for its failure to provide those services to the child;
2. Is not required to have an individualized education program (IEP) meeting or develop an IEP for the child for the special education and related services for which parental/guardian consent was requested.

### **B. PARENTAL/GUARDIAN CONSENT – DEFINITION**

*Consent* means:

1. The parent/guardian has been fully informed in your native language or other mode of communication (such as sign language, Braille, or oral communication) of all information about the action for which they are giving consent.
2. The parent/guardian understands and agrees in writing to that action, and the consent describes that action and lists the records (if any) that will be released and to whom; and
3. The parent/guardian understands that the consent is voluntary on their part and they may withdraw consent at any time.

A parent/guardian's withdrawal of consent does not negate (undo) an action that has occurred after they gave consent and before they withdrew it.

### **C. DOCUMENTATION OF REASONABLE EFFORTS TO OBTAIN PARENTAL/GUARDIAN CONSENT**

LWS must maintain documentation of reasonable efforts to obtain parental/guardian consent for initial evaluations, to provide special education and related services for the first time, to reevaluation and to locate parents/guardians of wards of the State for initial evaluations. The documentation must include a record of the school attempts in these areas, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parent/guardians and any responses received;
3. Detailed records of visits made to the parent/guardian's home or place of employment



and the results of those visits.

#### D. OTHER CONSENT REQUIREMENTS

Parent/guardian consent is not required before LWS may:

1. Review existing data as part of a child's evaluation or a reevaluation;
2. Give a child a test or other evaluation that is given to all children unless, before that test or evaluation, consent is required from all parent/guardians of all children.

LWS may not use your refusal to consent to one service or activity to deny a parent/guardian or a child any other service, benefit, or activity.

If a parent/guardian has enrolled a child in a private school at their own expense, and the parent/guardian does not provide consent for a child's initial evaluation or a child's reevaluation, or the parent/guardian fails to respond to a request to provide consent, the school may not use its consent override procedures (i.e., mediation, due process complaint, resolution meeting, or an impartial due process hearing) and is not required to consider a child as eligible to receive equitable services (services made available to parental/guardian-placed private school children with disabilities).

### **IDENTIFICATION, EARLY CHILDHOOD AND SPECIAL EDUCATION REFERRAL**

#### A. IDENTIFICATION: CHILD FIND

The purpose of Child Find is to locate, evaluate and identify children with suspected disabilities in need of special education services including those who are not currently receiving special education or related services.

Activities are to reach:

1. Children residing in within the Little Wound School boundaries;
2. Children attending approved, nonprofit private elementary and secondary schools located within the Little Wound School boundaries;
3. Highly mobile children (homeless, foster care and migrant children);
4. Children who have a disability and may need special education services although are advancing from grade to grade;
5. Children at home or home-schooled;
6. Students who have been suspended or expelled from school;
7. Students with severe behavioral challenges or frequent school infractions;
8. Students who have not graduated with a regular high school diploma;
9. Students in juvenile detention centers or adult correctional facilities;
10. Children who have dropped out of school.

The Little Wound School will consult with parents/guardians and representatives of private school students to ensure its Child Find activities are comparable in approved, nonprofit private schools located within the Little Wound School boundaries. The consultations will occur annually.

1. Notification to parents/guardians of child find activities in its annual information packet;
2. Notification to parents/guardians of Little Wound School through local papers or other media;
3. Information regarding child find on Little Wound Schools website;
4. Notification to private schools located in the Little Wound School boundaries;
5. Little Wound School information mailings;
6. Posting notices regarding screening and referral in school buildings, public locations and other local businesses;
7. Notifying and coordinating with the designated Part C lead agencies;
8. Early childhood screenings conducted by the Little Wound School;

9. Coordination with other public and private agencies and practitioners;
10. Referral process included in the Little Wound School – Parent/Guardian/Student Handbook;
11. Training teachers and administrators on the referral procedures, Response to Intervention.

## B. SPECIAL EDUCATION REFERRAL

When Little Wound School staff have concerns that a student may have a suspected disability that could result in special education eligibility, they will complete the following process.

1. Submit a referral to the Response to Intervention Team;
2. Response to Intervention Team will identify and implement intervention strategies that will be specifically provided on a consistent basis for 6 to 8 weeks, with additional weeks if progress is identified by the team;
3. If the interventions do not show academic gains, the response to intervention team will notify the parent/guardian of the need to refer to the special education department;
4. The response to intervention team will provide the special education department documentation that has been collected which includes the parent/guardian contact notification information;
5. Upon receiving the response to intervention information the special education department will contact the parent/guardian to obtain written consent for evaluation to determine eligibility for special education services.
6. If a parent/guardian submits a written request to the SPED Director, including reason(s) for referral and any underlying background information. The SPED Director will proceed with an informal review (attendance record, general education teacher(s) input, assessment scores, classroom/school environment observation(s)). *(An informal review includes a conference, if appropriate and necessary, either in person or by telephone, with the person making the referral and a review of the student's record. ARSD 24:05:24:02.)* The SPED team will determine if the school agrees to move forward with an evaluation or make a recommendation to proceed with the school's prereferral process (allowing for adequate data to be collected). The outcome will be documented on a Prior Written Notice and sent to the parent/guardian.

**(Duties of a district after informal review: *If, after an informal review arising from a parental/guardian referral, the district determines that no evaluation is necessary, the district shall inform the parents/guardians of its decision and the reasons for the decision. It shall also inform the parents/guardians of their due process rights. If after informal review, the district determines that further evaluation is necessary, the district shall conduct a full and individual evaluation with the consent of the parents/guardians. ARSD 24:05:24:03.)***

7. If a child qualifies for special education services they may be determined eligible in one of the following areas:
  - a. Deaf-Blindness
  - b. Emotional Disturbance
  - c. Intellectual Disability
  - d. Hearing Impairment/Deaf
  - e. Specific learning disability
  - f. Multiple disabilities
  - g. Orthopedic impairment
  - h. Visual Impaired
  - i. Deaf/blind
  - j. Speech/Language
  - k. Other Health Impairment
  - l. Autism
  - m. Traumatic Brain Injury
  - n. Developmental Delay

## EVALUATION PROCEDURES AND ELIGIBILITY DETERMINATION

### A. EVALUATION AND REEVALUATION

Evaluation of students moving from Part C to Part B and re-evaluations will be conducted by the Little Wound School Special Education Department. Little Wound School will follow procedures for timeline and evaluation requirements under the Individual Disability Education Act, according to the Little Wound School's internal timeline.

### B. EVALUATION REQUIREMENTS

The purpose of an evaluation is to collect information about a student's ability, developmental and academic skills from a variety of sources. The information will allow the Little Wound Special Education Department to draft a comprehensive evaluation in regard to the student to help determine the qualification status for special education services. All assessments administered during the evaluation process must be conducted by **individuals** who are certified/credentialed in accordance with BIE requirements, and unless an exception has been approved in writing by the BIE, in the State of South Dakota.

The evaluation must be an individual assessment designed to determine:

1. If the student is eligible for special education and any necessary related services;
2. The nature and extent of special education and related services needed by the student.

### C. ELIGIBILITY DETERMINATION

The evaluation team will determine whether or not the student is eligible for special education services. This team is comprised of:

1. Parent/Guardian
2. Building Administrator
3. General Education Teacher
4. Special Education Teacher
5. Related Service Provider (when appropriate)

The eligibility determination will be based upon the information gathered and documented within the Comprehensive Psycho-Education Evaluation. The determination will be documented in an Evaluation Team Summary Report.

The parent/guardian will be provided with a copy of the evaluation report and the documentation of eligibility determination. They will receive a copy of the prior written notice of the eligibility decision within 10 days of the determination. The special education case manager is responsible for providing such notice.

### D. INDEPENDENT EDUCATIONAL EVALUATIONS

Parents/Guardians of students referred to special education or who are already eligible for special education services have a right to request and obtain an independent educational evaluation at Little Wound Schools expense. The parent/guardian will need to submit a request in writing to the Special Education Director.

When the Little Wound School receives an independent educational evaluation, it must be considered and aligned with a free and appropriate public education (FAPE).

## **INDIVIDUAL EDUCATION PLAN (IEP)**

### **A. INDIVIDUAL EDUCATION PLAN DEVELOPMENT**

The Individual Education Plan (“IEP”) is written for each student who qualifies as a student with a disability by the special education department. The IEP reflects the implementation of instructional programs and other services throughout the Little Wound School.

An IEP must be in effect before initiation of special education services. The IEP must be developed within 30 days of being determined eligible for special education services. The IEP must be updated annually or revised if needed to adjust the program and services. IEP’s will be implemented without delay following the IEP meetings.

The Parent/Guardian consent is required prior to the initial provision of special education services. If a parent refuses to provide consent for services, the Little Wound School will request the parent/guardian complete a “Revocation of Services”. This will result in the Little Wound School needing to provide FAPE.

Little Wound School will house all original copies of student special education information and will be accessible to all authorized staff members. It is the responsibility of the staff to provide written signature to ensure confidentiality will be maintained during and after reviewing a student file.

### **B. INDIVIDUAL EDUCATION PLAN TEAM**

The individual education plan team will be comprised of the following members:

1. Parent/Guardian
2. Building Administrator
3. General Education Teacher
4. Special Education Teacher
5. Student (when appropriate)
6. Related Service Provider (when appropriate)
7. Outside Agency (when appropriate)

The parent/guardian must agree in writing to an excusal of a team member.

### **C. INDIVIDUAL EDUCATION PLAN CONTENT**

When developing the individual education plan, the team will utilize all information from the current comprehensive psycho-educational evaluation and the previous IEP (if available). The following will be reviewed and included if needed when creating an IEP:

Present Levels of Academic Achievement and Functional Performance (PLAAFP):	Designs how academic and functional goals will meet your child’s needs and how they will make progress in the general education curriculum;
Parent/guardian Input:	Parent/guardian offers information regarding child
Goals/Objectives:	Derives directly from the PLAAFP
Transition/activities (if needed):	Includes activities/services for training, education, employment, when appropriate adult living skills and an outside agency that provides transition services
Course of Study (if needed):	Identifies classes need for graduation

Transfer of Rights (if needed):	Not later than one year before the child reaches 18 the child and parent/guardian will be informed of the rights under IDEA that will transfer to the child when the child reaches age of majority unless the child has been determined to be incompetent or does not have the ability to provide informed consent with respect to his/her educational program
Extended School Year (if needed):	Addresses regression during school breaks, and is measured by a data point
Notification of Progress:	Addresses notification based upon the timeframe identified in the IEP of how your child is performing
School-Wide Assessments:	Addresses if your child will be participating in school-wide assessments with modifications or accommodations
Special Education Services:	Addresses how much time your child will be provided an academic service
Related Services (if needed):	Addresses how much time your child will be provided a related service
Supplementary Services:	Addresses various service areas and if there is a need for your child
Enrollment Status:	Addresses your child's primary disability, special education status, special education setting and primary language
Potential Harmful Effects:	Address the potential harm of the selected placement and quality of services your child will receive
Least Restrictive Environment:	Addresses how your child will participate in the school day
Impact Statement:	Address how the child's disability will affect their involvement and progress in the general education curriculum
Accommodations and Modifications:	Addresses various service areas and type of accommodation/modification for your child
Special Factors:	Addresses various areas that may be considered a need for your child to be successful throughout the school day
Discipline Procedures (if needed):	Addresses if your child will follow the school-wide plan or if he/she requires a plan specifically designed to meet their needs; behavior intervention plan
Assistive Technology (if needed):	Addresses any piece of equipment or product system your child may need
Hearing Aid Maintenance (if needed):	Identifies individual who will ensure your child's hearing aid is functioning properly
Health Information:	Addresses your child's need for regular medication or significant health information;
Team Meeting Information:	Identifies all IEP team participants, meeting location/date/time and notes that were generated throughout the meeting

#### D. LEAST RESTRICTIVE ENVIRONMENT (LRE)

LRE is part of the Individuals with Disabilities Education Act (IDEA). IDEA states that children who receive special education should learn in the least restrictive environment. This means they should spend as much time as possible with peers who do not receive special education. The variations of environments can range from:

1. General education classroom with support: Your child spends the entire day in the general education classroom.
2. Partial mainstream/inclusion: Your child spends part of the day in a general education classroom. Your child gets some individual or small group instruction in the special education classroom or is pulled out of the general education classroom for service time.
3. Special education classroom: Your child has a specialized instructional program in the special education classroom for a large portion of the school day.
4. Out of district placement: This includes private, residential programs and hospital programs.

All student placements will be determined by the Individual Education Plan Team.

#### E. SERVICE LOGS

All Special Education service providers will keep a log as evidence to track service dates and minutes in order to ensure all IEP service time and related service time are met.

#### F. SUPPLIES, INSTRUCTIONAL MATERIALS AND EQUIPMENT

Little Wound School will adhere to the allowable cost document as it relates to PART B for the Special Education Program; Appendix B.

#### G. SPECIAL EDUCATION STAFF QUALIFICATIONS

Little Wound Special Education staff will meet the highly qualified status set by the BIE, and unless an exception has been approved in writing by the BIE, State of South Dakota teacher certification guidelines. All Special Education Staff certification will be housed in the Superintendent's office and can be viewed at: <https://apps.sd.gov/DE69EducatorLicensure/Teacher411/educator-search>.

#### H. STAFF TRAINING/PROFESSIONAL DEVELOPMENT

Little Wound School engages in staff training/professional development from licensed individuals throughout education. All staff training/professional development will be specific to the needs of students or to the staff member. In the event a staff member chooses to participate in a training opportunity that will increase the knowledge and support student with disabilities programming they will need to follow Little Wound Schools travel request policy.

#### I. PARENT/GUARDIAN TRAINING

Little Wound School seeks, offers and encourages parents/guardians to engage in training that is specific to their student with a disability. In the event a parent/guardian chooses to participate in a training opportunity that will benefit and support the home to school program of their child they will have to submit a written request to the Special Education Director 4 weeks in advance to ensure all fees are paid.

### **DISCIPLINE PROCEDURES FOR STUDENTS WITH A DISABILITY**

#### A. CASE-BY-CASE DETERMINATION

Little Wound School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change of placement made in accordance with the following requirements related to discipline is appropriate for a child with a disability who violates the LWS code of student conduct.

#### B. GENERAL

To the extent that they also take such action for children without disabilities, school personnel may, for not more than 10 school days in a row, remove a child with a disability who violates a code of student conduct from his

or her current placement to an appropriate interim alternative educational setting (which must be determined by the child's individualized education program (IEP) Team, another setting, or suspension). School personnel may also impose additional removals of the child of not more than 10 school days in a row in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see *Change of Placement Because of Disciplinary Removals* for the definition, below).

Once a child with a disability has been removed from his or her current placement for a total of 10 school days in the same school year, the school must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading *Services*.

### C. ADDITIONAL AUTHORITY

If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see *Manifestation determination*, below) and the disciplinary change of placement would exceed 10 school days in a row, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under *Services*. The child's IEP Team determines the interim alternative educational setting for such services.

### D. SERVICES

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided in an interim alternative educational setting.

LWS is only required to provide services to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who has been similarly removed. A child with a disability who is removed from the child's current placement for more than 10 school days must:

1. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, to progress toward meeting the goals set out in the child's IEP; and
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for 10 school days in that same school year, and if the current removal is for 10 school days in a row or less and if the removal is not a change of placement (see definition below), then school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

If the removal is a change of placement (see definition below), the child's IEP Team determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

## E. MANIFESTATION DETERMINATION

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that is for 10 school days in a row or less and not a change of placement), the school, the parent/guardian, and relevant members of the IEP Team (as determined by the parent/guardian and the school) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents/guardians to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
2. If the conduct in question was the direct result of the school's failure to implement the child's IEP.

If the school, the parent/guardian, and relevant members of the child's IEP Team determine that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability. If the school, the parent/guardian, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of the school's failure to implement the IEP, the school must take immediate action to remedy those deficiencies.

### a. Determination that behavior was a manifestation of the child's disability

If the school, the parent/guardian, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either:

- i. Conduct a functional behavioral assessment, unless the school had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
- ii. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading *Special circumstances*, the school must return the child to the placement from which the child was removed, unless the parent/guardian and the school agree to a change of placement as part of the modification of the behavioral intervention plan.

## F. SPECIAL CIRCUMSTANCE

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child:

1. Carries a weapon (see the definition below) to school or has a weapon at school, on school premises, or at a LWS school function;
2. Knowingly has or uses illegal drugs (see the definition below), or sells or solicits the sale of a controlled substance, (see the definition below), while at school, on school premises, or at a LWS school function; or  
Has inflicted serious bodily injury (see the definition below) upon another person while at school, on school premises, or at a LWS school function.



## G. DEFINITIONS

*Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

*Illegal drug* means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.

*Serious bodily injury* has the meaning given the term “serious bodily injury” under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.

*Weapon* has the meaning given the term “dangerous weapon” under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

## H. NOTIFICATIONS

On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of a code of student conduct, the school must notify the parents/guardians of that decision, and provide the parents/guardians with a procedural safeguards notice.

### I. CHANGE OF PLACEMENT BECAUSE OF DISCIPLINARY REMOVALS

A removal of a child with a disability from the child’s current educational placement is a change of placement if:

1. The removal is for more than 10 school days in a row; or
2. The child has been subjected to a series of removals that constitute a pattern because:
  - a. The series of removals total more than 10 school days in a school year;
  - b. The child’s behavior is substantially similar to the child’s behavior in previous incidents that resulted in the series of removals;
  - c. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another; and
  - d. Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the school and, if challenged, is subject to review through due process and judicial proceedings.

### J. DETERMINATION OF SETTING

The individualized education program (IEP) Team must determine the interim alternative educational setting for removals that are changes of placement, and removals under the headings *Additional Authority* and *Special circumstances*, above.

## APPEAL PROCEDURES OF A STUDENT WITH A DISABILITY

### A. GENERAL

The parent/guardian of a child with a disability may file a due process complaint, in writing and submitted to the Special Education Director, to request a due process hearing if he or she disagrees with:

1. Any decision regarding placement made under these discipline provisions; **or**
2. The manifestation determination described above.

The school may file a due process complaint to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or

to others.

## B. AUTHORITY OF HEARING OFFICER

A hearing officer that meets the requirements described under the sub-heading *Impartial Hearing Officer* must conduct the due process hearing and make a decision. The hearing officer may:

1. Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading *Authority of School Personnel*, or that the child's behavior was a manifestation of the child's disability; or
2. Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

These hearing procedures may be repeated, if the school believes that returning the child to the original placement is substantially likely to result in injury to the child or to others.

Whenever a parent/guardian or LWS files a due process complaint to request such a hearing, a hearing must be held that meets the requirements described under the headings *Due Process Complaint Procedures*, *Hearings on Due Process Complaints* except as follows:

1. The LWS school must arrange for an expedited due process hearing, which must occur within 20 school days of the date the hearing is requested and must result in a determination within 10 school days after the hearing.
2. Unless the parents/guardians and the school agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within seven calendar days of receiving notice of the due process complaint, unless there is mutual agreement and good cause to continue the resolution meeting (for example: weather). The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of receipt of the due process complaint.
3. The BIE may establish different procedural rules for expedited due process hearings than it has established for other due process hearings, but except for the timelines, those rules must be consistent with the rules in this document regarding due process hearings. A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings (see *Appeals*, above).

## B. PLACEMENT DURING APPEALS

When, as described above, the parent/guardian or school has filed a due process complaint related to disciplinary matters, the child must (unless the parent/guardian and the Bureau of Indian Education or LWS agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the time period of removal as provided for and described under the heading *Authority of School Personnel*, whichever occurs first.

# PROTECTIONS FOR CHILDREN NOT YET ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES

## A. GENERAL

If a child has not been determined eligible for special education and related services and violates a code of student conduct, but the school had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred, that the child was a child with a disability, then the child may assert any of the protections described in this notice.

Basis of knowledge for disciplinary matters:

LWS is deemed to have knowledge that a child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:

1. The parent/guardian of the child expressed concern in writing that the child is in need of special education and related services to supervisory or administrative personnel of the appropriate educational agency, or a teacher of the child;
2. The parent/guardian requested an evaluation related to eligibility for special education and related services under Part B of the IDEA; or
3. The child's teacher or other school personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to the school's director of special education or to other supervisory personnel of the school.

#### B. EXCEPTION

LWS will not be deemed to have such knowledge if:

1. The child's parent/guardian has not allowed an evaluation of the child or refused special education services; or
2. The child has been evaluated and determined to not be a child with a disability under Part B of the IDEA.

Conditions that apply if there is no basis of knowledge:

If prior to taking disciplinary measures against the child, LWS does not have knowledge that a child is a child with a disability, as described above under the sub-headings *Basis of knowledge for disciplinary matters* and *Exception*, the child may be subjected to the disciplinary measures that are applied to children without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.

Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the school, and information provided by the parents/guardians, the school must provide special education and related services in accordance with Part B of the IDEA, including the disciplinary requirements described above.

#### C. REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

Part B of the IDEA does not:

1. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; or
2. Prevent Tribal law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and Tribal law to crimes committed by a child with a disability.

#### D. TRANSMITTAL OF RECORDS

If LWS reports a crime committed by a child with a disability, the school:

1. Must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime; and
2. May transmit copies of the child's special education and disciplinary records only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA).

## **REQUIREMENTS FOR UNILATERAL PLACEMENT BY PARENTS/GUARDIANS OF CHILDREN IN PRIVATE SCHOOLS AT PUBLIC EXPENSE**

### **A. GENERAL**

Part B of the IDEA does not require LWS to pay for the cost of education, including special education and related services, of a child with a disability at a private school or facility if the school made a free appropriate public education (FAPE) available to the child and the parent/guardian choose to place the child in a private school or facility. However, the school where the private school is located must include the child in the population whose needs are addressed under the Part B provisions regarding children who have been placed by their parents/guardians in a private school under 34 CFR §300.131 through 300.144.

### **B. REIMBURSEMENT FOR PRIVATE SCHOOL PLACEMENT**

If a child previously received special education and related services under the authority of LWS, and the parent/guardian chooses to enroll the child in a private preschool, elementary school, or secondary school without the consent of or referral by the school, a court or a hearing officer may require the agency to reimburse the parent/guardian for the cost of that enrollment if the court or hearing officer finds that the agency had not made a free appropriate public education (FAPE) available to the child in a timely manner prior to that enrollment and that the private placement is appropriate. A hearing officer or court may find the placement to be appropriate, even if the placement does not meet the BIE, federal, tribal, or State standards that apply to education provided by the Bureau of Indian Education and the school.

### **C. LIMITATION ON REIMBURSEMENT**

The cost of reimbursement described in the paragraph above may be reduced or denied:

1. If: (a) At the most recent individualized education program (IEP) meeting that the parent/guardian attended prior to the removal of the child from the school, the parent/guardian did not inform the IEP Team that they were rejecting the placement proposed by the school to provide FAPE to the child, including stating the parent/guardian concerns and their intent to enroll the child in a private school at public expense; or (b) At least 10 business days (including any holidays that occur on a business day) prior to the removal of the child from the school, the parent/guardian did not give written notice to the school of that information;
2. If, prior to removal of a child from the school, the school provided prior written notice to the parent/guardian, of its intent to evaluate the child (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parent/guardian did not make the child available for the evaluation; or
3. Upon a court's finding that the parent/guardian's actions were unreasonable.

However, the cost of reimbursement:

1. Must not be reduced or denied for failure to provide the notice if: (a) LWS prevented the parent/guardian from providing the notice; (b) The parent/guardian had not received notice of their responsibility to provide the notice described above; or (c) Compliance with the requirements above would likely result in physical harm to the child;
2. May, in the discretion of the court or a hearing officer, not be reduced or denied for the parent/guardian's failure to provide the required notice if:

- (a) The parent/guardian is not literate or cannot write in English; or
- (b) Compliance with the above requirement would likely result in serious emotional harm to the child.

## **RESTRAINT AND SECLUSION**

### **A. POLICY RATIONALE AND PHILOSOPHY**

Reasonable efforts shall be made to prevent the use of restraint and the use of seclusion. A non-aversive effective behavioral system such as Positive Behavioral Intervention and Supports (PBIS) shall be used to create a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students.

Little Wound School believes that the school environment should be one in which the care, safety, and welfare of all students and staff members are priorities. Efforts to promote positive interactions and solutions to potential conflict should be extensive. In the event that an individual's behavior presents a threat of imminent harm to self or others the use of approved physical intervention or seclusion strategies to maintain a safe environment may be used as a last resort.

### **B. DEFINITIONS**

- a. Positive Behavior Interventions and Support:
  - i. LWS-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and
  - ii. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish recurrences of challenging behaviors and teach appropriate behavior to students.
- b. Physical Restraint:
  - i. The use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such a term does not include a physical escort, mechanical restraint, or chemical restraint.
  - ii. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes:
    - 1. To break up a fight;
    - 2. To knock a weapon away from a student's possession;
    - 3. To calm or comfort;
    - 4. To assist a student in completing a task/response if the student does not resist the contact;
    - 5. To prevent an impulsive behavior that threatens the student's immediate safety (i.e. running in front of a car).
- c. Seclusion:

The involuntary isolation of a student in a room, enclosure or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout.
- d. Time Out:

A behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

### C. REQUIREMENTS FOR THE USE OF PHYSICAL RESTRAINT

Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. If physical restraint is applied the staff member must:

- a. implement in a manner that is age and developmentally appropriate;
- b. ensure safety of other students and protect the dignity and respect of the student involved. Combine use with other approaches (non-physical interventions are always preferred) that will diminish the need for physical intervention in the future;
- c. use the least amount of force necessary, for the least amount of time necessary;
- d. be appropriately-trained;
- e. continually observe the student in restraint for indications of physical or mental distress;
- f. contact appropriate emergency entities according to district crisis policy if at any point the staff assesses that the intervention is insufficient to maintain safety of all involved; and
- g. remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated; following the use of physical restraint, the individual should be assessed for injury or psychological distress and monitored as needed following the incident.

### D. PROHIBITED PRACTICES FOR USE OF RESTRAINTS

Staff members are not to use any physical restraints for which they have not been trained by Little Wound School. Staff members are not to use any unauthorized physical restraints. This includes but is not limited to:

- a. Prone restraint, which is physical pressure applied to any part of the student's body to keep the student in a face down position on the floor or other surface, except when the use is necessary and reasonable in manner and moderate in degree;
- b. Any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that involves the use of pinning down a student by placing knees to the torso, head, and or neck of the student;
- c. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way;
- d. Uses pressure point, pain compliance, or joint manipulation techniques;
- e. Corporal punishment;
- f. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;
- g. Deprivation of basic needs;
- h. Chemical restraint;
- i. Mechanical restraint (that does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
- j. Using other students or untrained staff to assist with the hold or restraint;
- k. Securing a student to another student or fixed object;
- l. Aversive behavioral interventions; or
- m. Seclusion in a locked room or area.

### E. REQUIREMENT FOR USE OF SECLUSION

Given a threat of immediate risk of physical harm to the student or others, the following principles must always be applied:

- a. A room or area used for seclusion must:
  - i. provide for adequate space, lighting, ventilation, clear visibility and the safety of the student; and
  - ii. not be locked.

- b. Staff must:
  - i. implement in a manner that is age and developmentally appropriate;
  - ii. ensure safety of other students and protect the dignity and respect of the student involved;
  - iii. the least amount of time necessary;
  - iv. be appropriately-trained;
- c. staff must continually observe the student for the duration of the seclusion;
- d. if at any point the staff assesses that the intervention is insufficient to maintain safety of all involved, emergency personnel (**such as law enforcement**) will be contacted;
- e. seclusion ceases when the immediate risk of physical harm to self or others has dissipated;
- f. Upon each use of seclusion, the student shall be assessed for injury or psychological distress and monitored as needed following the incident.

#### F. PROHIBITED FOR USE OF SECLUSION

- a. Use of seclusion in any environment that does not meet the above criteria.
- b. Deprivation of basic needs;
- c. Seclusion shall not be used;
  - i. As a form of discipline/punishment
  - ii. As a means to coerce, retaliate or in a manner that endangers a student;
  - iii. For the convenience of staff;
  - iv. As a substitute for an educational program;
  - v. As a substitute for less restrictive alternatives;
  - vi. As a substitute for inadequate staff; and/or
  - vii. As a substitute for positive behavior support(s) or other crisis prevention.

#### G. REPORTING AND DE-BRIEFING REQUIREMENTS AFTER THE USE OF PHYSICAL RESTRAINT OR SECLUSION

- a. The staff member(s) using physical restraint or seclusion shall complete all district required reports and document staff's observations of the student.
  - i. As soon as possible under the circumstances the staff member(s) using physical restraint or seclusion shall inform the appropriate school administrator of the use of physical restraint or seclusion.
  - ii. The District's Incident Report shall be completed upon occurrences of physical restraint or seclusion.
  - iii. Completion of the form and submission of the Incident Report to the appropriate administrator must be done the same day the staff member(s) used physical restraint or seclusion.
  - iv. An administrator shall attempt to contact the parent/guardian during the same day of incident.
  - v. A copy of the Incident Report must be made available to parent/guardian by the administrator within 24 hours after receipt of the Incident Report.
- b. The administration shall conduct a debriefing with all involved staff and parents/guardians and, if appropriate, the student;
  - i. Debrief utilizing the District's Debriefing Form.
  - ii. evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs;
  - iii. During the debrief, if the behavior is noted as a pattern of dangerous behavior that leads to the use of restraint and/or seclusion, a Functional Behavior Assessment, and/or a Behavior Intervention Plan must be completed.

## H. TRAINING AND PROFESSIONAL DEVELOPMENT

- a. The district will ensure that an appropriate number of personnel in each building are trained in crisis management and de-escalation techniques.
- b. The school district will maintain written or electronic documentation on training provided and lists of participants in each training.
- c. All student personnel shall be trained annually on this policy.

## I. LITTLE WOUND SCHOOL MONITORING

- a. The school board and superintendent shall monitor the implementation of this policy.
- b. This policy shall be accessible on the district's website.
- c. The district shall notify all parents/guardians annually on the school's website of its policy on seclusion and restraint.

## J. COMPLAINT

- a. A parent/guardian who feels that a school employee violated this policy may file a complaint.

## K. DOCUMENTATION AND REPORTING REQUIREMENTS

- a. Little Wound Schools must follow the documentation and reporting requirements.

# CONFIDENTIALITY

## A. FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents/guardians certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents/guardians or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents/guardians or eligible students to review the records. Schools may charge a fee for copies.
- Parents/guardians or eligible students have the right to request that LWS correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent/guardian or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent/guardian or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent/guardian or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.



LWS may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents/guardians and eligible students about directory information and allow parents/guardians and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents/guardians and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of LWS.

For additional information, parents/guardians and students may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the Federal Relay Service.

Or you may contact us at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

## APPENDIX A

4.56 SPECIAL EDUCATION (IDEA 2004) 1. Identification and Evaluation To be eligible for services under the LWS Special Education Program, a child must have a disability that adversely affects educational performance and requires specially designed instruction. Children must be identified under one or more of the following categories: autism; cognitive impairment; deaf-blindness; developmental delay; emotional disturbance; health, hearing, language, sight, orthopedic, speech or language impairment; learning disability; or traumatic brain injury.

Once it is determined that a child is eligible for the LWS Special Education Program, LWS shall provide an education through the least restrictive environment. The cost of the LWS Special Education Program shall be borne by LWS unless the child is placed there by another school, agency or court order. If the child is placed in the Program by another school, agency or court order, the other school, agency or court shall be responsible for the costs of the Program. The responsibility of LWS to pay for such an education begins when an eligible child is five (5) years of age and enrolled in LWS.

The responsibility ends when the child receives a regular high school diploma as discussed below, no longer qualifies for special education, OR the child turns age twenty-two (22), whichever occurs first. LWS shall make available the following services through its Special Education Program: a. Educational programs and services available to other children serviced by the school; b. Non-academic and extracurricular activities available to other children serviced by the school; c. Physical education available to other children serviced by the school unless the child is enrolled full time in a separate facility OR the child needs a specially designed physical education program due to the child's IEP or disability(ies). 170 Special Education Director shall develop and implement a method for LWS to identify children eligible for the LWS Special Education Program. This method shall be documented with all documentation kept confidential. Some activities to further public awareness which may be provided are sending pamphlets to the parents/guardians regarding the special education services available during school registration; placing notices in the tribal agenda/newsletter periodically; announcing the special education programs on the tribal radio station periodically; advising local physicians and health providers of the special education program and its services; and providing training and in-service to LWS staff regarding the special education program. To identify children eligible for the LWS Special Education Program, the Director shall give all staff training and in-service to screen for children with disabilities and discuss the process the staff member should follow once a child with disabilities is identified. The Director shall also insure that all students testing, grades and assessments are reviewed on an annual basis to also identify potential children with disabilities. The Child Study Team shall be comprised of the following: principal, counselor, special educator, one general educator, and referring party. When any parent/guardian, child, family member, public or private agency, school personnel or screening refers a child for the LWS Special Education Program, the Child Study Team shall conduct a meeting in order to complete any additional required fact-finding, to brainstorm, and to establish a plan and timeline with specific direction to appropriate staff to address whether further evaluation is needed. The parent/guardian must be notified by the Director of the referral if the parent/guardian did not make the referral. If further evaluation is needed, the parent/guardian's consent must also be obtained to complete further evaluation. Note, if the child is emancipated due to age or otherwise, the child must also be notified and included in the process and all rights possessed by the parent/guardian in this process now become the rights of the adult student. The parent/guardian must remain involved after the student











obtains age eighteen (18) if the parent/guardian has obtained a guardianship over the student. If further evaluation is not warranted, the Child Study Team will work together to provide other services for the child. The parent/guardian and/or child must be notified of the reasons the child will not be considered for the LWS Special Education Program. If further evaluation is warranted, the information shall be turned over to the IEP Team to determine whether the child is eligible for the LWS Special Education Program and to develop an IEP for the particular child. The IEP Team shall consist of a special educator, the special education Director, the general education teacher, the principal and the parent/guardian of the referred child. The Director shall complete the appropriate information needed for the IEP Team to establish a program for the child. Such information may include medical history, health status, motor skills, speech/language or hearing evaluations, classroom observations, family history, and educational history. To determine eligibility the IEP Team must determine the following: 171 a. Whether the child has a disability; b. Whether that disability adversely affects the child's educational performance; c. What specific special education and/or other related services are required based upon the findings in 1 & 2; and d. An IEP in the least restrictive environment for the child. The parent/guardian shall be notified ten (10) days in advance of the IEP Team meeting held to establish 1 through 4 directly above. The notice shall be conveyed to the parent/guardian in a language they can understand (orally or in writing, but when orally notations must be made regarding the oral notification), shall include a description of the evaluation process, and an explanation of why the evaluation is taking place. All of the documentation generated throughout the entire process shall be held in the child's student file confidentially. All communication with the parent/guardians (whether oral or written) shall be documented in the student's file especially with regard to attempts to notify of meetings, consents, and additional information regarding the student's needs. If the parent/guardian refuses to consent to evaluation, LWS may still be required to provide special education services. The Director shall develop a process by which to resolve issues between the school and a non-consenting parent/guardian. The parent/guardian may also refuse the special education services proposed by the IEP Team. When this occurs, the coordinator shall develop a process by which to resolve the issues between the school and the non consenting parent/guardian. The Director shall keep a list of all special education students and the dates of their next reevaluation are due. This information will be provided to the child's special educator(s). The Director shall notify the parent/guardian at least thirty (30) days prior of any reevaluation so the parent/guardian may be included in that process as well. The child's special educator will establish the reevaluation team and the decision making process for the reevaluation. The above process is repeated only with the reevaluation team and special educator completing the tasks previously delegated through the assessment and evaluation process. 2. Parental/Guardian Notification The Director shall do its best to communicate all notices in a language and manner (if parent/guardian is blind or deaf, Braille or sign) which the parent/guardian understands. A minimum of a ten (10) day notice is required when any of the following are going to occur with the student child: 172 a. Initial evaluation; b. Initial eligibility determination; c. IEP review and amendment; d. Reevaluation; e. Reevaluation of the eligibility determination; f. Significant discipline incidents. A parent/guardian is also permitted to request a reevaluation of their student child at any time. However, a reevaluation may be completed by the reevaluation team with existing data and assessments. If the parent/guardian insists upon additional testing, the coordinator shall work with the parent/guardian through the established resolution process to seek resolution of the disagreement between school and parent/guardian. A parent/guardian is also permitted to request an independent evaluation. All requests made for an independent evaluation are forwarded to the superintendent. The Director sends a packet of information to the parent/guardian requesting such independent evaluation which includes, but is not limited to, where an independent evaluation may be obtained, the required qualifications of an independent examiner, the eligibility for specific disability categories, and the maximum allowable charges for specified assessments to eliminate unreasonably excessive fees, including travel costs. The superintendent can make any one of the following

decisions once an independent evaluation is requested: wait for the parent/guardian to act on the request, or request the parent/guardian to enter into the conflict resolution process. If an independent evaluation is completed by the parent/guardian, the IEP Team or reevaluation team shall include that information in with all other information in establishing/modifying the student's IEP.

3. Behavior or Disciplinary Action If a current special education student has a behavioral incident, the Director will invite the parent/guardian(s) of the student to an IEP Team meeting to determine the best course of action for the student. The IEP Team will develop a behavioral plan if one is not already in place, modify the existing behavioral plan, or determine what other least restrictive alternative is available to continue to meet the student's educational needs. The IEP Team shall also consider whether the student's disability impaired their ability to understand the impact and consequences of behavior, or whether the student's disability impaired ability to control the behavior. If the IEP Team determines that the student's disability doesn't impair their ability to understand or control the consequences or the behavior, then the child shall be disciplined as any other LWS student. In no circumstance can educational services be denied for more than ten (10) school days in a school year. If a student is involved in disciplinary action who is not currently a special 173 education student, but there is an indication that the student may have a disability not previously identified, such disability shall be considered in discipline and a referral must be made to the Director for assessment and evaluation.














4. Discontinuation of Services, Graduation and Grading If it is suspected that a student no longer meets the eligibility criteria for the LWS Special Education Program, the reevaluation team, including the parent/guardian, must meet to review existing data and arrange to have additional assessments if necessary. If the student is not eligible, the Director must provide the parent/guardian with written notice of the decision to discontinue special education services. Services will not be discontinued if the parent/guardian files a grievance pursuant to the appropriate provisions of the LWS Policies and Procedures. LWS's obligation to provide special education services ends when the student meets the school's requirements for the receipt of a high school diploma. The Director must provide the parent/guardian with a written notice prior to graduation of the discontinuation of special education services. For children who have not yet graduated from high school by meeting the requirements for receipt of a high school diploma, LWS is obligated to provide special education services until the student reaches age twenty-two (22). If a child is turning twenty-one (21), the coordinator will provide the parent/guardian with prior written notice regarding discontinuing special education services. LWS's obligation to provide special education services also ends when: 1) the student transfers to another school; 2) the parent/guardian withdraws the student from school and the parent/guardian has made other provision for the student's educational needs; and 3) the student drops out of school. If a parent/guardian requests that a student be withdrawn from special education services, the reevaluation team must determine whether the student is still eligible for special education services. Written notice must be sent to the parent/guardian following the determination. If the team, including the parent/guardian, determines that services need to continue, LWS will provide services unless the parent/guardian has invoked the grievance procedure appropriately under the LWS Policies and Procedures.

## APPENDIX B

	Always allowed		Allowed, but special requirements or additional information required		Never allowed
Symbol	Budget Item	Special Requirements or Additional Information			
	ADAPTIVE EDUCATION: Physical Education, Music or Art: Salary and fringe benefits.	The salary and fringe benefits of a teacher holding a State appropriate license for Adaptive Physical Education or Art or Music – Special Education are allowed for the time the teacher provides instruction to students with disabilities per the student’s IEP requirements.			
	ADVERTISING: Costs associated with advertising in media such as newspapers, radio and television, direct mail, exhibits, electronic or computer transmittals.	Allowed for IDEA-related recruitment of personnel, procurement of goods and services, child find activities, and other specific purposes necessary to meet the requirements of the IDEA grant.			
	AIDES: Salaries and fringe benefits for LEA employees or costs for contracted aides.	Individuals acting as special education aides must have, at a minimum, State requirements. Aides must be employees of the LEA. Aides must work under the supervision of an appropriately licensed special education teacher and perform duties consistent with the role of an aide, while not assuming the role of a teacher.			
	ALTERNATIVE SCHOOLS or EDUCATION PROGRAMS: Alternative or adaptive school structures and teaching techniques.	Alternative schools/education programs are generally regular education schools or regular education programs for students at risk of school failure. Therefore, the tuition costs associated with alternative schools or alternative programs cannot be charged to the IDEA grant. However, the costs of special education services for students participating in such programs are allowable costs. IDEA funding may ONLY be used for the special education related costs.			
	Applications (APPs): Costs associated with digital applications for devices such as tablets.	Digital applications for devices such as tablets that provide supplemental support to students with disabilities may be funded with IDEA.			
	ASSISTIVE TECHNOLOGY DEVICES: Any item, piece of equipment, or product system (software) used to increase, maintain or improve the functional capabilities of a student with a disability.	The need for an assistive technology must be addressed in the student’s IEP. The assistive technology device belongs to the LEA. On a case-by-case basis, the use of school-purchased assistive technology devices in a student’s home or in other settings is required if the student’s IEP team determines that the student needs access to those devices in order to receive Free Appropriate Public Education (FAPE).			
	ATTORNEY’S FEES-PARTY TO AN ACTION: Attorney fees for IDEA state complaints, due process hearings, representation at IEP team meetings, facilitated IEP team meetings, mediation sessions, or any student-specific consultation.	Fund may not be used to pay attorney’s fees related to state complaints, due process hearings or court proceedings. This includes costs related to depositions, expert witnesses, settlements. IDEA funds may not be used to pay for attorney representation at IEP team meetings, facilitated IEP team meetings, mediation sessions, or any student-specific consultation. IDEA funds may not be used to pay attorney fees related to disciplinary actions or expulsions.			










		<p>✓ Funds may be used to pay costs of conducting a due process hearing, e.g., paying a hearing officer and providing a place for the hearing.</p>
✓	<p>ATTORNEY’S FEES – DOCUMENT PROCESSING: Costs that arise in connection with litigation, such as the cost of copying materials, mailing documents via certified mail, etc.</p>	<p>IDEA funds may be used for the costs of document processing associated with state complaints, due process hearings, facilitated IEP team meetings or mediation centers. For the document processing cost to be allowed, it must be itemized on the invoice.</p>
✓	<p>ATTORNEY’S FEES - PROFESSIONAL DEVELOPMENT / POLICY DEVELOPMENT: Costs associated with the provision of training or policy development conducted by an attorney.</p>	<p>IDEA funds may be used for the costs of an attorney providing training to LEA staff on special education-related law. This does not include any student-specific consultation (see Attorney’s Fees - Party to an Action).</p> <p>IDEA funds may be used for the costs of an attorney providing consultation in regards to the development of the LEA’s special education policy and procedures. For the policy consultation cost to be allowed, it must be itemized on the invoice as separate from district-wide policy development.</p>
!	<p>AUDIT COSTS: Costs associated with contracting independent auditors.</p>	<p>The costs of auditing the Special Education Cluster as required by OMB Circular A-133 Single Audit Act are allowable. Only the costs for the IDEA portion of the Single Audit may be charged to IDEA (thus the cost must be itemized on the audit invoice). Audit costs related to state special education categorical aid or Medicaid are not allowed as direct costs on the IDEA grants.</p>
✓	<p>AUDIOLOGIST: Salaries and fringe benefits for LEA employees or costs for contracted audiology services as well as private vendor contracted staff.</p>	<p>An audiologist must hold the State appropriate license</p> <p>✗ Services provided to students with 504 plans (<del>and not an IEP</del>) must be coded to the general education system and are not eligible for IDEA or state special education aid.</p>
✓	<p>AUTOMATIC DOOR OPENERS: Purchase and installation.</p>	<p>Purchase and installation of automatic door openers is allowed if needed to provide access for a student with a disability. The automatic door opener does not need to be addressed in a student’s IEP. The use of IDEA funds for an automatic door opener must be related to the needs of a student with a disability and not to meet ADA compliance.</p> <p>The school must contact the State Education Agency (SEA) – Division of Performance and Accountability, Special Education Supervisor for prior approval to purchase and installation.</p>
✗	<p>UPGRADING BANDWIDTH</p>	<p>Cannot be supported by any of the Federal education program funds, to the extent the installation of long-distance lines would be for the benefit of the entire community or tribe, rather than for the benefit of a particular school.</p>
!	<p>BUS PURCHASE, LEASE or RENTAL: Vehicle purchase or lease, insurance, repair, and maintenance. See also “Transportation Costs – Special Education”</p>	<p>Vehicles must be used ONLY for special education related costs. This includes transporting students to and from school <i>if</i> the student’s IEP requires specialized transportation. Vehicles purchased with IDEA funds may also be used to transport students during the school day if related to their special education and related services. Vehicles may also be used by special education staff. These restrictions apply even if only a portion of the vehicle cost is covered with IDEA funds.</p> <p>The school must contact the State Education Agency (SEA) – Division of Performance and Accountability, Special Education Supervisor for prior approval to use IDEA funds for capital equipment.</p>









!	BUS DRIVER: Salaries and fringe benefits employed by the school	The salary and benefits of a driver are allowed ONLY for the time the driver transports students with disabilities who require either specialized transportation per an IEP or transportation related to the delivery of special education instruction or related services. "Bus Driver" is the generic position title for any individual who drives any type of vehicle related to specialized transportation for students with disabilities.
✓	CHILD FIND ACTIVITIES: Costs associated with public awareness, notices, screening.	Child find activities are allowed for identification of children with disabilities: -Posters/Brochures/Flyers -Newspapers or magazines (i.e., community calendar, article, and/or advertisement) -Paid advertisements in newspapers or inserts in utility bills (The cost could be shared with adjoining school districts.) -Public service announcements on network, cable, and university TV and radio station
!	CLERICAL SUPPORT: Salaries and fringe benefits.	Only the actual time spent supporting special education is allowed and must be based on time and effort records that accurately reflect the work performed (2 CFR § 200.430(i)).  If the position supports other programs, such as pupil services or Medicaid billing, the individual's full salary and benefits cannot be charged to the IDEA grant.
✓	COLLEGE CREDITS FOR SPECIAL EDUCATION COURSES: Cost of Tuition	IDEA funds can reimburse staff or the LEA/School for the cost of higher education credits related to special education and related services, for example "Grow Your Own" activities. The school must create and develop policy and procedure for the participant in this activity.
!	COMPUTING DEVICES FOR STUDENTS (computers, laptops, tablets, etc.)	Computing devices are considered an excess cost of special education when they are related to the unique needs of a student with a disability.  ✗ Acquisition of a computing device is NOT an excess cost, and therefore not allowed, if the LEA has decided to provide computing devices for all students and simply charges the flow-through or preschool grant a prorated amount based upon the number of students with disabilities in the school. When the equipment is no longer needed to meet the unique needs of a child with a disability, it must be managed or disposed of in accordance with 34 CFR 80.32, Education Department of General Administrative Regulations.
!	COMPUTING DEVICES FOR STAFF (computers, laptops, chrome books, tablets, etc.)	Computing devices for special education staff is allowed if the individual works <u>solely</u> in special education or if the device will be used solely for special education.  ✗ Acquisition of a computing devices is NOT an excess cost, and therefore not allowed, if the LEA has decided to provide computing devices for all students and simply charges the grant a prorated amount based upon the number of students with disabilities in the schools.  ✗ Positions that serve students with and without disabilities (such as school psychologists, social workers, guidance counselors, etc.) should not purchase their computing devices charged either in whole or in part to IDEA, Part B funds.
!	COMMUNICATION DEVICES FOR STAFF: Costs associated with the lease or purchase and charges for use	Communication devices are allowed ONLY for special education activities. Outside of incidental use, if a device will also be used for non-special education activities, the cost should not be charged to IDEA.

	of desk phones, cell phones, pagers and radios.	 Cost for personal use is not allowed.
	COMPUTER NETWORKS: Costs associated with a LEA's district-wide computer networks.	LEA/School's computer or IT networking costs are provided district-wide and are not considered an excess cost of providing special education instruction and related services.
	CONSTRUCTION: Constructing facilities or altering existing facilities	<p>Costs for construction or alteration of facilities must be related to the excess cost of providing special education. A project must meet the needs of one or more students with disabilities. Costs for the general purpose of bringing facilities into compliance with Section 504 and ADA requirements are not allowed. Only the costs of making a room accessible or costs specific to the delivery of the special education program can be charged to the IDEA grant.</p> <p>LEA/Schools must receive prior approval from BIE – DPA, special education supervisor prior to using IDEA funds for construction.</p> <p> All students must be provided safe and healthful facilities per statute. Remodeling a room or space to meet these standards for students with disabilities is not an excess cost of providing special education and thus not allowed.</p> <p> The BIE will not approve requests for the use of IDEA funds for construction or alteration of facilities for seclusion rooms.</p>
	CONSULTANT SERVICES – NOT DIRECT STUDENT SERVICES: Costs associated with contracted services from a consultant	<p>LEAs may contract with consultants to provide information about methods, techniques, and strategies to use for children with disabilities.</p> <p> Services directly provided to a student should not be budgeted as “consultation.” Direct instruction costs in areas such as autism, hearing impairment, specific learning disabilities, and vision impairment provided by a private vendor are not eligible for IDEA funding.</p>
	CONTRACTED SERVICES FOR SPECIAL EDUCATION OR RELATED SERVICES	
	CRISIS PREVENTION TRAINING (CPI): Costs associated with staff attending training or cost related to “training the trainer”	<p>Crisis Prevention Intervention training is, in itself, not considered an excess cost of special education since it is a universal training meant to help all staff and all students. Unless the training is only provided to special education staff, 100 percent of the training cannot be charged to the IDEA grant.</p> <p> However, as with any professional development /training, the cost of training special education staff on any topic is an allowed cost that can be charged to the IDEA grant. If the training is \$2,000 and 40 staff attend, the amount charged to the IDEA grant can be prorated by the number of special education staff attending. If ten of the staff are special education, \$500 of the cost can be charged to the IDEA grant (<math>\\$2,000 / 40 = \\$50 * 10</math>).</p> <p> If the staff person is not considered special education, IDEA funds cannot be used to pay for the individual to become a CPI trainer.</p>
	CURRICULUM DEVELOPMENT: Costs associated with substitutes, release time, or extended contract.	Costs related to substitute teachers, release time, and extended contract for development of curriculum for special education students are allowed for both regular and special education staff.
	DEAF AND HARD OF HEARING INSTRUCTION -	Although an LEA may contract with a private vendor for deaf and hard of hearing instruction (the teacher must be appropriately licensed by the State to









	PRIVATE VENDOR: Costs of contracting with the private vendor for deaf and hard of hearing (DHH) instruction.	ensure FAPE for the student with a disability), the costs of a private vendor contract for these services are not eligible for IDEA aid.
✗	DISTRICT ADMINISTRATORS: Salaries and fringe benefits of staff employed by the LEA/School	The salary and benefits of a district administrators / superintendents cannot be charged to federal grants even if the administrator is providing special education support and is appropriately licensed (2 CFR § 200.444).
✓	DUE PROCESS HEARINGS: Costs of conducting a due process hearing.	Funds may be used to pay costs of conducting a due process hearing, e.g., paying a hearing officer and providing a place for the hearing.  ✗ Funds may not be used to pay a party's legal fees or related costs such as depositions, expert witnesses, settlements, or other related costs. (See entry on Attorney's Fees - Party to an Action)
✓	EDUCATIONAL INTERPRETERS: Salary and benefits of staff employed by an LEA/School as well as private vendor contracted staff.	Education interpreters must be employees of the LEA.  ✗ Services provided to students with 504 plans (and not an IEP) must be coded to the general education fund and are not eligible for IDEA or state special education aid.
✗	EQUINE THERAPY	Cannot be supported by any of the Federal Education program funds
✓	EQUIPMENT: Equipment to support special education and related services	Supplies, materials, and equipment for students with disabilities and special education staff who are serving those students. These supplies, materials, and equipment must be above and beyond what is provided for general education students and staff.
✓	EQUIPMENT - NON-CAPITAL: Equipment to support special education and related services.	Equipment that has a useful life of more than one year but does not meet the definition of capital equipment (capitalization threshold amount) is considered non-capital.  Non-capital equipment purchased with IDEA funds must be used only for the authorized purpose of IDEA until the equipment no longer meets the special education program needs (2 CFR §200.313).  Prior approval for non-capital equipment is not required by IDEA. However, the LEA will need to have the item on an approved budget before a claim can be made. The budget requires the user to enter an equipment type, number of units, equipment description and an assurance that the equipment is for the purposes of providing special education instruction and related services.
✓	EQUIPMENT - RENTAL: Equipment rented or leased to support special education and related services.	Equipment rented or leased with IDEA funds must be used only for the authorized purpose of IDEA (2 CFR §200.313).  Prior approval for equipment rental or lease is not required by IDEA. However, the LEA will need to have the item on an approved budget before a claim can be made. The budget requires the LEA/School to enter an equipment type, number of units, equipment description and an assurance that the equipment is for the purposes of providing special education instruction and related services.
!	EQUIPMENT – SECURITY: Cameras, door locks, GPS, fences, and other devices.	✓ The equipment is an excess cost when related to the needs of a student with a disability. It may be provided in a regular education environment or other education-related setting, even if one or more nondisabled students benefit. An example of an allowed cost would be the installation of a fence around the playground due to the unique needs of a student with a disability. Students with disabilities must be able to participate in the general education program and LEAs may need to invest in additional safety measures to meet this requirement.

		<p> Acquisition of security devices are NOT an excess cost, and therefore not allowed, if the LEA has decided to equip classrooms in a school or its buses with security devices and charges the flow-through or preschool grant a prorated amount based upon the number of students with disabilities in the school.</p>
	<p>EXTENDED SCHOOL YEAR (ESY): Personnel, supplies, equipment, transportation, and any other services identified in the student's IEP.</p> <p>See also "Summer School"</p>	<p>The need for ESY must be documented in the student's IEP.</p>
	<p>EVALUATIONS: Personnel, supplies, or contracted services.</p>	<p>The cost of conducting special education evaluations for students are eligible for IDEA reimbursement.</p>
	<p>FENCING – installation for school safety</p>	<p>Cannot be supported by any of the Federal Education program funds</p>
	<p>FIELDS/OUTDOOR COURTS – installation of football, basketball, baseball, softball fields, track or activity fields, etc.)</p>	<p>Cannot be supported by any of the Federal Education program funds.</p>
	<p>SIGN LANGUAGE INTERPRETERS FOR IEP MEETINGS: Salary and benefits of staff as well as private vendor contracted staff.</p>	<p>LEA/Schools may contract with a private vendor for interpreter services for IEP meetings. Expenditures related to IEP meetings are considered an excess cost of special education.</p>
	<p>FURNITURE: Desks, tables, chairs, file cabinets, washing machines, refrigerators, etc.</p>	<p>LEA/Schools may purchase student or staff desks, tables, and chairs, washing machines, file cabinets, and other furniture or appliances for use in spaces dedicated to special education programs, such as resource rooms or life skill classrooms.</p> <p>LEAs may only purchase student furniture for use in a regular education classroom if the furniture is adapted to the specific needs of a student with disability. Examples of such furniture are wheelchair accessible desks and adjustable tables or workstations.</p> <p>When using IDEA funds to purchase furniture for special education staff (such as the Special Education Director), the LEA should be cognizant of the Uniform Grant Guidance considerations for allowability of cost: is the cost necessary to meet the objectives of IDEA? Is the amount of the cost reasonable? Did the LEA consider its responsibilities to the LEA, its students, the public, and government?</p>
	<p>GUIDANCE COUNSELORS: Salaries and fringe benefits of staff employed by the LEA/School</p>	<p>The salary and benefits of a guidance counselor holding a State license are allowed for the time the guidance counselor is undertaking dedicated special education activities and must be based on time and effort records that accurately reflect the special education work performed (2 CFR § 200.430(i)). Costs must be IEP-driven or related to the evaluation of a student.</p> <p> Day-to-day costs of guidance counseling services that are normally provided to all students are not allowed grant charges.</p> <p>Under state special education categorical aid, guidance counselor FTE eligibility for aid is capped at 10% per Act 221. This state rule does not apply to IDEA. The amount of salary and benefits for staff charged to IDEA</p>






		<p>grants must be based on time and effort records, and may exceed the state aid cap.</p> <p> Guidance counseling provided by a private contractor (object 310) is not eligible for IDEA or state special education categorical aid.</p>
	High School Equivalency Diploma (HSED): Fees for a high school equivalency diploma.	<p>Normally, costs for obtaining a high school equivalency diploma (HSED) are not allowed because HSED costs are regular education costs. IDEA funds may only be used to pay for the excess cost of providing special education instruction and related services.</p> <p> However, HSED costs are allowed if the program is required by the student's IEP.</p>
	IEP TEAM COORDINATORS: Salaries and fringe benefits.	Salaries and fringe benefits of staff who coordinate an LEA's IEP system, train staff, and review IEPs are allowed. Only the actual time spent coordinating IEPs or other special education related activities is allowed and must be based on records that accurately reflect the work performed in accordance with 2 CFR § 200.430(i).
	INTERNS: Costs associated with interns working in the school district. See also "Student Teachers"	The salary and benefits of an intern providing special education services are allowed as long as the instruction is taking place under the direct supervision of a licensed special education teacher or licensed related services staff. The intern cannot assume the role of a teacher.
	JOB COACHES: Salary and benefits of staff employed by an LEA/School, as well as private vendor contracted staff.	<p>Students who have an IEP may participate in vocational experiences if it is determined appropriate for them at their IEP meeting.</p> <p>A job coach works directly with a student with a disability in a work site to help the student learn the specific requirements of the job; learn work-related activities and requirements; and learn appropriate work-related behaviors.</p> <p>If the LEA/School contracts for a job coach, the individual must work under the direction and supervision of an LEA/School special education staff.</p>
	LEGAL SERVICES: Attorney Fees	<p>See the following entries for detailed information:</p> <p>Attorney's Fees - Party to an Action  Attorney's Fees - Document Processing  Attorney's Fees - Professional Development or Policy Development  Due Process Hearings</p>
	LICENSES for STAFF: Costs associated with obtaining or renewing a State license.	<p>IDEA funds can be used for the costs of obtaining or renewing a State license for teachers and related special education staff under the following conditions:</p> <ol style="list-style-type: none"> <li>1) The State license must be for special education or related services.</li> <li>2) The LEA/School must have a consistent practice regarding paying for State licenses for staff. The LEA/School may not use IDEA funds to pay for a staff person's State license if it would not also use local funds to pay for the same costs. The exception to this rule are costs for special education aide licenses.</li> </ol>
	LIFEGUARD for SPECIALLY DESIGNED PHYSICAL EDUCATION:	LEA/Schools may rent lifeguard time from other organizations to provide students with disabilities adaptive physical education. Include here the costs of pool rental, first aid, CPR, etc.

	Costs associated with renting a lifeguard for adaptive physical education.	
✓	MAINTENANCE OF SPECIAL EDUCATION EQUIPMENT: Assistive technology devices; copying machines, printers, elevators, etc.	If the equipment is used for special education only, the cost of maintaining the equipment may be charged to the IDEA grant.
✗	MEDICAID SCHOOL-BASED SERVICES PROGRAM: Costs for claiming Medicaid funds, including third-party administrators.	Costs for administering the Medicaid School-Based Services (SBS) program, including fixed fees charged by third-party Medicaid administrators, may not be charged to the IDEA grant, because they are not necessary for the performance of the IDEA grant. 2 CFR § 200.403(a), 2 CFR §200.404(a), and Appendix VII to Part 200.  Contracts with vendors to manage Medicaid billing cannot be charged to the IDEA grant.
✗	MUSIC THERAPY - Costs for contracted therapy from a private vendor.	Adaptive music education or music therapy provided by a private contractor is not eligible for IDEA or state special education categorical aid.  Only the salary and benefits of an LEA, CESA, or CCDEB employed teacher holding a State license for Music - Special Education are eligible for IDEA reimbursement for the time the teacher provides instruction to students with disabilities per the student's IEP requirements.
!	NURSE – SCHOOL-BASED: Salaries and fringe benefits for LEA/School employees or costs for contracted nursing services.	The salary and benefits of a school nurse holding a State license are allowed for the time the school nurse is providing IEP-driven services or special education evaluations. The amount charged to the IDEA grant must be based on time and effort records that accurately reflect the special education work performed (2 CFR § 200.430(i)).  ✗ Day-to-day costs of nursing services that are normally provided to all students are not allowed grant charges.  ✗ Services provided to students with 504 plans (and not an IEP) must be coded to the general fund and are not eligible for IDEA or state special education aid  ✓ Private vendor contracted nursing services are an eligible IDEA cost, but not eligible for state categorical aid reimbursement.
✓	OCCUPATIONAL THERAPISTS (OT) and OT ASSISTANTS: Salary and fringe benefits for LEA/School employees or costs for contracted OT services.	Individuals acting as an occupational therapist must hold a State license. Individuals acting as an occupational therapy assistant must hold a State license.  ✗ Services provided to students with 504 plans (and not an IEP) must be coded to general education and are not eligible for IDEA or state special education aid.
!	OFFICE EQUIPMENT: Equipment used by special education staff.	Office equipment is allowed if it is exclusively used for the special education program.  When using IDEA funds to purchase office equipment for special education staff (such as the Special Education Director), the LEA should be cognizant of the Uniform Grant Guidance considerations for allowability of cost: is the cost necessary to meet the objectives of IDEA? Is the amount of the cost reasonable? Did the LEA consider its responsibilities to the LEA, its students, the public, and government?

		Office equipment such as copiers, printers, and file cabinets should be budgeted as non-capital equipment or capital equipment depending on the LEA's capitalization threshold. Smaller pieces of office equipment - such as calculators, staplers, etc., should be budgeted as supplies.
!	OFF-SITE SPECIAL EDUCATION PROGRAMS: Costs associated with renting off-site locations for special education programs. Costs are allowed under limited circumstances.	LEAs may rent space for alternative special education programs under the following limited circumstances: the special education program must be housed off district property and it must be required as part of the child's placement. For example: 18-21 Year Old Special Education Program, Interim Alternative Educational Setting, Transition - Employment Skills, Transition - Independent Living Skills
✓	PARAPROFESSIONALS: Salary and benefits of staff employed by an LEA/School as well as private vendor contracted staff.	Individuals acting as special education paraprofessionals must have, at a minimum, a State license (Special Education Program Aide). However, a Special Education Program Aide license is not required if the individual holds any other valid State license. The special education paraprofessional licensure rule applies to LEA/School employees and contracted individuals, even if short-term or subbing.
✓	PARENT LIAISONS: Salary and benefits of staff employed by an LEA/School as well as private vendor contracted staff.	The salary and benefits of an individual acting as a Parent Liaison are allowed for the time the individual spends providing support to parents/guardians of children with disabilities and must be based on time and effort records that accurately reflect the special education work performed (2 CFR § 200.430(i)).
!	PHYSICAL EDUCATION: Salary and benefits of staff employed by an LEA/School	The salary and benefits of a teacher holding a State license for Adaptive Physical Education are allowed for the time the teacher provides instruction to students with disabilities per the student's IEP requirements. If the teacher does not hold the State license, the costs are not considered special education and must be general education.  Unless the teacher only works with students with disabilities, any salary and benefits charged must be based on time and effort records that accurately reflect the special education work performed (2 CFR § 200.430(i)).  ✗ Adaptive physical education provided by a private contractor (object 370) is not eligible for IDEA or state special education categorical aid.
✓	PHYSICAL THERAPISTS (PT) and PT ASSISTANTS: Salaries and fringe benefits for LEA/School employees or costs for contracted PT services.	Individuals acting as Physical Therapists must hold the appropriate State license (Physical Therapy). Individuals acting as a physical therapy assistant must hold a State license.  ✗ Services provided to students with 504 plans (and not an IEP) must be coded to the general fund and are not eligible for IDEA or state special education aid.
✓	PLAYGROUND EQUIPMENT: Accessible playground equipment.	The additional costs of making a playground accessible to children with disabilities are allowed. The cost of the playground equipment and the installation of the equipment can be funded with IDEA. The equipment may be used in a regular education setting, even if one or more nondisabled students benefit.
✓	POOL RENTAL: Costs associated with pool rental for adaptive physical education.	LEAs may rent pool time from other organizations to provide students with disabilities adaptive physical education. Include here the costs of a lifeguard, first aid, CPR, etc.

	<p><b>PRINCIPALS OR ASSISTANT PRINCIPALS:</b> Salary and benefits of staff employed by an LEA.</p>	<p>Salaries for principals and assistant principals may not be charged to the IDEA grant. The principal position is not an excess cost of providing special education and related services.</p> <p>If an individual is employed as a part-time principal and also as a part-time special education teacher or provider, the salary and benefits for teaching special education or providing other special education services may be charged to the IDEA grants. The individual must have a valid State license for the special education or related services area and must be identified on the organizational and school staffing report as special education staff for the portion of time providing special education.</p> <p>The amount charged to the IDEA grant must be based on time and effort records that accurately reflect the special education work performed (2 CFR§ 200.430(i)).</p>
	<p><b>PROFESSIONAL DEVELOPMENT:</b> Costs associated with registration fees, travel, conference expenses, and providers.</p>	<p>Registration fees, travel, and conference expenses <i>associated with special education</i> in-service training of regular education and special education staff are allowed.</p> <p>Registration fees, travel, and conference expenses associated with <i>any</i> professional development provided to special education staff is allowed (such as training on core curriculum). If the non-special education training is \$2,000 and 40 staff attend, the amount charged to the IDEA grant can be prorated by the number of special education staff attending. If ten of the staff are special education, \$500 of the cost can be charged to the IDEA grant (<math>\\$2,000 / 40 = \\$50 * 10</math>).</p>
	<p><b>PROFESSIONAL ORGANIZATIONS:</b> Costs associated with memberships to regional, state, or national professional organizations.</p>	<p>IDEA funds can be used for the membership costs of a professional organization under the following conditions:</p> <ol style="list-style-type: none"> <li>1) The organization’s main objective is the support and delivery of special education programs. A special education staff person, but unless the organization’s mission is special education, the cost of the membership cannot be charged to IDEA.</li> <li>2) The membership belongs to the LE/School and not to the individual (example: if a special education director leaves a LEA/School, the membership would transfer to the replacement special education director).</li> <li>3) The LEA/School must have a consistent practice regarding funding membership costs. The LEA/School may not use IDEA funds to pay for a professional organization memberships if it would not also use general education funds to pay for the same costs.</li> </ol>
	<p><b>PSYCHOLOGISTS - SCHOOL-BASED:</b> Salary and benefits of staff employed by an LEA/School</p>	<p>The salary and benefits of a school psychologist holding a State license are allowed for the time the school psychologist is undertaking dedicated special education activities and must be based on time and effort records that accurately reflect the special education work performed (2 CFR § 200.430(i)). Costs must be IEP-driven or related to the evaluation of a student.</p> <p> Day-to-day costs of school psychology services that are normally provided to all students are not allowed grant charges.</p> <p> Psychology services provided directly to a student by a private contractor are not eligible for IDEA or state special education categorical aid.</p>

✓	PSYCHOLOGISTS - STUDENT EVALUATIONS: Private vendor contracted costs.	IDEA funds can pay for the costs of outside evaluations done by private vendor psychologists for the purposes of child find, evaluations or reevaluations.
✓	READING and READING INTERVENTIONS TEACHER: Salary and benefits of staff employed by an LEA/School	The salary and benefits of a Reading and Reading Interventions teacher holding a State license is allowed for the time the reading intervention teacher is providing dedicated specialized reading instruction per a student's IEP. The time charged to the IDEA grant must be based on time and effort records that accurately reflect the special education work performed (2 CFR § 200.430(i)).
!	REMODELING: Altering existing facilities.	<p>Costs for alteration of facilities must be related to the excess cost of providing special education. A project must meet the needs of one or more students with disabilities. Costs for the general purpose of bringing facilities into compliance with Section 504 and ADA requirements are not allowed. Only the costs of making a room accessible or costs specific to the delivery of the special education program can be charged to the IDEA grant.</p> <p>LEA/Schools must receive prior approval from the DPA-Special Education unit to use IDEA funds for remodeling. Approval for remodeling projects using IDEA funds is completed through the IDEA budget applications.</p> <p>✗ All students must be provided safe and healthful facilities. Remodeling a room or space to meet these standards for students with disabilities is not an excess cost of providing special education and thus not allowed.</p> <p>✗ The BIE will not approve requests for the use of IDEA funds for construction or alteration of facilities for seclusion rooms.</p>
!	RENT - FACILITIES: Costs associated with renting off-site locations for special education programs. Costs are allowed under limited circumstances.	LEAs may rent space for certain special education programs under the following limited circumstances: the special education program must be housed off district property and it must be required as part of the student's placement.
✓	RENTAL - SITES: Costs associated with short-term rentals.	LEA/Schools may rent space for short-term or non-permanent activities such as pools (for adaptive physical education), meeting spaces, or locations for professional development activities as long as the rental site will be used for the purposes of special education.
✗	ROAD REPAIR AROUND CAMPUS	Cannot be supported by any of the Federal Education program funds
✗	SECLUSION ROOMS: Construction or alteration of existing facilities. Also referred to as 'time out rooms'	This will not approve requests for the use of IDEA funds for construction or alteration of facilities for seclusion rooms. As a reminder, any seclusion of students must be in accordance with the law addressing seclusion and restraint
!	SECRETARIAL STAFF: Salary and benefits of staff employed by an LEA/School	Only the actual time spent supporting special education is allowed and <u>must</u> be based on time and effort records that accurately reflect the work performed. If the position supports other programs, such as pupil services or Medicaid billing, the individual's full salary and benefits cannot be charged to the IDEA grant.
!	SECURITY MEASURES: Cameras, door locks, GPS, fences, and other devices.	✓ The equipment is an excess cost when related to the needs of a student with a disability. It may be provided in a regular education environment or other education-related setting, even if one or more nondisabled students

		<p>benefit. An example of an allowed cost would be the installation of a fence around the playground due to the unique needs of a student with a disability. Students with disabilities must be able to participate in the general education program and LEAs may need to invest in additional safety measures to meet this requirement.</p> <p><b>✗</b> Acquisition of security devices are NOT an excess cost, and therefore not allowed, if the LEA has decided to equip classrooms in a school or its buses with security devices and charges the flow-through or preschool grant a prorated amount based upon the number of students with disabilities in the school.</p>
	<p><b>SOCIAL WORKERS - SCHOOL-BASED:</b> Salary and benefits of staff employed by an LEA/School</p>	<p>The salary and benefits of a social worker holding a DPI license ‘ 7050 ’ are allowed for the time the social worker is undertaking dedicated special education activities and must be based on time and effort records that accurately reflect the special education work performed (2 CFR § 200.430(i)). Costs must be IEP-driven or related to the evaluation of a student.</p> <p><input type="checkbox"/> Day-to-day costs of social work services that are normally provided to all students are not allowed grant charges.</p> <p>Under state special education categorical aid, social worker FTE eligibility for aid is capped at 59% per Act 221. This state rule does not apply to IDEA. The amount of salary and benefits for staff charged to IDEA grants must be based on time and effort records, and may exceed the state aid cap.</p> <p><input type="checkbox"/> Social work services provided by a private contractor (object 310) are not eligible for IDEA or state special education categorical aid.</p>
	<p><b>SOCIAL WORKER - STUDENT EVALUATIONS:</b> Private vendor contracted co</p>	<p>IDEA funds can pay for the costs of outside evaluations done by private vendor social workers for the purposes of child find, evaluations or reevaluations.</p>
	<p><b>SOFTWARE - INSTRUCTIONAL:</b> Costs associated with computer software or online instruction</p>	<p>Instructional software, including online instruction, can be paid for with IDEA funds if the software is being used to deliver specialized instruction per a student’s IEP.</p>
	<p><b>SPECIAL EDUCATION AIDE LICENSE:</b> Costs associated with obtaining or renewing a State Special Education Aide license.</p>	<p>Individuals acting as special education aides must have, at a minimum, a State license. If there is no requirement for a regular education aide or paraprofessional to hold a State license. Because this is unique to special education, the requirement to at least hold a Special Education Program Aide license is considered an excess cost of special education.</p> <p>Because it is an excess cost, the LEA/School can charge the IDEA grant for the costs of obtaining or renewing special education aide licenses regardless of whether or not the LEA/School normally reimburses staff for State license costs.</p> <p>As a reminder, a Special Education Program Aide license is not required if the individual holds any other valid State license. The special education aide licensure rule applies to LEA/School employees and contracted individuals, even if short-term or subbing.</p>
	<p><b>SPECIAL EDUCATION EVALUATIONS:</b> Personnel, supplies, or contracted services</p>	<p>IDEA funds can pay for the costs of performing evaluations for the purposes of child find, evaluations or reevaluations.</p>



✓	SPEECH and LANGUAGE PATHOLOGY: Salary and benefits of staff employed by an LEA/School	<p>Individuals acting as a speech/language pathologist must hold a State license. Out-of-state providers serving Wisconsin students must hold a State license to be eligible for IDEA or state special education categorical aid.</p> <p>✗ Services provided to students with 504 plans (and not an IEP) must be coded to the general fund and are not eligible for IDEA or state special education aid.</p>
✓	STAFF DEVELOPMENT: Costs associated with registration fees, travel, conference expenses, and providers.	<p>Registration fees, travel, and conference expenses associated with special education in-service training of regular education and special education staff are allowed.</p> <p>Registration fees, travel, and conference expenses associated with any professional development provided to special education staff is allowed (such as training on core curriculum).</p> <p>Registration fees (versus organizational membership fees) are always coded under the Purchased Services section.</p>
✓	STUDENT INCENTIVES: Costs associated with items of nominal value for the purposes of engaging students in the program.	<p>Nominal items of low value may be purchased with IDEA funds to be used as part of the special education program's delivery of services. Incentive items purchased with federal funds should be educational in nature. The amount charged to the IDEA grants must be reasonable and prudent.</p> <p><input type="checkbox"/> The following are never allowed incentives: cash, cash cards, gift cards, computing devices (such as iPads, Nooks, Kindles, etc.)</p> <p>Student incentives can help engage students and generate excitement around accomplishments. An internet search of "free student incentives" generates dozens of pages filled with clever incentive ideas staff can provide to students with little to no cost involved.</p>
✓	STUDENT WORKERS: Costs associated with students with disabilities employed by the LEA per the student's transition plan	<p>A stipend is a predetermined amount of money provided as compensation to an intern, trainee, or volunteer, which is used to offset the cost or expense of participating in a work or volunteer experience. A wage is compensation provided to an employee in exchange for work performed. Both stipends and wages may be allowable costs (See also "Transition—Employment Skills"); however, districts should examine the circumstances to determine whether a student is in an employment relationship. If the student is in an employment relationship, the compensation should be classified as a wage, and state and federal labor and employment regulations apply—such as minimum wage and overtime. Some questions to consider when making this determination are:</p> <ul style="list-style-type: none"> <li>● Does the student provide services of immediate benefit to the employer - services that would otherwise be provided by a paid employee? (If yes, this suggests the presence of an employment relationship)</li> <li>● As a result of the student's activities, may paid positions remain unfilled and/or regular employees may be relieved of their normal duties? (If yes, this suggests the presence of an employment relationship)</li> <li>● Is the work <del>is</del> part of an educational activity for the benefit of the student? (If yes, this suggests the absence of an employment relationship)</li> <li>● Does the student work under close supervision? (If yes, this suggests the absence of an employment relationship)</li> </ul>
✓	STUDENT TEACHERS: Costs associated with student teachers working in the school district. See also "Student Teachers"	<p>The salary and benefits of a student teacher providing special education services are allowed as long as the instruction is taking place under the direct supervision of licensed special education teacher or licensed related services staff. The student teacher cannot assume the role of a teacher.</p>

✓	SUBSTITUTE TEACHERS: Salaries and fringe benefits for LEA employees or costs for contracted substitute teacher services.	Substitute teacher costs are allowed for special education teachers. Substitute teacher costs are allowed for regular education teachers performing duties such as attending special education professional development, attending IEP team meetings, or engaging in planning meetings or consulting with special education teachers to benefit students with disabilities. A short-term substitute may hold any valid DPI license and may be employed or contracted to teach any subject at any grade level, but for no more than 45 consecutive days in the same teaching assignment. (Formerly 20 consecutive days, changed to 45 under 6/2016 emergency rule). A long-term substitute must be a licensed teacher or a licensed substitute teacher and employed or contracted only in the subject and grade level in which the teacher is licensed. An emergency license or permit may be granted to a long-term substitute.
✗	SUMMER SCHOOL: Salaries and benefits of instructors, aides, paraprofessionals, adaptive equipment, transportation, supplies or any other costs related to a student with disabilities attending summer school.	There is no compulsory attendance requirement for summer school classes and thus are not considered as part of FAPE (free appropriate public education). Because the costs associated with students with disabilities attending summer school are not related to FAPE, they are not eligible for IDEA or state special education categorical aid. LEAs have a responsibility under Section 504 to provide reasonable accommodations to students with disabilities attending summer school. These costs must be accounted for in Fund 10. Summer school is not the same as Extended School Year (ESY), which may take place during the summer months. Click the link for more information on ESY services . Transition services for students with disabilities may occur during the summer months and are unrelated to summer school. For additional information, see the entry on “Transition - Employment Skills.”
✗	SUMMER SCHOOL: Salaries and fringe of instructors, aides, paraprofessionals, adaptive equipment, transportation, supplies or any other costs related to a student with disabilities attending summer school. See also “Extended School Year (ESY)”	Summer school classes are not special education, because they are <b>not required</b> ; they are not based upon the child's individual needs, and they do not require an IEP. Thus, they are not excess costs of providing special education.
✗	SUPERINTENDENT / DISTRICT ADMINISTRATOR : Salary and benefits of staff employed by an LEA.	The salary and fringe benefits of superintendents cannot be charged to federal grants, even if the superintendent is providing special education support and is appropriately licensed. 2 CFR § 200.444.
✓	SUPPLIES AND MATERIALS	Supplies, materials, and equipment for students with disabilities and special education staff who are serving those students. These supplies, materials, and equipment must be above and beyond what is provided for general education students and staff.
✓	TEACHERS – SPECIAL EDUCATION: Salaries and fringe benefits.	Special education teachers must be employees of a LEA and must hold the appropriate State licensure.
✓	TEACHERS – REGULAR EDUCATION: Salaries and fringe benefits. See also “Substitute Teachers”	Regular education teachers may be paid to attend special education professional development activities and IEP meetings. Instructional costs of regular education teachers are not allowed.
✓	TECHNOLOGY STAFF: Salaries and fringe benefits for LEA employees or costs for contracted IT services.	LEA, CESA, and CCDEB technology staff expenses for programming or maintaining special education and related services databases and applications are allowed and may include coordination or administration of technology services.

		Private contracts for special education database maintenance or programming also are allowed. If the position is not dedicated to special education, then the individual must document his/her work with personnel activity reports as required by the OMB Circular A-87
✓	TRANSITION – EMPLOYMENT SKILLS: Costs associated with work experiences, job coaches, and acquisition of employment skills.	LEAs may contract with agencies to facilitate the acquisition of employment skills for students with disabilities typically ages 18-21. The transition services must be identified in students’ IEPs. The costs also may be incurred when school is not in session. Contracted transition services must be provided under the supervision of appropriately licensed special education teachers. Transition agency staff <u>may not</u> assume the role of special education teachers, who must prescribe instruction and evaluate the results of instruction. Under the Workforce Innovation and Opportunity Act (WIOA), contracts or other arrangements with agencies for the purpose of having a student with a disability participate in a program in which that student is engaged in subminimum wage employment will be prohibited.
✓	TRANSITION – INDEPENDENT LIVING SKILLS: Rental or purchase of property used for developing independent living skills.	LEAs may rent, lease, or purchase property from individuals or agencies for teaching independent living skills required by students’ IEPs.
✓	TRANSPORTATION COSTS - SPECIAL EDUCATION: Costs incurred by the LEA for transporting children with disabilities.	Allowable special education transportation costs include repair or servicing of special education vehicles, insurance, mileage, and bus driver and bus aide costs.
✓	TRANSPORTATION COSTS – CONTRACT WITH PARENTS/GUARDIANS:	A contract with parents/guardians is allowed if the transportation is to transport a child with a disability who requires special assistance in transportation (special transportation or additional transportation), including a child with a disability attending regular classes.
✓	TUITION FOR SPECIAL EDUCATION INSTRUCTIONAL STAFF	Tuition is allowed as a fringe benefit for special education instructional staff and is related to special education.
✓	TUITION – TECHNICAL COLLEGE CLASSES FOR STUDENTS WITH DISABILITIES: Tuition to a local technical college for a special education program for a student with a disability.	These expenses are allowed if the program is required by the IEP and the student receives high school credit.
✓	TUTORING: Salaries and fringe benefits or stipends related to special education instructional service for children with disabilities only.	Instruction must be provided by a licensed special education teacher who is an employee of the LEA (an aide may provide services under the direction of a licensed special education teacher, but <u>may not</u> assume the role of a teacher).
✓	VEHICLE PURCHASE, LEASE or RENTAL: Vehicle purchase or lease, insurance, repair, and maintenance. See also “Transportation Costs – Special Education”	Vehicles must be used ONLY to transport children with disabilities who require special assistance in transportation (special transportation or additional transportation), including children with disabilities attending regular classes. Vehicles may also be used by special education staff or for special education purposes. A detailed description is required in the budget.
<b>NO</b>		
<b>NON ALLOWABLE USES</b>		

X	EVALUATION and REEVALUATION	Non-allowable uses: <ul style="list-style-type: none"> <li>• Evaluation for at risk students.</li> <li>• Progress monitoring tools used in the RtI process.</li> <li>• Progress monitoring tools used for general education students.</li> </ul>
X	DORMITORY	Non-allowable use: Expanding dorms to seven days per week.
X	CHILD FIND	Non-allowable uses: <ul style="list-style-type: none"> <li>• Universal screenings</li> </ul>
X	CONTRACTED SERVICES/PURCHASED SERVICES	Non-allowable uses: <ul style="list-style-type: none"> <li>• Medicaid school-based services.</li> <li>• Staff who are not appropriately licensed and endorsed for the assignment.</li> </ul>
X	SCHOOL KITCHEN	Non-allowable uses: <ul style="list-style-type: none"> <li>• Purchasing bigger mixing bowls for the kitchen.</li> </ul>
X	PARENT TRAINING	Non-allowable uses: <ul style="list-style-type: none"> <li>• Workshops or training(s) for parents/guardians related to general education topics.</li> </ul>
X	RtI	Non-allowable uses: <ul style="list-style-type: none"> <li>• Develop a universal structure for RtI and PBIS for all students.</li> <li>• Provide support for schools on how to use data to drive instruction for all students using RtI and PBIS methodologies.</li> <li>• Develop an RtI framework.</li> <li>• Screening materials, supplies, or assessments.</li> <li>• Address prevention and pre-referral interventions.</li> </ul>
X	SUPPLIES, MATERIAL and EQUIPMENT	Non-allowable uses: <ul style="list-style-type: none"> <li>• purchase and maintenance of an automated data management system for ALL students.</li> <li>• Technology networking costs.</li> <li>• Technology that is used with all students.</li> <li>• Purchase of any item that may be construed as a restraint.</li> </ul>
X	TRAINING and STAFF DEVELOPMENT	Non-allowable uses: <ul style="list-style-type: none"> <li>• Professional development for general education staff covering general education topics.</li> <li>• Professional development for all staff not related to special education.</li> </ul>
X	TRAVEL/TRANSPORTATION	Non-allowable uses: <ul style="list-style-type: none"> <li>• Costs associated with commuting to/from daily assignment.</li> </ul>
X	TRAVEL/TRANSPORTATION	Non-allowable uses: <ul style="list-style-type: none"> <li>• Costs for transporting both general education and special education students together.</li> <li>• Purchase of buses/vehicles that will be used by both general education and special education students.</li> <li>• Costs for travel related to personal guest(s) of special education attendees at conferences.</li> <li>• Costs associated with extended stay beyond the conclusion of business.</li> </ul>
X	TUITION COST	Non-allowable uses: <ul style="list-style-type: none"> <li>• General education, occupancy, and administrative overhead costs in approved facility schools cannot be paid for with IDEA Part B funds.</li> <li>• Tuition reimbursement for staff if the content of the course is not specific to special education.</li> </ul>