

Special Education Handbook for Administrators & Teachers

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1. Purpose

This handbook is created to provide teachers and administrators with clear procedures for ensuring compliance with the Individuals with Disabilities Education Act (IDEA), Indiana's Article 7, and the South Gibson School Corporation Policies and Procedures.

2. Section: Key Definitions

This section defines key terms used throughout the handbook to ensure consistent understanding among administrators, teachers, paraprofessionals, and staff.

Administrators - Principals, assistant principals, and district-level supervisors who oversee or evaluate the performance of principals or assistant principals.

Behavior Intervention Plan (BIP) - A written plan developed by appropriately trained professionals for an individual student and agreed upon by the Case Conference Committee (CCC).

Includes:

- Positive behavioral interventions, strategies, and supports.
- Reasonable modifications to the nature of instruction, curriculum, or school routines.
- Parent/guardian input regarding emotional, mental, and physical health of the student, as well as other relevant data.
- Components informed by a Functional Behavior Assessment (FBA).

Case Conference Committee (CCC) - Team responsible for eligibility, IEP development, and service/placement decisions. Membership includes parents, teachers, a district representative, and other professionals. Operates under Article 7 and makes decisions by consensus.

Crisis Prevention Intervention (CPI) - Training provided to District staff on prevention, de-escalation, disengagement, and how to use physical restraint as a last resort.

De-escalation Techniques - A progression of non-verbal (e.g., body language, physical cues, and allowing personal space), verbal, and environmental (eg., clearing a room of all other students to reduce risk to the individual or to other students) interventions used to reduce misbehavior of a student that might pose a danger.

Free Appropriate Public Education (FAPE) - The right of students with disabilities to receive special education and related services at no cost to families, in compliance with IDEA, Section 504, and Indiana Article 7.

Functional Behavior Assessment (FBA) - A process to determine the purpose of a student's behavior, involving record review, interviews, direct observation, and analysis of triggers and reinforcers. Guides development of the BIP.

IDEA - The Individuals with Disabilities Education Act, which guarantees FAPE through special education and related services.

Incident Form - The "Seclusion and Restraint Incident Form" used to document restraint, notify parents, and record follow-up actions.

Instructional Staff - Certified staff (e.g., teachers and counselors) and non-certified staff (e.g., paraprofessionals) who work directly with students.

Homebound Instruction - Instruction outside of the school classroom setting in a student's home or another location (e.g., medical placement or public library).

Least Restrictive Environment (LRE) - The setting where a student with a disability learns with non-disabled peers to the maximum extent appropriate for their needs.

Physical Restraint - Physical contact between District staff and a student in which the student unwillingly participates and that involves the use of a manual hold to restrict freedom of movement of all or part of the student's body or to restrict normal access to the student's body. The term includes holding or grabbing a student to escort, compel, or coerce the student to move to another location within the school. It does not include a temporary touching of the hand, wrist, shoulder or back without applying pressure or force for the purpose of guiding or redirecting a student.

Seclusion - The involuntary confinement of a student alone in a room or area. It includes the use of any room or area in which a student is involuntarily confined alone regardless of its name (including "time out, green, break, reset rooms, quiet areas, think about it spot). It does not refer to any location where the school authorizes a student to go voluntarily to engage in calming or de-escalating behavior.

Teacher of Record (TOR) - Licensed teacher assigned to each student with a disability.

Responsibilities:

- Provide services per the IEP.

- Lead CCC meetings and set goals.
- Monitor IEP implementation with quarterly reports.
- Ensure staff understand IEP responsibilities.
- Oversee accommodations and supports.
- Consult with staff, participate in reevaluations, and notify staff of changes.

Teacher of Service (TOS) - Any teacher (general or special education) who provides services to a student with a disability. The TOR may also serve as a TOS.

Self-Contained Classroom - A classroom composed only or primarily of students with disabilities, where a special education teacher is or should be responsible for instruction in all or nearly all academic subjects, including “Life Skills”, “Multi-Cat”, and the developmental preschool.

Shortened School Day - Any day that a student with a disability receives fewer instructional hours than grade-level peers.

School Resource Officer (SRO) - A law enforcement officer assigned to a school setting.

Student with a Disability - A student who has or would qualify to receive accommodations, reasonable modifications of policy or services under IDEA, ADA, or Section 504.

3. General Administration of Programs

South Gibson School Corporation ensures that all programs are administered in compliance with state and federal requirements to support students with disabilities.

Parents are essential partners in the education process and are provided meaningful opportunities to participate in meetings, decision making, and the development and review of their child’s Individualized Education Program (IEP). South Gibson School Corporation ensures timely notification, accessible communication, and consideration of parent input.

South Gibson School Corporation employs appropriately licensed and qualified personnel to implement special education programs and services. Staff receive ongoing professional development to maintain compliance and effectively meet student needs.

Special education teachers are responsible for providing individualized instruction, collaborating with general education staff, and ensuring that IEPs are implemented with fidelity. Teachers hold proper licensure in their area of assignment.

South Gibson School Corporation provides appropriate instructional materials, adaptive equipment, and assistive technology necessary for students to access and progress in the general education curriculum and meet their IEP goals. Decisions regarding these supports are made by the case conference committee.

Students with disabilities have access to a school day that is comparable in length to that of their nondisabled peers, unless otherwise specified in the IEP. Services and supports are delivered in a manner that maximizes participation in the general education environment.

For preschool-aged children, services are provided in developmentally appropriate settings that promote inclusion with typically developing peers to the maximum extent appropriate, consistent with the child's IEP.

Facilities at South Gibson School Corporation used for special education programs are accessible, safe, and comparable to those provided to nondisabled students. South Gibson School Corporation continues to ensure compliance with accessibility standards and provides appropriate accommodations as needed.

Transportation is provided as a related service when required by the student's IEP. This may include specialized equipment, accommodations, or personnel to ensure safe and appropriate travel to and from school.

Medication is administered in accordance with state law and South Gibson School Corporation policy ag5330. Procedures are in place to ensure safe storage, documentation, and administration, with appropriate parent authorization and medical guidance.

4. Child Find and Referral for Special Education Services, Educational Surrogate Parents, & Early Intervention Services

South Gibson School Corporation is committed to identifying, locating, and evaluating all students at least (3) three years of age but less than (22) twenty-two years of age, who are in need of special education and related services, regardless of the severity of their disabilities, including students who:

- A.** have legal settlement within the service area of the board;
- B.** attend a nonpublic school, are served by the Board, or live in an institution located within the service area of the Board;
- C.** are homeless students, as defined at 511 IAC 7-32-46;
- D.** are wards of the state;
- E.** are highly mobile students, including migrant students; and
- F.** are suspected of being students with disabilities in need of special education even though they are advancing from grade to grade.

In compliance with **IDEA** and **Indiana's Article 7**, the district ensures timely referrals, evaluations, and case conference decisions to protect the educational rights of students with disabilities.

Procedures

Child Find Responsibilities

- Conduct annual outreach (public notices, website postings, newsletters).
- Collaborate with pediatricians, early childhood programs, and community agencies.
- Ensure awareness among private and homeschool families.

Referral for Evaluation

- **Who may refer:** Parents/guardians, teachers, staff, community agencies, or the student.
- **How to refer:** Written referral submitted to the principal, counselor, school psychologist, speech language pathologist, related service providers, or special education coordinator.
- **Timeline:** Within **10 instructional days**, the district must either:
 - Request parental consent for evaluation, or
 - Provide written notice explaining refusal.

Evaluation Timelines

- Upon parental consent, evaluation must be completed within **50 instructional days**.
- Evaluation includes data review, standardized assessments, observations, and parent/teacher input.
- Students receiving First Steps services, with a signed consent, will have the evaluation completed prior to turning three years of age.

Case Conference Committee (CCC)

- Convened within **10 instructional days** of evaluation completion.
- Determines eligibility, reviews present levels, and decides on services.
- If eligible, an IEP is developed.

Documentation

- Maintain all referral forms, parental consents, evaluation reports, and CCC notes in the student's confidential file.
- Records must comply with **FERPA** and Article 7 requirements.

Annual Review & Notification

- Procedures are reviewed annually.
- The community is notified of Child Find obligations each year.

Staff Responsibilities

- **Teachers:** Initiate referrals when concerns arise; provide and collect data and classroom observations.
- **Administrators:** Ensure timely processing of referrals and compliance with Article 7 timelines.
- **School Psychologists/Speech Language Pathologist and/or Related Service Providers (i.e. Occupational Therapy and Physical Therapy):** Lead evaluations, collect data, and present findings.
- **Special Education Teacher:** Participate in CCC meetings, develop IEPs, and provide services.

Educational Surrogate Parents

In accordance with Board Policy po2460.01, the School Board establishes the following policy to assure procedural safeguards of disabled students with regard to the involvement of their parents.

This policy affects disabled students of the Corporation whose parents are unknown, or cannot be identified, or whose parents are unavailable or cannot be located. (A student's parents are considered to be "unavailable" if they cannot be located after a "reasonable effort" on the part of the Corporation). It also affects disabled students who are wards of the State and whose parent or guardian has not retained the right to make educational decisions for the student.

Upon determination that a student is in need of a surrogate parent, the Superintendent shall, within thirty (30) days, appoint a surrogate parent who will be sent a formal letter of appointment. A copy of the appointment shall be placed in the student's permanent records.

Early Intervention Services

In accordance with Board Policy po2460.01, SGSC recognizes the importance of early identification and support for young children with developmental delays or disabilities. In accordance with 511 IAC 7-40-2, the Corporation collaborates with Indiana's early intervention system, known as First Steps, to ensure a smooth transition for children approaching age three. Prior to a child's third birthday, the school corporation participates in transition planning conferences, with parent consent, to review the child's needs and determine eligibility for preschool special education services.

If a child is found eligible, an Individualized Education Program (IEP) will be developed and implemented by age three. South Gibson School Corporation is committed to providing appropriate services in a timely manner and supporting families throughout the transition from early intervention to school-based services.

The Board directs the Superintendent to plan, implement, and coordinate a comprehensive special education program in accordance with Federal and State law.

The Board may enter into an agreement with other school boards to form a special education cooperative to provide all or any part of the special education program required by this policy.

The Superintendent shall prepare whatever administrative guidelines are necessary to ensure effective implementation of the special education program maintained pursuant to this policy.

5. Evaluation, Screening & Eligibility

The evaluation and eligibility process ensures that students who may have a disability receive timely, individualized consideration. Evaluations are conducted to determine:

- Whether the student has a disability under **Indiana's Article 7** and the **Individuals with Disabilities Education Act (IDEA)**
- Whether the disability has an adverse effect on the student's educational performance
- What special education and related services, if any, the student requires

All evaluations and eligibility determinations are made by the **Case Conference Committee (CCC)**, which includes parents, educators, and other qualified professionals.

Initial Educational Evaluations

School-Initiated Referrals

When a school staff member suspects a student may have a disability, the school may initiate an educational evaluation. Teachers are required to provide referral data to the school psychologist and a CCC will convene to determine the appropriate interventions and/or review the effectiveness of interventions that have previously been implemented.

If the student continues to demonstrate educational difficulties, the school will:

- Provide parents with written notice of the intent to evaluate
- Obtain parental consent before proceeding

- Complete the evaluation and convene a CCC within **50 instructional days** of receiving parental consent

These procedures do not apply to the following:

- A test or other evaluation that is administered to students unless, before administration of the test or evaluation, consent is required from parents of all students.
- A screening of students by a teacher or a specialist to determine appropriate instructional strategies for curriculum implementation.
- A review of existing data regarding a student.
- The collection of progress monitoring data when a student participates in a process that assesses the student's response to scientific, research based interventions.

Parent-Initiated Referrals

Parents have the right to request an initial educational evaluation at any time. Requests should be made in writing to the principal or special education teacher. The school must respond in writing within 10 school days, either by:

- Seeking parental consent to conduct an evaluation, or
- Providing written notice explaining why the school does not suspect a disability and will not evaluate

If the school agrees to evaluate, the same **50 instructional day timeline** applies.

Speech or Language Parent Referrals

Parents may specifically request a speech or language evaluation. In these cases:

- The school will provide written notice and seek consent from the parent
- A speech-language pathologist will conduct the evaluation, which may include standardized assessments, classroom observations, and language samples
- The CCC will review results to determine if the student meets eligibility as a **student with a speech or language impairment** under Article 7
- If eligible, services will be outlined in the student's Individualized Education Program (IEP)

Re-Evaluation Procedures

Re-evaluations are conducted:

- At least once every **three years** unless the parent and school agree that it is not needed
- Whenever a parent or teacher requests a re-evaluation
- When the school determines additional information is needed to decide continued eligibility or appropriate services

Procedures include:

- A review of existing data by the CCC
- Determination of whether new assessments are needed
- Obtaining parental consent if additional testing is required
- Completing the process within required timelines

Re-evaluations may confirm continued eligibility, identify changes in the student's needs, or determine that the student is no longer eligible.

Eligibility Criteria

A student may be found eligible for special education if the CCC determines that:

1. The student meets the definition of one or more disability categories under Article 7/IDEA
2. The disability adversely affects educational performance
3. The student requires specially designed instruction and related services to benefit from education

The CCC must use a variety of data sources, not a single test, and must document the basis for all eligibility decisions. Parents receive written copies of evaluation results and eligibility determinations.

Disability Categories under IDEA and Indiana Article 7

The following disability categories are recognized under Article 7 and IDEA:

- Autism Spectrum Disorder (ASD)
- Blind or Low Vision (BLV)
- Deaf or Hard of Hearing (DHH)
- Deaf-Blind (DB)
- Developmental Delay (DD) (ages 3 through 8 only)
- Emotional Disability (ED)
- Intellectual Disability (ID)
- Language Impairment (LI) or Speech Impairment (SI)
- Multiple Disabilities (MD)

- Orthopedic Impairment (OHI)
- Other Health Impairment (OI)
- Specific Learning Disability (SLD)
- Traumatic Brain Injury (TBI)

The Case Conference Committee will apply state and federal criteria to determine eligibility in each category.

Independent Educational Evaluation (IEE)

Parents who disagree with a school's evaluation have the right to request an Independent Educational Evaluation (IEE) at public expense. An IEE is an evaluation conducted by a qualified professional who is not an employee of the school. Upon request, the district must either:

- Provide information about how to obtain an IEE, or
- File for due process to show that the school's evaluation is appropriate

If an IEE is at public expense, a copy of the IEE must be received by the school and considered by the student's CCC. If an IEE is obtained at the expense of the parent, the parent may choose whether to share the IEE with the CCC. If shared, the CCC must consider the information in making decisions about a student's educational needs.

A student is entitled to one IEE at public expense each time a school conducts an educational evaluation in which the parent disagrees.

Timelines and Procedural Safeguards

- **Initial Evaluations** must be completed within **50 instructional days** from parent consent
- **Re-Evaluations** must occur at least every 3 years, unless agreed otherwise
- **Written notice and parental consent** are required before any evaluation. Written parental consent must be sought before a school can conduct a reevaluation. However, if the parent fails to respond to the school's request for consent, the school may conduct the reevaluation without parental consent. If the parent refuses to consent to a reevaluation, the school has the option, but is not required, to pursue mediation or a due process hearing. The school must document in detail the attempts made to obtain written consent from the parent.
- Parents receive a copy of their **Procedural Safeguards** whenever an evaluation is proposed

6. Individualized Education Programs (IEPs) & Revocation of Consent

The purpose of an IEP is to ensure that students with disabilities receive a Free Appropriate Public Education (FAPE) in the least restrictive environment (LRE). The legal foundation for creating an IEP can be found in Indiana Article 7 and IDEA.

Decisions of the case conference committee (CCC) are made through a process of general consensus, ensuring that each member, including the parent, has the opportunity to participate and provide input regarding the student's educational program.

General consensus does not require unanimous agreement; rather, it reflects the collective professional judgment of the group in determining what is appropriate to meet the student's needs. As part of the decision-making process, the CCC must also consider required special factors, including the student's behavior and the need for positive behavioral interventions and supports, limited English proficiency, communication needs, the need for instruction in Braille for students who are blind or visually impaired, and the need for assistive technology devices and services.

If consensus cannot be reached, the public agency representative has the responsibility to make the final decision and must provide prior written notice outlining the proposed or refused actions and the reasons for these decisions. All discussions and decisions are documented in the IEP to ensure compliance and to support the provision

IEP Development

- **Timeline Requirements**
 - Initial IEP must be developed within 10 school days after the CCC
 - Review and update at least annually.
- **Participants in the IEP Meeting (CCC Members)**
 - Parent/guardian(s)
 - Special Education Teacher of Record (TOR)
 - General education teacher(s)
 - Local education agency (LEA) representative
 - Individual who can interpret evaluation results
 - Other individuals at the discretion of the parent or LEA
 - Student (as appropriate)
- **Parent/Guardian Rights**
 - Right to participate in meetings
 - Right to receive prior written notice
 - Right to access educational records

Required Components of the IEP (According to Article 7)

- **Student Information**
 - Name, date of birth, grade, school
 - Relevant medical or developmental history
- **Present Levels of Academic Achievement and Functional Performance (PLAAFP)**
 - Academic achievement
 - Functional performance (social, behavioral, communication, motor, etc.)
 - Strengths and needs
 - Impact of disability on involvement and progress in the general curriculum
- **Measurable Annual Goals**
 - Academic goals
 - Functional goals
 - Short-term objectives or benchmarks (for students taking alternate assessments)
 - How progress will be measured
- **Special Education and Related Services**
 - Services to be provided (e.g., speech therapy, occupational therapy, counseling)
 - Frequency, duration, and location of services
 - Modifications, accommodations, and supports
- **Participation in General Education**
 - Extent to which the student will participate in general education classes and activities
 - LRE considerations
- **Assessment and State/District Testing**
 - Participation in standardized assessments
 - Accommodations or alternate assessments
- **Transition Planning (Age 14+)**
 - Postsecondary goals (education/training, employment, independent living)
 - Transition services to support goals
 - Student-centered planning
- **Behavioral Supports (if needed)**
 - Behavior Intervention Plan (BIP)
 - Positive behavior strategies
- **Assistive Technology (if needed)**
 - Devices and services

- Training for staff, student, and family
- **Progress Reporting**
 - How progress toward IEP goals will be reported to parents (frequency, method)
- **Extended School Year (ESY) Services**
 - Eligibility criteria
 - Services to be provided during breaks

Procedures

IEP meetings are scheduled and documented through IDOE Special Programs

- Select Meeting Purpose
- Invite ALL Related Services
- If outside agencies are needed, permission from parent/guardian is required prior to adding them to the CCC invite.

Prior Written Notice (PWN) to parent/guardian is required when a school proposes to initiate or change the identification, evaluation, or placement of a child, or when the school refuses to initiate or change these aspects. The PWN must contain:

- A description of the action proposed or refused by the school
- An explanation of why the school proposes or refuses to take the action
- A description of each evaluation procedure, assessment, record, or report the school uses as the basis for their decision

IEP Amendments Without a Meeting are allowed under **Article 7** for minor adjustments or modifications to the existing IEP and when both the parent/guardian and the school agree that a full meeting isn't necessary to implement the changes.

- Both the parent/guardian and the school must agree to this method of making changes to the IEP
- This option can only be used after the annual IEP team meeting has already taken place
- The changes must be documented in a written amendment or modification
- The TOR must ensure that the entire IEP team is informed of any changes made through this process

Dispute Resolution Procedures

Indiana's Special Education Rule 45, outlines the procedures for conducting a due process hearing. It is a formal hearing before an Administrative Law Judge to resolve disagreements between parents and schools regarding a student's IDEA rights and services.

A Due Process Hearing can be requested when a parent or school district cannot agree on the special education services for a student or when parents believe the school has not met the student's educational needs or has violated their rights under IDEA.

How to request a hearing:

1. Write a Request: The request must be in writing and signed.
2. Include Student Information: Provide the student's name and address, or available contact information for a homeless student.
3. Identify the School: Name the school corporation and the school the student attends.
4. Describe the Problem: Detail the nature of the problem, including the facts related to the issue.
5. Propose a Resolution: Offer a proposed resolution to the problem.
6. Send to Officials: The request must be sent simultaneously to the school and the Indiana Department of Education (DOE) or its designated official.

At the hearing, both parties have an opportunity to present their case, call witnesses and provide evidence to their claims. An independent hearing officer oversees the proceeding and makes a final decision.

Before or after a hearing, both parties may be encouraged to pursue **Mediation** to try to settle the dispute without a formal hearing.

Roles and Responsibilities

- LEA: Ensure compliance, facilitate meetings, provide staff
- Teachers: Implement goals, collect progress data
- Parents: Collaborate in planning and monitoring
- Student (when appropriate): Provide input in transition planning

Revocation of Consent

Under 511 IAC 7-42-15, a parent, guardian or adult student has the right to revoke consent for special education services at any time after the services have begun. Revocation must be made in writing and, once received, the school must provide prior written notice before ceasing the provision of special education and related services.

After services are discontinued, the student will be treated as a general education student and will no longer receive the protections and support provided under an Individualized Education Program (IEP). The school is not required to convene a case conference committee meeting or develop a new IEP following revocation, and it is not considered a violation of the school's obligations to provide a free appropriate public education (FAPE) once consent has been withdrawn. If the parent/guardian or adult student later wished to resume services, a new referral and evaluation process may be required.

Resources

- [Navigating the Course - Finding Your Way Through Indiana's Special Education Rules](#)
- [Article 7](#)
- **Gibson County Special Services**
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7. Procedural Safeguards

South Gibson School Corporation ensures that parents of students with disabilities are informed of their rights under **Indiana Article 7** and **IDEA**. The Notice of Procedural Safeguards (NOPS) is provided in a timely, accessible, and documented manner.

When to Provide the Notice

- At least once per school year.
- Upon initial referral or parent request for evaluation.
- The first time a parent files a complaint in a school year.
- The first time a parent requests a due process hearing in a school year.

- When a disciplinary removal results in a change of placement (must be provided on the date of the decision, or mailed no later than the following business day).
- Anytime a parent requests a copy.

How to Provide the Notice

- Hand-delivery at a meeting or case conference.
- Mail via first-class mail; if related to discipline, mail the next business day if same-day delivery is not possible.
- Email, if the parent has given written consent.
- Oral translation/accessible format must be provided when the parent's native language is not written or if other communication supports are required. Documentation of translation must be kept.

Posting the Notice online is allowed but does not replace individualized distribution.

Documentation Requirements

Staff must record each distribution and file the one-page **Procedural Safeguards Distribution Form** in the student's record. Documentation must include:

- Student name and DOB
- Parent name
- Date provided
- Reason (event trigger)
- Method of delivery
- Staff name
- Parent acknowledgment (if possible)

(Form 3) Procedural Safeguards Distribution Form

8. Free Appropriate Public Education (FAPE), Least Restrictive Environment (LRE) & Nonpublic School Placements

South Gibson School Corporation shall provide a **Free and Appropriate Public Education (FAPE)** to all students who are at least (3) three years of age, have a legal settlement in the South Gibson School District, have been identified as a student with a disability, and have not been enrolled in a charter school or parentally-placed non-public school until they graduate with a high school diploma, at the end of the school year in which they become (22) twenty-two years of age, unless the case conference committee determines that the student will leave school earlier.

It is the philosophy and position of the South Gibson School Board and its administration that the primary responsibility for the administration and delivery of special education programs and services should be within the Corporation and at the school a student would regularly attend, whenever appropriate. Further, the Board endorses a commitment to a continuum of special education programs and services to disabled students in cooperation with the Gibson County Special Services.

Placement options should follow a services model to ensure that each disabled person is provided a **Free and Appropriate Public Education** in the **Least Restrictive Environment**. To that end, every attempt will be made to first serve disabled students in the context of a regular education classroom. Other more restrictive environments such as: resource rooms, self-contained categorical classrooms, or settings outside of a Corporation school will be considered only when placement in the regular classroom has been documented by the Case Conference to be inappropriate for the student's educational needs.

The continuum of services are listed from least restrictive to most restrictive as follows:

1. General Education Classroom
2. Resource Room
3. Self-Contained Room
4. Separate Day School
5. Residential Facility
6. Shortened Day/Homebound

Nonpublic School Placements

When SGSC determines that a student's educational needs cannot be appropriately met within the corporation's programs and services, placement in an approved nonpublic school or facility may be considered.

Such placements shall be determined by the Case Conference Committee (CCC) based on the student's IEP. The CCC must document that the nonpublic placement is necessary to implement the IEP and that SGSC cannot provide the required services within its own schools. All placements shall be in the least restrictive environment appropriate to the student's needs.

SGSC shall maintain responsibility for the student's education during nonpublic placement, including ensuring that the placement is capable of implementing the IEP as written. SGSC shall assume financial responsibility for tuition, related services, and transportation as required, SGSC will monitor the student's progress

on a regular basis and ensure ongoing compliance with all applicable state and federal regulations.

Parents/guardians shall be included in the decision making process and provided with prior written notice regarding any proposed nonpublic school placement. SGSC will review each placement at least annually, or more frequently as needed, to determine continued appropriateness.

9. Related Services & Supports, Transportation & Emergency Preparedness

Under Indiana Article 7 and the Individuals with Disabilities Act (IDEA), related services are developmental, corrective, and supportive services that a student with a disability needs in order to benefit from special education. Related services are not stand-alone programs, they are provided in connection with the student's Individualized Education Program (IEP).

Related services are determined individually by the Case Conference Committee (CCC) and may include, but are not limited to:

- Speech-language therapy
- Occupational Therapy (OT)
- Physical Therapy (PT)
- Counseling or social work services
- Psychological services
- School health or nursing services
- Orientation and mobility training for students who are blind or visually impaired
- Audiology or interpreting services for students who are deaf or hard of hearing
- Transportation, if needed due to the student's disability

Requirements for Related Services

- **CCC Decision-Making:** The need for related services is decided by the Case Conference Committee as part of the IEP process.
- **Individualized Services:** Services are based on the student's unique needs, not on disability category or program availability.
- **IEP Documentation:** The IEP must clearly state the type of related service, the frequency, duration, and where the service will be provided.
- **Qualified Providers:** Related services must be delivered by licensed or certified professionals, as required by Indiana law.

- **Transportation:** If a student cannot access school without transportation assistance due to their disability, the school must provide transportation as a related service.
- **Private Duty Nurse:** Although Article 7 does not specifically reference private-duty nursing, under the definition of related services and medical services, the team may determine that such support is necessary to enable the student to access the educational program. Accordingly, the district establishes procedures for allowing a private duty nurse to attend school with the student.

Special Transportation

Special transportation is a related service under **Indiana's Article 7** and **IDEA**, provided when necessary for a student with a disability to access and benefit from special education. The Case Conference Committee (CCC) determines whether transportation is required and documents it in the student's IEP, including any specialized equipment, supports, or personnel needed for safe travel. Services are provided in the least restrictive environment (LRE) and are consistent with district safety policies. Transportation staff receive training related to student needs, confidentiality, and safety. Any change in placement or student need requires the CCC to review and update the transportation portion of the IEP.

When it has been determined by the CCC that a student requires special transportation, the TOR and/or building administrator will reach out to the Director of Special Education or Assistant Director of Special Education so that special transportation can begin.

Dismissal times will be the same as nondisabled students unless noted in the IEP. Every effort will be made for dismissal to be no earlier than 2:45 PM.

If a student is leaving earlier than 2:45 PM, it will be considered a shortened day and will be reflected in the student's IEP.

Emergency Preparedness

South Gibson School Corporation ensures that students with disabilities who require specialized warning or evacuation procedures are provided appropriate support as part of the Corporation's emergency preparedness planning. These needs will be addressed on an individual student basis through the Case Conference Committee process and documented within the student's Individualized Education Program (IEP), as applicable.

The IEP will identify any required accommodations, such as alternative warning systems, staff assistance, adaptive equipment, or modified evacuation procedures, to ensure the student's safe participation in emergency drills and actual emergency situations. All identified procedures will be implemented by trained staff in coordination with building-level emergency plans to ensure the safety of all students.

10. Transition Services & Transfer of Rights

Transition services are a coordinated set of activities designed to help students with disabilities move successfully from school to post-school life.

Under **Indiana's Article 7 (511 IAC 7-43-4)** and the **Individuals with Disabilities Education Act (IDEA)**, transition services must be results-oriented and focused on improving both the academic and functional achievement of the student.

The purpose of transition services is to prepare students for:

- Postsecondary education or training
- Employment
- Independent living, when appropriate
- Community participation

When Transition Services Begin

- Transition planning must begin **no later than the first IEP in effect when the student turns 14**, enters grade nine, (or earlier if determined appropriate by the Case Conference Committee).
- Transition planning continues each year and becomes more specific as the student progresses through high school.

Components of Transition Services

Transition services must be **individualized** and may include:

- **Instruction:** Coursework or training that helps the student gain skills for postsecondary goals.
- **Related Services:** Supports such as counseling, mobility training, or job coaching.
- **Community Experiences:** Opportunities outside of school, including job shadowing, volunteering, or internships.
- **Employment and Other Post-School Living Objectives:** Planning and preparation for jobs, training programs, or college.
- **Daily Living Skills:** When appropriate, instruction in money management, cooking, transportation, or personal care.

- **Functional Vocational Evaluation:** Assessment of a student's strengths, preferences, and interests as related to career planning.

Student Involvement

- Beginning at age **14 or grade nine**, the student must be invited to participate in the Case Conference Committee (CCC) meeting where transition services are discussed.
- If the student does not attend, the school must take other steps to ensure the student's preferences and interests are considered.

Agency Involvement

- With parental consent (or student consent once the student reaches the age of majority), the school may invite representatives from outside agencies (such as Vocational Rehabilitation Services) to participate in transition planning.
- The CCC coordinates with these agencies to support the student's post-school goals.

Documentation in the IEP

The IEP must include:

- **Measurable postsecondary goals** in areas such as education, employment, and independent living
- **Transition services and activities** needed to help the student reach those goals and the names of individuals or agencies who will provide those transition services.
- A statement of the **courses of study** that will help the student make progress toward postsecondary goals and documentation of whether the student will work toward a high school diploma, an alternate diploma, or a locally developed certificate such as a certificate of completion.
- Documentation that the CCC reviewed and provided information to the parent on the kinds of adult services available through the state or local community, if appropriate.

Transfer of Rights

When a student with a disability reaches 18 years of age, all rights previously held by the parent/guardian under special education law transfer to the student, unless a legal guardian has been appointed by the court. The school must provide notice to both the student and the parent/guardian of this transfer of rights at least one year prior to the student's 18th birthday during the case conference committee meeting.

After the transfer occurs, the student assumes responsibility for making educational decisions, including consenting to evaluations and services, accessing educational records, and participating in the development of the IEP. Parents may continue to receive notices and participate in meetings if the adult student provides consent, but the decision-making authority rests with the student unless otherwise determined through legal proceedings.

11. Discipline, Manifestation Determination (MDR) and Change of Placement

The South Gibson School Corporation is committed to ensuring that all students are treated with dignity and respect and are free from abuse. Consistent with **Indiana's Article 7** and **Board Policy 5630.01**, the Corporation emphasizes the use of prevention, positive behavior interventions and supports, and conflict de-escalation strategies to minimize the need for restraint and eliminate the use of seclusion with students. This policy applies to all students, regardless of disability status.

General Guidelines

- Behavioral interventions must align with each student's **Individualized Education Program (IEP)** and **Behavior Intervention Plan (BIP)** when applicable.
- Restraint may only be used as a **last resort safety procedure**, after less restrictive interventions have been attempted without success, and **only** when a student's behavior presents an **imminent risk of injury** to self or others and then only by a staff member who has received CPI Training and is using appropriate CPI techniques.
- Restraint must be **limited in duration**—only as long as needed for the student to regain behavioral stability and for the imminent risk of injury to pass.
- The **use of seclusion**—defined as involuntary confinement of a student alone in a room or area—is **prohibited** in all school buildings. Time-out procedures that do not constitute seclusion may be used if they are developmentally appropriate and short in duration.
- Restraint **must never be used** as punishment, for coercion, retaliation, convenience, or as a substitute for appropriate educational support.
- Mechanical, chemical, and prone (face-down) restraints are not permitted.
- Restraint must never restrict a child's breathing and must be continuously monitored to ensure safety.

- Staff using restraint must be trained in crisis intervention and de-escalation techniques, except in emergencies when trained staff are not immediately available.

Any time a student is subject to Physical Restraint, development of an FBA and BIP will begin immediately (unless an FBA/BIP has been conducted and created within the last month). The FBA must be properly completed and implemented within **50 instructional days** of the incident occurring.

Documentation and Parent Notification

Each instance of restraint must be documented by the initiating staff member and submitted within one school day. The report must include the details of the incident, the duration and type of restraint used, the names of staff involved, and any observed injuries.

The **building administrator or designee** must verbally notify the student's **parent or guardian** by the end of the school day in which the incident occurred. A **written copy of the incident report** must be provided to the parent or guardian within **two school days**.

After the student regains emotional and behavioral control, a staff member must check for injury, ensure necessary treatment if applicable, and assist the student in processing the event in a supportive manner.

Staff Training and Review

All staff expected to use crisis intervention procedures must receive regular training in prevention, de-escalation, and safe restraint practices. The Corporation will review incident data and procedures annually to ensure compliance with state law, promote the use of positive behavioral supports, and reduce the need for physical restraint.

Indiana's Article 7 and the Individuals with Disabilities Education Act (IDEA) provide specific protections for students with disabilities when disciplinary action may result in removal from their current educational placement. This section outlines the district's policies and procedures for discipline, manifestation determinations, and interim alternative placements.

1. Change of Placement Procedures

Before a student with a disability is removed from their current placement for disciplinary reasons, the following steps occur:

- **Review of Data:**

The Case Conference Committee (CCC) convenes one or more meetings to review relevant student data, including disciplinary history, supports, and interventions previously in place.

- **Functional Behavioral Assessment (FBA):**

If an FBA has not been conducted, the school initiates one.

- **Immediate Changes:**

Immediate changes in placement may occur in accordance with Article 7, such as expulsions, 45-day interim alternative educational placements, or medical homebound services with a physician's recommendation.

- **Parent Requests:**

If parents request a shortened school day, the CCC will convene to hear concerns and collaborate on appropriate accommodations.

2. Determining Whether Removals Constitute a Change of Placement

- Following a Manifestation Determination Review (MDR), the district will initiate a new FBA within **50 instructional days** (with parent consent) if an FBA has not been completed within the last 30 days.
- The CCC will review and, if needed, revise the student's Behavior Intervention Plan (BIP) to ensure appropriate supports and accommodations are in place.

3. Services Provided During Disciplinary Removals

- **Suspensions Beyond 10 Days (In-School):**
Students suspended for more than 10 instructional days but remaining in school will receive compensatory services equal to **one hour of homebound instruction per day** of removal beyond the 10th day.
- **Suspensions Beyond 10 Days (Out-of-School):**
Students removed from the school setting will receive up to **five hours per week** of homebound services. Before returning, the CCC will reconvene to determine needed support.
- **Extended Removals (Over 45 Days):**
If a removal extends beyond 45 instructional days, the CCC will meet within **60 days** to review student data and determine ongoing needs.

4. Documentation of Disciplinary Actions

- **Skyward Records:**
Discipline referrals and parent contacts are documented in Skyward.

- **Behavioral Threat Assessment and Management (BTAM):**

All schools use the BTAM screener, completed by a multidisciplinary team to assess and manage potential threats.

5. Behavioral Interventions and Supports

The district uses a proactive, tiered framework for addressing behavior:

- An FBA is initiated if a student receives **three suspensions for the same behavior..**
- Staff receive annual **Crisis Prevention Intervention (CPI)** training.
- Interventions used in BIPs may include but not limited to:
 - Staff coaching and modeling behaviors
 - Daily rewards and tracking sheets
 - Visual schedules and graphic organizers
 - Coping strategies and fidget tools
 - Daily staff check-ins and checklists
 - “Hot Pass” options to access support when needed

6. Manifestation Determination Review (MDR)

When a disciplinary removal may result in a change of placement:

- The **school psychologist** reviews evaluation history, behavioral and academic data, and eligibility criteria before the meeting.
- At the MDR, the **CCC** reviews current supports, interventions, accommodations, and specially designed instruction.
- The **administrator** presents the affidavit of the alleged conduct.
- The CCC determines whether the behavior was:
 1. Caused by, or had a direct and substantial relationship to, the student’s disability; or
 2. The result of the school’s failure to implement the IEP.

Special Education Safeguards:

Protections for Students Not Yet Identified as Eligible

Indiana’s Article 7 and IDEA extend certain disciplinary protections to students who have not yet been identified as eligible for special education but are **suspected of having a disability**. These protections apply when the district is considered to have had **knowledge** of the student’s potential disability **before** the behavior that led to disciplinary action occurred.

When the District is Considered to Have Knowledge

The district is deemed to have knowledge if, prior to the incident:

- A parent expressed concern **in writing** to a teacher, administrator, or other school personnel that the student may need special education and related services;
- A parent **requested an initial evaluation** for the student; or
- A teacher or other school personnel expressed specific concerns about a pattern of behavior directly to the special education director or other supervisory personnel.

When the District is NOT Considered to Have Knowledge

The district is not considered to have knowledge if:

- The parent has **refused consent** for an evaluation or refused special education services; or
- The student was **evaluated and determined not eligible** for special education services.
- The parent revoked consent for special education and related services

Disciplinary Protections

- If the district is considered to have knowledge, the student is entitled to **all of the same disciplinary protections** as a student already identified with a disability, including a **Manifestation Determination Review (MDR)** before any change of placement occurs.
- If the district is **not considered to have knowledge**, the student may be disciplined as a nondisabled peer under the student code of conduct

Expedited Evaluation During Discipline

If a parent requests an evaluation while a student is subject to disciplinary action:

- The district must conduct an **expedited evaluation** in accordance with Article 7 timelines (20 instructional days).
- While the evaluation is pending, the student remains in the disciplinary placement determined by school personnel.

Shortened Day/Homebound Placement

Prior to the discussion of any **Shortened School Day or Homebound placement**, the following steps must be completed and documented.

1. Identify, through an FBA the underlying causes of the behavior that led to the consideration of a Shortened School Day, then develop and implement a BIP based on that FBA.

2. Determine and document whether the District previously placed the student on a Shortened School Day, and if so, whether the placement(s) successfully addressed the behaviors at issue, and if not, why the District still believes a Shortened School Day placement is appropriate.
3. Explore and attempt all practical alternatives to Shortened School Day for a reasonable duration. This will include considering day treatment program placements and alternative full-day schedules (such as pull-out sessions in school) to keep the student in the full-day program.

If the school requests that a parent or guardian of a student with a disability, who is not on a shortened day, come to the school because of a student's behavior, the District may not require the parent or guardian to take a student home from school (or encourage the parent to do so) unless the student has been assigned an Out-of-School Suspension or Expulsion.

If the parent or guardian (without any prompting or coercion) chooses, it is permissible to take the student home from school when it is in the student's best interest to do so.

Safety Plan

A Safety Plan is an individualized plan developed to ensure the physical safety of a student, peers and staff when a student's behavior presents a known or potential risk of harm. It outlines preventative strategies, de-escalation procedures, and staff responses to high-risk behaviors, ensuring consistent implementation across all school environments.

Safety Plans are typically developed by the CCC for students with IEPs. The Safety Plan must be reviewed and attached to the IEP and it must align with the Behavior Intervention Plan (BIP).

12. School Resource Officer (SRO) Procedures

In accordance with the **Individuals with Disabilities Education Act (IDEA)** and **Indiana's Article 7**, School Resource Officers (SROs) may not be used to administer discipline or manage behavior for students with disabilities except in cases where a **crime is committed** or there is an **immediate threat to safety**.

All disciplinary decisions for students with disabilities, including suspensions, removals, or changes of placement, must follow the **procedures outlined in Article 7** and include **manifestation determination reviews (MDRs)** when applicable.

South Gibson School Corporation employs four School Resource Officers to support the district. Services provided by the officers are outlined in an agreed upon Memorandum of Understanding and are shared in the paragraphs below. The purpose of these procedures is to ensure a shared understanding of the responsibilities and expectations between the South Gibson School Corporation and local law enforcement agencies regarding SROs. These procedures promote safety, clear communication, and consistency while ensuring that the rights of all students - including those with disabilities - are protected.

Qualifications

- The SRO shall be a **sworn, career law enforcement officer** certified through a program approved under the **Secured School Safety Grant Program Guidelines**.
- The SRO must meet the minimum qualifications under **Indiana Code §5-2-1-9**, including specialized training for school-based safety and intervention.
- The SRO shall be appointed as an **officer** by the Gibson County Sheriff's Department and adhere to all departmental policies and procedures.

Employment and Supervision

- While on South Gibson premises, the SRO is considered an **employee or contracted employee of South Gibson**.
- The SRO is subject to all personnel policies, procedures, and administrative oversight of South Gibson.
- The **Superintendent or designee** retains authority to assign, supervise, discipline, or dismiss the SRO.
- The **building principal or designee** is the immediate on-site supervisor of the SRO and provides daily direction.

SROs shall operate in coordination with school administrators, the Crisis Prevention Intervention (CPI) team, and the Case Conference Committee (CCC) to ensure that students' behavioral interventions, rights, and supports are upheld.

In certain cases, schools may refer students to law enforcement or judicial authorities. When this occurs, parents are informed, and student rights under IDEA and Article 7 remain in effect.

13. Transfer Students & Placements

DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT IN THE CORPORATION; PROOF OF INDIANA RESIDENCY

The School Board establishes the following policy for determining student eligibility to attend the schools of this School Corporation.

- A. The Board will educate, tuition-free, students who have legal settlement in the Corporation, and students enrolled according to the requirements of I.C. 20-26-11.
- B. Where the legal settlement of a student cannot reasonably be determined by reference to the residence of the student's parent or legal guardian and the student is being supported by and living with a person whose residence is within the Corporation, the student may be enrolled without payment of tuition.
- C. A child who is placed in foster care by a court of competent jurisdiction shall be admitted tuition-free, without regard to residency, to a school within the Corporation, as selected by the State Department of Human Services or the child placing agency responsible for the placement of that child.
- D. Foreign students participating in a foreign-exchange program approved by the Indiana State Board of Education and living with a resident host family will be admitted tuition-free.
- E. The Corporation will provide a free education to those students who are considered by Federal law to be illegal aliens, if the student's parent or legal guardian has legal settlement within the Corporation, or considered to be homeless by criteria established by the State (see Policy 5111.01 and AG 5111.01 - Homeless Students).
- F. If a student's legal settlement is changed after the student has begun attending school in the Corporation in any school year, the effective date of withdrawal from the Corporation may, at the election of the parent, the student (if the student is at least eighteen (18) years of age), or a juvenile court conducting a proceeding under I.C. 31-34-20-5, I.C. 31-34-21-10, I.C. 31-37-19-26, or I.C. 31-37-20-6 (or I.C. 31-6-4-18.5 before its repeal), be

extended to the end of the semester in which the change of legal settlement occurred. At the discretion of the Principal, the effective date of withdrawal from the Corporation may be extended to the end of that school year.

Students who have completed the eleventh grade in this Corporation and have changed legal settlement to another school corporation may complete the twelfth grade in this Corporation.

- G. The School Corporation shall maintain proof of Indiana residency for each student enrolled in the Corporation whom the Corporation counts for membership in the ADM count. This documentation of Indiana residency shall be placed in the student's electronic or hard copy file. (See also Policy 6250 - Required ADM Counts for the Purpose of State Funding and Verification of Residency for Membership.)

Transportation from and to the site of the new legal settlement will not be provided by the Corporation for a student whose effective date of withdrawal is extended beyond the date of the change of legal settlement unless the student has an Individualized Education Program (IEP) in which transportation is required to be provided as a related service.

- H. A married student living with a spouse or a married or unmarried emancipated minor is eligible to attend school without payment of tuition if the student resides in the Corporation.
- I. Children of Divorced Parents may attend school in this Corporation without the payment of tuition if one (1) parent resides in this Corporation and an election is made utilizing the "Custodial Statement and Agreement: Divorce, Separation, or Abandonment" form provided by the Indiana State Board of Education.

The parent with physical custody of the student or the student, if the student is at least eighteen (18) years of age, must notify the Superintendent of the school corporation in which the parents/student seek to have the student enrolled, of their choice to enroll the student in the Corporation. The election shall be made on a yearly basis and applied throughout the school year unless the student's parent no longer resides within the attendance area of the Corporation.

- J. A student who has been expelled from another school corporation or who is expelled from a nonpublic school or withdraws from a public or a nonpublic school to avoid expulsion may be enrolled in the Corporation in compliance with I.C. 20-33-8-20 during the actual or proposed expulsion if:
 1. the student's parent informs the Corporation of the student's expulsion or withdrawal to avoid expulsion;
 2. the Corporation consents to the student's enrollment; and

3. the student agrees to the terms and conditions of enrollment established by the Corporation.

If a student's parent fails to inform the Corporation of the expulsion or withdrawal to avoid expulsion or the student fails to follow the terms and conditions established for enrollment, the Corporation may withdraw consent and prohibit the student's enrollment during the period of the actual or proposed expulsion. Before consent is withdrawn, the student must be given an opportunity for an informal meeting with the principal. At the informal meeting, the student is entitled to:

1. a written or verbal statement of the reasons for the withdrawal of consent;
2. a summary of the evidence against him/her; and
3. an opportunity to explain his/her conduct.

Determining Placement for Students with Disabilities

In accordance with Article 7 and the Individuals with Disabilities Act, South Gibson School Corporation ensures that all placement decisions for students with disabilities are made individually by the Case Conference Committee (CCC) and are based on the student's Individualized Education Program (IEP).

Placement decisions are made by the CCC and are based on:

- The student's individual educational needs, not on the category of disability
- The educational benefits of placement options
- The impact on the student and peers in the learning environment

The placement decision must be documented in the IEP and include a rationale if the student is not educated in the general education setting.

Following a CCC decision and parental consent, the student's placement must be implemented as soon as possible. Schools may not delay placement due to scheduling, staffing, or administrative convenience.

Each student with a disability will be educated in the school they would attend if nondisabled, unless the IEP requires another setting to appropriately meet the student's needs. When an alternative placement is necessary, the CCC will consider proximity to the student's home and opportunities for participation in the general education curriculum and nonacademic activities.

Changes in placement must be supported by data and CCC consensus and cannot be made unilaterally or solely for administrative reasons.

14. Confidentiality & Student Records

Special educators and school personnel routinely encounter a wide range of student information, including but not limited to assessment results, behavioral reports, attendance records, and personal or family circumstances. In accordance with **School Board Policy 8330 Student Records, Indiana law, and federal regulations**, all such information must be maintained as **confidential**.

The district is responsible for protecting student records at all stages, including **collection, storage, disclosure, and destruction**, even for students not currently enrolled, but for whom information has been collected.

Education Records are:

Records directly related to a student and are maintained by an educational agency or institution, or by a party acting on its behalf.

All notes and data gathered to inform educational decisions are considered part of the student's education record. Parents may request to review such data collection forms during discussions about student progress.

Education records do not include:

1. Records kept solely in the personal possession of the creator, used only as a personal aid, and not accessible to others (except temporary substitutes).
2. Records maintained by a law enforcement unit of an educational agency, subject to applicable FERPA provisions.
3. Employment records, maintained in the normal course of business, exclusively related to an individual's role as an employee, and not used for any other purpose.

Federal Law: Family Educational Rights and Privacy Act (FERPA)

FERPA (P.L. 90-247) protects the privacy of student education records and establishes **parental and student rights** regarding access and disclosure. Key provisions include:

1. Parent Rights:

- o Inspect and review school records.
- o Challenge inaccurate or misleading information.

2. Confidentiality:

- o Access to personally identifiable information (PII) is strictly controlled.
- o PII includes, but is not limited to:
 - Student and parent names
 - Student or family addresses
 - Personal identifiers (e.g., SSN, student ID)

- Any other information that could make a student's identity easily traceable
3. **Written Consent:**
 - o Required for release of information to third parties, except in specific circumstances outlined by law.
 4. **Transfer of Rights:**
 - o At age 18, students assume FERPA rights, unless adjudicated incompetent. Parents retain access rights unless restricted by court order.

NGSC Board Policy:

Board Policy 8330 (Student Records) outlines South Gibson School Corporation's responsibility to both maintain accurate student records and protect the privacy of all personally identifiable information (PII). It defines what constitutes student records and PII, and establishes strict guidelines to prevent unauthorized access, use, or disclosure. Access to student records is limited to parents, eligible students, and authorized school officials with a legitimate educational interest, with additional provisions for specific legal and safety situations. The policy also details requirements for record collection, transfer, retention, and parent rights under FERPA, including the ability to review, request changes, and control disclosure of information. Overall, the policy emphasizes confidentiality, compliance with state and federal law, and safeguarding student information while supporting educational decision-making.

Confidentiality in Practice

Information about a student should be shared only with school personnel who work directly with the student and only to the extent necessary to support the student's educational program. Examples of information that may be shared include:

- Present Levels of Educational Performance (PLEP)
- Goals and objectives from the Individualized Education Program (IEP)
- Progress monitoring data
- Behavior Intervention Plans (BIP)

Paraprofessionals:

- Should receive information necessary to perform their duties effectively.
- Must maintain confidentiality at all times.
- Should not communicate directly with parents regarding student performance.

Prohibited Disclosures:

- Discussion of a student's record or family circumstances in public areas (e.g., staff lounges).
- Sharing personal opinions or information not contained in the educational record.

Release of Education Records

Education records, including personally identifiable information, may only be released under the following conditions:

1. **Internal Use:**
 - o To school officials with legitimate educational interests, including contracted professionals (e.g., attorneys, auditors, medical consultants, therapists).
2. **Inter-School Communication:**
 - o When a student transfers within the district or to another school, teachers may share relevant IEP information with receiving teachers, provided it remains within the educational record.
3. **External Agencies:**
 - o Release to outside agencies (e.g., physicians, counselors) requires a signed Authorization for Release and Exchange of Information form, which must be retained in the student's confidential file.

Maintenance of Confidential Files

- Confidential records for currently enrolled students are maintained at the school they attend.
- These include IEPs and all other education records.
- Records are retained in accordance with state and federal statutes.

15. Data Collection & Reporting

South Gibson School Corporation will collect and report all required data on students with disabilities in a manner consistent with federal and state laws. All data must be valid, reliable, complete, and submitted within required timelines.

Personally identifiable information (PII) shall remain confidential and protected in accordance with the Family Educational Rights and Privacy Act (FERPA) and IDEA.

This policy applies to all administrators, special education directors, case conference coordinators, and data managers responsible for reporting student information to the Indiana Department of Education (IDOE).

1. Annual Child Count

- The corporation shall complete and certify an **unduplicated child count** of all students with disabilities receiving special education and related services on **December 1** of each year, or on the nearest instructional day if December 1 is not a school day.
- The child count must include:
 - o All students aged 3–21 who are eligible under IDEA.

- Students enrolled in corporation-operated programs, including those placed in public or private facilities by the district.
- Students who are parentally placed in nonpublic schools but receiving equitable services.
- The Director of Special Education shall ensure that:
 - All student information in IDOE Special Programs (Indiana IEP system) is current and accurate before certification.
 - Verification processes are completed to prevent duplication or omission of students.

2. Data Elements Collected

The corporation shall collect and maintain data for each student receiving special education services, including but not limited to:

- **Demographic information** (race, ethnicity, gender, English learner status, disability category, age).
- **Educational placement and service delivery setting** (general education, resource, separate classroom, etc.).
- **Early childhood program participation** (for students ages 3–5).
 - SGSC utilizes the Indiana Student Performance Readiness and Observation of Understanding Tool (ISPROUT) to assess the development and progress of preschool students receiving special education services, in accordance with 511 IAC 7-35-1(b)(7). Results are used by the Case Conference Committee to inform present levels of performance, guide instructional planning, and support the development and review of each student's IEP.
- **Exiting data** (graduation, aging out, revocation, transfer, or death).
- **Disciplinary removals** and manifestation determinations.
- **Due process activities** (complaints, hearings, mediation outcomes).
- **Transition and postsecondary data** for students exiting special education at the secondary level.

3. Data Reporting Requirements

- The corporation shall submit all required data to the **Indiana Department of Education (IDOE)** using timelines, procedures, and electronic systems designated by the state.
- Data shall be reviewed and validated prior to submission to ensure accuracy and compliance.
- The Director of Special Education and Superintendent is responsible for certifying all special education data submitted to the IDOE.
- Data will be reported in aggregate form to avoid disclosure of personally identifiable information.

4. Confidentiality and Security

- All data shall be maintained in accordance with **FERPA (20 U.S.C. § 1232g)** and **IDEA (34 CFR §§ 300.610–300.627)** confidentiality requirements.
- Staff with access to special education data must complete confidentiality training annually.
- Electronic records will be password protected and stored in secure systems approved by the district.
- Paper records must be stored in locked cabinets with access limited to authorized personnel.

5. Monitoring and Auditing

- The Director of Special Education shall conduct **annual internal audits** to verify the accuracy of data entered into the Indiana Special Schools IEP system and other reporting platforms.
- The district shall cooperate fully with **IDOE verification or monitoring** of data collection practices.
- Corrective actions, when required, will be documented and completed within timelines established by IDOE.

6. Staff Training

- Administrators, case conference coordinators, and other designated personnel shall receive annual training on:
 - IDEA and Article 7 reporting requirements.
 - Proper coding and documentation procedures in Power Schools.
 - Confidentiality, record maintenance, and data verification procedures.
- Staff shall receive annual training through Safe Schools.

7. Record Retention

- The district shall retain all documentation supporting data submissions (e.g., IEPs, service logs, attendance records, disciplinary documentation) for **at least five (5) years** or as otherwise required by the state or federal record retention schedule.

8. Compliance and Accountability

- Failure to maintain accurate data or to meet reporting deadlines may result in corrective action, including retraining or reassignment of duties.
- The Superintendent and Director of Special Education are jointly responsible for ensuring that all requirements of this policy are implemented.

16. Timelines

South Gibson School Corporation will complete all required evaluations, reviews, and determinations within established timelines. These procedures ensure compliance with due

process, appropriate provision of services, and equitable educational opportunities for all students with disabilities.

Procedures and Required Timelines

1. Initial Evaluation

| | | | |
|---|--|--|-------------------|
| Referral for Evaluation | Upon a verbal or written request for evaluation, provide notice and a copy of Procedural Safeguards. | Within 10 instructional days of the request. | 511 IAC 7-40-4 |
| Parental Consent for Evaluation | Obtain written informed consent from the parent before beginning evaluation. | — | 511 IAC 7-40-5 |
| Completion of Initial Evaluation | Conduct all components of the evaluation after consent is received. Convene a CCC meeting after evaluation is complete to determine eligibility. | Within 50 instructional days of receiving parental consent. | 511 IAC 7-40-8(a) |

2. Functional Behavioral Assessment (FBA)

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|------------------------------|--|---|--------------------------------------|
| FBA Initiation | When a student's behavior impedes learning or disciplinary removals indicate behavioral concerns, the CCC may initiate an FBA. | Must occur within 10 instructional days of CCC decision or disciplinary removal requiring behavior review. | 511 IAC 7-44-5(d); 511 IAC 7-41-7 |
| Parental Consent | Obtain consent prior to conducting the FBA if new data will be collected beyond existing information. | Prior to administration of the assessment. | 511 IAC 7-40-5 |
| Completion and Review | The FBA must be completed and reviewed by the CCC to develop or revise the | While Indiana's Article 7 grants a 50 day timeline, | 511 IAC 7-40-8; 34 |

| | | | |
|--|-----------------------------------|--|---------------|
| | Behavior Intervention Plan (BIP). | | CFR § 300.304 |
|--|-----------------------------------|--|---------------|

3. Occupational Therapy (OT) and Physical Therapy (PT) Evaluations

| | | | |
|--|---|--|---------------------------------------|
| Referral for Related Service Evaluation | When OT/PT services are suspected to be necessary to assist a student in benefiting from special education, a referral is initiated. | Within 10 instructional days of referral. | 511 IAC 7-40-4 |
| Parental Consent for Evaluation | Written consent required before assessment begins. | Prior to evaluation. | 511 IAC 7-40-5 |
| Completion of Evaluation | All OT/PT evaluations must be conducted by licensed therapists and included as part of the educational evaluation and the CCC will convene to determine if the student requires OT/PT as a related service. | Within 50 instructional days of parental consent. | 511 IAC 7-40-8(a); 34 CFR § 300.34 |

4. Annual Case Review (IEP Annual Review)

| | | | |
|----------------------------------|---|---|---|
| Annual IEP Review Meeting | The CCC must review the student's IEP to determine progress and revise goals. | At least once every 12 months from previous IEP meeting date. | 511 IAC 7-42-9; 34 CFR § 300.324(b)(1) |
| Implementation of IEP | Services must begin as soon as possible following the CCC meeting. | Immediately or within 10 instructional days after IEP is signed. | 511 IAC 7-42-10 |

5. Reevaluation

| | | | |
|--|--|---|--|
| Frequency | Must occur at least every three years, unless the parent and public agency agree that it is unnecessary. | Every 3 years at minimum. | 511 IAC 7-40-8(c); 34 CFR § 300.303(b) |
| Consent and Evaluation Completion | If new assessments are needed, obtain parental consent. A CCC will convene to determine continued eligibility and service needs. | Within 50 instructional days of consent. | 511 IAC 7-40-8(f) |

6. Manifestation Determination Review (MDR)

| | | | |
|--------------------|--|---|-------------------------------------|
| MDR Trigger | When disciplinary removal constitutes a change of placement (over 10 consecutive or cumulative days). | | 511 IAC 7-44-5; 34 CFR § 300.530(e) |
| MDR Meeting | Determine if the conduct was caused by, or had a direct relationship to, the student's disability or failure to implement the IEP. | Within 10 school days of the decision to change placement. | 511 IAC 7-44-5(a) |

7. Transfer Students

| | | | |
|------------------------------------|---|---|-------------------|
| Transfer within Indiana | Implement existing IEP or provide comparable services until a new IEP is developed. | Immediately upon enrollment. | 511 IAC 7-42-8(a) |
| Transfer from another state | Implement comparable services and determine if new evaluation is necessary. | Within 10 instructional days of enrollment to decide next steps. | 511 IAC 7-42-8(b) |

8. Parent Notice and Procedural Safeguards

- Notice must be provided a **reasonable time before** any proposal or refusal regarding identification, evaluation, placement, or provision of FAPE.
- Procedural Safeguards must be provided:
 - Upon initial referral or request for evaluation
 - Upon disciplinary change of placement
 - Upon parent request

9. Monitoring and Compliance

- The **Director of Special Education** shall maintain a tracking system to monitor all required timelines.
- Building administrators will verify completion and submission of evaluation documentation.
- Audits will be conducted by the special education office to ensure compliance.
- Documentation of exceptions (e.g., mutual written extensions, student illness) must be retained in the student record.

17. Staff Roles and Responsibilities

This section outlines the roles and responsibilities of staff members involved in providing special education and related services within the district. The intent is to ensure that all personnel understand their obligations under **Indiana's Article 7** and **IDEA**, promoting consistency, compliance, and collaboration in serving students with disabilities.

1. Superintendent or Designee

- Ensures district-wide compliance with **Article 7** and **IDEA**.
- Oversees development and implementation of district policies and procedures related to special education.
- Allocates sufficient resources, personnel, and professional development to support the delivery of Free Appropriate Public Education (FAPE).
- Serves as the final administrative authority for dispute resolution and due process matters.

2. Director of Special Education/Assistant Director

- Administers the district's special education programs and ensures compliance with all **state and federal requirements**.
- Coordinates identification, evaluation, eligibility determination, placement, and provision of services.
- Ensures timely completion of all required procedures and documentation (e.g., IEPs, evaluations, re-evaluations, procedural safeguards).
- Facilitates professional development and training related to **Article 7** and **IDEA**.
- Collaborates with principals, general education staff, and service providers to ensure inclusive practices and appropriate support.

3. Building Administrator (Principal or Assistant Principal)

- Oversees the implementation of special education services within their building.
- Ensures that teachers and staff follow all procedural and instructional requirements under **Article 7**.
- Participates in Case Conference Committee (CCC) meetings as the district's representative, with authority to commit resources.
- Monitors service delivery, student progress, and implementation fidelity of IEPs.
- Facilitates collaboration between general education and special education personnel.

4. Case Conference Committee (CCC)

- Determines eligibility for special education and related services under **Article 7, Rule 40**.
- Develops, reviews, and revises each student's **Individualized Education Program (IEP)** in accordance with required timelines.
- Makes placement and service delivery decisions based on student needs, data, and least restrictive environment (LRE) considerations.
- Ensures parental participation and documentation of all decisions.

5. Special Education Teacher /Teacher of Record

- Serves as the primary contact for the student's special education services.
- Develops and implements IEPs in collaboration with general education teachers, service providers, and parents.
- Collects and reports data on student progress toward IEP goals.
- Ensures accommodations and modifications are provided as written in the IEP.
- Maintains documentation in compliance with district and state timelines.
- Communicates regularly with parents and team members regarding progress, needs, and service delivery.

6. General Education Teacher

- Provides instruction and accommodations as specified in the student's IEP.
- Participates as a required member of the **Case Conference Committee**.
- Collaborates with special education staff to implement modifications, differentiation, and behavior support.
- Monitors and documents progress of students with disabilities in the general education setting.

7. Related Service Providers

(e.g., Speech-Language Pathologist, Occupational Therapist, Physical Therapist, School Psychologist, Counselor, Nurse, etc.)

- Conduct evaluations and deliver related services in accordance with the student's IEP and **Article 7** requirements.

- Participate as members of the Case Conference Committee (CCC) to share data, provide expertise, and make service recommendations.
- Participation may occur **in person, virtually, or through submission of a written report** when agreed upon by the parent and the public agency, in accordance with **511 IAC 7-42-3(f)**.
- Maintain documentation of service provision and progress monitoring.
- Collaborate with teachers, parents, and administrators to ensure integrated support.

8. Paraprofessionals / Instructional Assistants

- Implement instructional and behavioral supports under the direction and supervision of licensed teachers or service providers.
- Maintain confidentiality and follow all procedures related to student data and privacy.
- Participate in professional development as assigned to ensure effective service delivery.

9. School Psychologist

- Conducts initial and reevaluation assessments as part of the evaluation team.
- Assists in the interpretation of evaluation data for eligibility determinations.
- Provides consultation to staff regarding behavior, academic, and social-emotional supports.

10. All Staff

- Maintain confidentiality of student information in compliance with **FERPA** and **IDEA**.
- Engage in required professional development related to special education.
- Implement interventions, supports, and accommodations with fidelity.
- Report any concerns related to compliance or service delivery to the building administrator or director of special education.

18. Dispute Resolutions and Complaint Procedures

South Gibson School Corporation is committed to resolving disagreements regarding the identification, evaluation, educational placement, or provision of a **Free Appropriate Public Education (FAPE)** for students with disabilities in a fair, timely, and collaborative manner. Under **Indiana's Article 7** and **IDEA**, parents and public agencies have specific rights and options for resolving disputes.

1. Informal Resolution and Local Collaboration

- Whenever possible, disagreements should first be addressed **informally** through direct communication between parents, teachers, and administrators.

- The district encourages **collaborative problem-solving meetings** and **case conference reviews** to clarify concerns and reach mutual understanding before initiating formal procedures.
- Staff must document attempts to resolve issues informally, including communication logs, meeting notes, or parent correspondence.

2. Mediation

(511 IAC 7-45-2)

- Mediation is a **voluntary and confidential process** available at **no cost to either party**.
- Either the parent or the public agency may request mediation by submitting a written request to the **Indiana Department of Education (IDOE), Office of Special Education**.
- A trained, impartial mediator facilitates communication and helps the parties develop a mutually acceptable written agreement.
- Participation in mediation does not limit or delay the right to pursue a due process hearing.

3. Written State Complaint

(511 IAC 7-45-1)

- Any individual or organization may file a **written complaint** alleging that a public agency has violated a requirement of **Article 7** or **IDEA**. <https://ichamp.doe.in.gov/>
- The complaint must include a statement of the alleged violation, supporting facts, and the signature and contact information of the complainant.
- The **IDOE** will investigate and issue a **written report of findings** within **60 calendar days**, unless extended for exceptional circumstances.
- If a violation is found, the IDOE will require **corrective action** to ensure compliance.

4. Due Process Hearing

(511 IAC 7-45-3 through 7-45-7; IDEA §300.507–§300.518)

- Parents or public agencies may file a **Due Process Complaint** regarding identification, evaluation, placement, or provision of FAPE.
- The request must be **filed within two years** of the date the alleged violation occurred (unless exceptions apply).
- Upon filing, the parties may engage in a **Resolution Meeting** within **15 days**, unless both sides agree to waive it or proceed to mediation.
- A **Due Process Hearing Officer (DPHO)** will conduct an impartial hearing and issue a **written decision within 45 calendar days** of the end of the resolution period.
- The decision is **binding** unless appealed through civil court.

5. Civil Action / Judicial Review

(511 IAC 7-45-10; IDEA §300.516)

- Any party aggrieved by the findings or decision of a Due Process Hearing Officer may file a **civil action** in state or federal court within **30 days** of receiving the decision.

6. Stay-Put Provision

(511 IAC 7-45-7; IDEA §300.518)

- During the pendency of any mediation, complaint, or due process proceeding, the student must **remain in their current educational placement** unless the parent and public agency agree otherwise.

7. Documentation and Recordkeeping

- All staff must promptly notify the **Director of Special Education** when a dispute, complaint, or hearing request is received.
- The Director will ensure that all required documentation, timelines, and communications with IDOE are maintained in accordance with **Article 7**.
- Copies of mediation agreements, complaint decisions, and due process rulings must be retained in the student's confidential file.

Students, parents/guardians, or any other individuals who believe a student has been subjected to a Policy Violation regarding the use of Seclusion and Restraint may contact:

Brian Harris
 Director of Special Education
 Gibson County Special Education Cooperative
 3321 W 800 S Fort Branch, IN 47648
 (812) 753-4230
brian.harris@sgibson.k12.in.us

Chelsea Clukey
 Assistant Director of Special Education
 Gibson County Special Education Cooperative
 3321 W 800 S Fort Branch, IN 47648
 (812) 753-4230
chelsea.clukey@sgibson.k12.in.us

19. Templates, Forms, & Checklists

Form 1 Procedural Safeguards Distribution Form

