



The International School at Mesa del Sol  
● global vision ● knowledge ● stewardship ● diversity ● citizenship



# Special Education Policies & Procedures

**Mission Statement:**

Our mission is to empower students within an inclusive environment that fosters authentic experiences. In our culture of community, we promote academic responsibility and student agency with purposeful social connections.

**Vision Statement:**

Our approach is to lead students to develop a global vision and sense of citizenship to enhance, preserve, and contribute to their communities.

We are committed to inspire collaborative, creative, and critical thinkers who embrace learning and actively apply knowledge that leads to innovative contributions.

We encourage compassionate, empathetic and resilient students who have the opportunity to lead the world around them through service learning and understanding various perspectives.

We believe that our students have the capability to incorporate holistic experiences while expanding their individual voice within local and global perceptions.

We celebrate the diversity of our school community which aims to allow international mindedness that is reflective of our commitment to growth as a life-long learner.

**Policy No. GC – 9:**  
**Date Approved:**  
**Date Last Reviewed:**

**Special Education**  
**21 September 2011**  
**22 September 2022**

### **Special Education Policy**

**The International School at Mesa del Sol** will comply with all of the Federal and New Mexico state laws, regulations, policies, and procedures applicable to Special Needs students who are identified with disabilities and students who are identified as gifted.

### **Special Education Services**

It is the policy of The International School at Mesa del Sol (TISMDS) is to comply with all federal, state and local statutes, regulations and ordinances in the provision of special education services for students with disabilities and gifted students.

TISMDS utilizes the Multi-Layered Systems of Support (MLSS) model beginning with the provision of high quality, research-based classroom instruction delivered by highly qualified teachers in the general education setting. Layers 2 and 3 interventions are directed by the MLSS Team, highly qualified teachers, a social worker, and a reading interventionist. The MLSS team is a school-based group of teachers that are collaborative and experienced. The interventions are documented and supported by the classroom teacher on the students' MLSS plan. Interventions provided are designed to meet the unique needs of each child and are documented and modified as needed.

For qualifying students whose parents agree to the provision of special education services, there is a continuum of services available through the multi-age, inclusion model. General Education and Special Education teachers meet as weekly grade-level teams, shared consultation time, and in-service days. There are limited segregated services for students demonstrating the greatest needs. No students are excluded from core content areas in the general education setting. The Special Education team consists of three full-time Special Education teachers, administration, one Speech-Language Pathologists; two Social Workers, one Occupational Therapist; one part time Physical Therapist; a Licensed Practical Nurse; and a Special Education Coordinator. Educational Assistants provide support in the general education classroom in collaboration with General and Special Education teachers. Weekly Special Education team meetings and on-going professional development through outside professionals and training further the support of instruction and services.

The educational team and parents/guardians review best practice, present levels of performance, any relevant testing, and observations in order to propose items consistent with a Free and Appropriate Public Education (FAPE) and Least Restrictive Environment (LRE). The educational team works to meet the individual needs of the child(ren) to ensure adequate success academically, functionally, and socially. Our team is committed to the provision of appropriate services for each child and their unique needs. Our goal is to provide supports, services, and instruction in a manner consistent with LRE and access to grade-level curriculum.

The IEP shall include a statement of the special education and related services to be provided to the child, or on behalf of the child. The Summary of Services section of the IEP shall include the special education and related services to be provided to the child.

When conducting an initial evaluation or a reevaluation of a child with a disability, the evaluation shall be sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified. The IEP Team shall consider the results of the initial or most recent evaluation of the child. Special education and related services shall be based on evaluation data. If existing evaluation data is insufficient to determine the special education and related services needs, the IEP Team may propose a reevaluation. (34 C.F.R. § 300.304(c)(6) and 34 C.F.R. § 300.324(a)(1)(iii))

## **Initial Individualized Education Plan**

A free appropriate public education (FAPE) must be available to all children with disabilities between the ages of 3 and 21, including children with disabilities who have been suspended or expelled from school. (34 C.F.R. § 300.101(a))

The process of identifying, locating, and evaluating these children is referred to as child find.

In order to comply with the child find requirements, TISMDS has procedures in place to ensure that all children with disabilities within its jurisdiction/geographical boundaries, including children with disabilities who are homeless children or are wards of the state, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated. (34 CFR § 300.111(a))

Please see <https://sites.ed.gov/idea/regs/b/a/300.34> for additional information regarding federal definitions of related services.

## **Child Find Referrals and Activities**

The International School at Mesa del Sol shall accept referrals, as per child find provisions, from any source that suspects a child may be eligible for special education and related services. (71 Fed. Reg. 46636 (August 14, 2006))

### **Student intervention system (e.g., SAT, RtI, MLSS, PBiS):**

The International School at Mesa del Sol shall follow a three-tier model of student intervention as a proactive system for early intervention for students who demonstrate a need for educational support for learning or behavior. (6.29.1.9 (E) NMAC)

In Tier 1, the The International School at Mesa del Sol shall ensure that adequate universal screening in the areas of general health and well-being, language proficiency status and academic levels of proficiency has been completed for each student enrolled. If, through universal screening, a referral from a parent, a school staff member, or other information available to a school or district suggests that a particular student needs educational support for learning or behavior, then the student shall be referred to the SAT for consideration of interventions at the Tier 2 level. (6.29.1.9) (E) (1) NMAC)

In Tier 2, a properly-constituted SAT at each school, which includes the student's parents and the student (as appropriate), shall conduct the student study process and consider, implement and document the effectiveness of appropriate research-based interventions utilizing curriculum-based measures. (6.29.1.9(E)(2) NMAC)

The SAT shall create no undue delay for full initial evaluation to determine eligibility for special education for a student who is identified as homeless or in foster care under the state's foster care system or based on criteria to assess housing stability status under the federal McKinney-Vento Act and the 2015 ESSA Title IV, Part B, due to the high mobility of this specific population group. 6.29.1.9(E)(2)NMAC

In addition, the SAT shall address culture and acculturation, socioeconomic status, possible lack of appropriate instruction in reading or math, teaching and learning styles and instructional delivery mechanisms in order to rule out other possible causes of the student's educational difficulties. (6.29.1.9(E)(2) NMAC).

When it is determined that a student has an obvious disability or a serious and urgent problem, the SAT shall address the student's needs promptly on an individualized basis, which may include a referral for a multi-disciplinary evaluation to determine possible eligibility for special education and related services. (6.29.1.9(E)(2) NMAC)

In Tier 3, a student has been identified as a student with a disability and deemed eligible for special education and related services, and an IEP is developed by a properly constituted team. (6.29.1.9(E)(3) NMAC)

The Public Education Department's manual, The Student Assistance Team and the Three-Tier Model of Student Intervention, shall be the guiding document for schools to use in implementing the student intervention system. (6.29.1.9(E)(4) NMAC)

The International School at Mesa del Sol shall train its school administrators and teachers who teach reading to implement appropriate research-based reading interventions prior to referring the student for a special education evaluation. (6.31.2.9(B)(10)(b) NMAC)

A parent may request an initial special education evaluation at any time during the The International School at Mesa del Sol' implementation of tiers 1 and 2 (SAT process) of the three-tier model of student intervention. If the public agency agrees with the parent that the child may be a child who is eligible for special education services, the public agency must evaluate the child. If the public agency declines the parent's request for an evaluation, the public agency must issue prior written notice in accordance with 34 CFR Sec. 300.503. The parent can challenge this decision by requesting a due process hearing. (6.31.2.10(C)(1)(d) NMAC and 6.31.2.10(D)(1)(c)(iv) NMAC)

The International School at Mesa del Sol' child find activities include a screening process to determine whether the child should be referred for a full evaluation to determine eligibility for special education and related services. (71 Fed. Reg. 46636 (August 14, 2006))

**NOTE: Procedure handbook is in the process of revision to align with MLSS guidelines.**

## **TIS Procedural Safeguards**

In accordance with the Individuals with Disabilities Education Act (IDEA), the school will ensure procedural safeguards are in place for children with disabilities and children who are suspected of having disabilities as well as their respective parent(s)/guardian(s). With respect to the provision of a free appropriate public education, the procedural safeguards requirement is designed to, among other things, provide parents/guardians of children with disabilities, or those children suspected of having disabilities, meaningful involvement in the educational process of their children and provide information about the right to participate in their children's educational programming decisions.

TIS is dedicated to creating policy and procedures which align to IDEA and New Mexico procedural safeguards.

The IDEA requires that schools provide you with a notice containing a full explanation of the procedural safeguards available under the IDEA and the IDEA regulations. Procedural safeguards are some of the rights that you and your child have under the IDEA. A copy of the Procedural Safeguards Notice must be given at least one time each year and also when the following occurs:

1. The first time you or the school district asks for an evaluation.
2. You ask for a copy of these procedural safeguards.
3. The first time in a school year you request a due process hearing or file a state complaint.
4. A decision is made to take disciplinary action against your child that is a change in placement.

<https://webnew.ped.state.nm.us/wp-content/uploads/2021/01/Eng-Procedural-Safeguards-12-23-2020.pdf>



## **Annual Individualized Education Plans**

1. Beginning of the year, Case Manager calendars approximate need for each of the input forms on the PYP, MYP or HS calendars. Teachers have access to the input form link.
2. Case Manager schedules the IEP approximately two weeks prior to the due date, calendar link is sent to student (if transition), parent, teacher and administration.
3. Two weeks prior to the due date, Case Manager sends parent input form to parent.
4. Two weeks prior to the due date, Case Manager interviews student.
5. IEP is drafted by Case Manager.
6. During the meeting, LEA is drafting Prior Written Notice.
7. Case Manager “drives” IEP meeting with input from student (if present), parent, teacher, LEA (the IEP team).
8. Case Manager collects signatures from all members of the team.
9. The meeting ends, documents are finalized and either printed or emailed to parent.

## Tri-Annual Reevaluation

1. In the year prior to the reevaluation, the IEP team discusses a Re-Evaluation Eligibility Determination (REED) to be opened to decide if a student is in need of re-evaluation testing or current evaluations continue to be appropriate. This is documented in the Prior Written Notice (PWN).
2. The REED Document is opened in the google drive a minimum of 90 days prior to the reevaluation due date. Inputs from faculty and family are requested and uploaded along with current short cycle testing. If the student receives any ancillary services, that data is also uploaded into the REED. Hearing and vision screenings are requested through the school health office.
3. When complete by all members, the REED document is forwarded to the Educational Diagnostician for review of all elements and then with the input of the SPED team
4. The determination is made that testing is or is not appropriate.

### WITHOUT Evaluation:

1. Diagnostician and Ancillary complete the MET with scores
2. Team completes the EDT at meeting with parent
3. IEP is completed.

### WITH Evaluation:

1. Diagnostician contacts parents, explains testing and procedures
  2. Case Manager gets permission to test signed.
  3. Diagnostician is scheduled.
  4. Testing is completed.
  5. Diag and ancillary staff (if needed) calls family to review results.
  6. Diag will advise when MET is complete.
  7. Case Manager uploads to synergy - Hearing and Vision, PTT and testing results
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5. Schedule Meeting - MET is held with family, general education teacher, special education teacher, ancillary staff, student (if age 13 and above) and LEA.
  6. IEP meeting is held immediately after MET.

## **Post School Outcome Survey**

1. High school students, who are not on track for graduation, box is checked on transition IEP with plan for student to recovery credit(s).
2. High School Case Manager completes the Post School Outcomes Survey with all seniors at the end of their graduating year.
3. April (year after graduation) Case Manager reaches out to previous year graduates for 2nd year survey.
4. All required survey results are uploaded to required site.
5. If there were no SPED graduates in the spring, APS is notified as such in September.

## **Disciplinary considerations for students with disabilities**

Special education students at TIS are not immune from the school's disciplinary process and receive a maximum of ten (10) suspension days (ISS, OSS, or the combination of both) before school administration recommends a Manifestation Hearing to determine whether or not the student's behavior is directly related to their disability.

### **Long-term suspension/ expulsion/ disciplinary change of placement.**

Since the exclusion of a student with a disability from his/her education program for more than a total of ten (10) days during a school year may constitute a significant change in placement, the following considerations must be addressed:

- **Manifestation Determination:** when considering long-term suspension or expulsion or disciplinary changes of placement as specified in 34 CFR 300.530 through 300.536, an Individualized Education Program (IEP) Team must first determine whether the behavior that gave rise to the occurrence is a manifestation of the student's disability.
- If the IEP Team determines that the behavior is related to the student's disability or was the direct result of the school's failure to implement the IEP, then no further disciplinary proceeding shall occur. Any deficiencies in IEP implementation shall immediately be remedied and the IEP Team shall comply with 34 CFR 300.530(f).
- If the IEP Team determines that the behavior is not a manifestation of the student's disability, disciplinary actions may be taken in accordance with the procedures above in the same manner and for the same duration as the procedures would be applied to students without disabilities, provided that a student with a disability who is removed from the student's current placement continues to receive special education and related services pursuant to the provisions of 34 CFR Sec. 300.530(d). 25
- The decision to change a student from his/her current placement must be made on an individual basis. Changes in placement occur if the student is removed from the student's current placement for more than ten consecutive days, if the student is removed from current placement for more than ten school days in a school year, or other reason specified in 34 CFR 300.536.
- On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of an occurrence of a code of student conduct, the school shall notify the parents of that decision, and provide the parents the procedural safeguards notice described in 34 CFR Sec. 300.504.

Alternative education setting may include (but not limited to) online classes and ancillary services, shortened school day or teacher visit to student to provide instruction in the home

