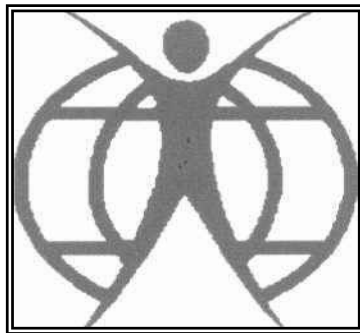


Student Information Handbook

2009-2010



Leary School of Virginia
6349 Lincolnia Road
Alexandria Virginia 22312
703-941-8150
703-941-4237 fax

Lincolnia Educational Foundation, Inc.

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Please Note:

It is extremely important that parents/guardians and students carefully read these pages. We hope the information contained herein is complete and informative. It is suggested that you keep the Handbook available for easy reference. This document is provided to all parents/guardians and LEAs on an annual basis.

Administration

I. Lincolnia Educational Foundation, Inc.

Board of Directors

Ed Schultze, Ed.D.	President
Nigel Smyth, Esq.	Vice President
Charles Flynn	Secretary
Francesca Creo, M.A.	Treasurer/Assistant Secretary
Eugene Meale	Member at Large
Shauna Debrick	Member at Large

II. Leary School of Virginia Administration

Ed Schultze (703) 941-8150	Executive Director/President
Leigh M. Simpson (703) 941-8150	Program Director
Kathy Gregorash (703) 941-8150	Administrative Coordinator

Philosophy

Our goal is to actively intervene in the lives of children and adolescents who are in need of specialized education and therapy in order to maximize their educational, social and emotional growth.

History

Leary Schools are private, day, co-educational, special education facilities, which serve students who have learning, emotional, and behavioral problems at campuses in Alexandria Virginia, Oxon Hill, Maryland, Leesburg, Virginia and Brandywine, Maryland. Started in 1965 by Albert D. Leary, Jr., the school, for more than 40 years, has worked to assist failing, troubled, and often disenfranchised youth and their families. Leary School, Prince George's County, founded in 1995 is located in Oxon Hill, Maryland. Leary School Job Site, Loudon County was founded in 2006. Leary School Job Site, Brandywine will officially open in the fall of 2009.

The campus, along with the business and administrative offices of Lincolnia Educational Foundation, is located on Lincolnia Road in Alexandria, Virginia. Situated on three acres of land, Leary School of Virginia can accommodate 130 students. There is a large recreational area to the rear of the building. Leary School of Virginia also offers a supervised off campus work experience program called the Job Site. This program, involving the construction and renovation of residential homes is located less than a mile from the main campus.

Leary School does not discriminate on the basis of race, sex, color, or disabling conditions.

Leary School Bill of Rights

This statement of rights was developed by the staff and students of Leary School who share a common commitment in maintaining and creating a safe and productive school community. To meet this goal, the staff of Leary School affirms the following student rights:

- 1. The right to be treated with dignity and respect;*
- 2. The right to the best possible education in an environment conducive to learning;*
- 3. The right to an individualized education;*
- 4. The right to encouragement and support in achieving each student's individual goals;*
- 5. The right to participate in planning and selecting learning activities in which the student participates;*
- 6. The right to expect confidentiality within the prescribed guidelines of safety and interest;*
- 7. The right to expect honest, predictable interactions and;*
- 8. The right to an objective and reasonable code of student conduct and a safe, cooperative environment.*

In cooperation with these affirmations, the students of Leary School resolve the following:

- 1. That staff will be treated with the same level of dignity and respect offered by them;*
- 2. That students will actively and constructively participate in the group process;*
- 3. That students will accept that flexibility and individuality will mean different approaches for different students;*
- 4. The sincere personal commitment to work toward establishing and achieving personal goals;*
- 5. That students will be a part of creating and maintaining a safe, orderly school environment by upholding all school rules and policies;*
- 6. The understanding and acceptance of the rights of confidentiality and the limits of confidentiality;*
- 7. The commitment to be honest with others; and*
- 8. The commitment to work together with staff to achieve the goal of a cooperative, productive school community.*



LEARY SCHOOL OF VIRGINIA
2009-2010 School Year

JULY	1 3 31	FIRST DAY OF ESY HOLIDAY LAST DAY OF ESY
AUGUST	31	STAFF ORIENTATION
SEPTEMBER	1-4 8	STAFF ORIENTATION FIRST DAY OF SCHOOL
OCTOBER	1 12 30	1:00 DISMISSAL FOR STUDENTS COLUMBUS DAY HOLIDAY END OF FIRST QUARTER
NOVEMBER	2,3 25 26,27	STUDENT HOLIDAYS STUDENTS RELEASED 2 HRS. EARLY THANKSGIVING HOLIDAYS
DECEMBER	24-JAN. 1	WINTER VACATION
JANUARY	4 18 28 29	STAFF AND STUDENTS RETURN MARTIN LUTHER KING JR'S HOLIDAY END OF SECOND QUARTER STUDENT HOLIDAY
FEBRUARY	1 15	STUDENT HOLIDAY PRESIDENT'S DAY HOLIDAY
MARCH	3 29-31	1:00 DISMISSAL FOR STUDENTS SPRING VACATION
APRIL	1-2 5 9 12	SPRING VACATION STAFF AND STUDENTS RETURN END OF THIRD QUARTER STUDENT HOLIDAY
MAY	5 31	1:00 DISMISSAL FOR STUDENTS MEMORIAL DAY HOLIDAY
JUNE	9 22 23	1:00 DISMISSAL FOR STUDENTS LAST DAY OF SCHOOL TEACHER WORK DAY

MAKE-UP DAY SCHEDULE FOR INCLEMENT WEATHER

The following days are reserved to make up inclement weather days in excess of the three that are "built in" (June 18, 21, 22). However, these will be used as instructional days regardless of inclement weather closings. Additional inclement weather make up days may include January 29, February 1, and March 29, 30, 31 2010.

183 school days for students- 193 for staff (not including ESY)
22 school days for ESY

School hours – Monday-Friday—8:10 am to 3:00 pm
ESY School hours – Monday through Friday – 8:10 – 1:20

www.learyschool.org or 703-941-8150

Information Sheet

General: The following general and specific information can be useful to parents/guardians of students in Leary

Leary School - Student Information Handbook
Reviewed/Revised – 07/09

School of Virginia. This information will be subject to periodic revision.

Absenteeism:

Parents/guardians should have the student in school each day unless sickness or some emergency exists. A written excuse by the parent or guardian should be given to the office upon the student's return to school following any period of absence or when tardy. Parents are asked to call the school each morning of the student's absence. With an excused absence or tardiness, students are given the opportunity to complete make-up work. Written or verbal excuses cannot be accepted after the month when the absence occurred. Maryland students should carefully review the MSDE attendance policy attachment. Excessive truancy can result in termination from the program.

School Hours:

School hours are as follows: Monday - Friday, 8:10 AM to 3:00 PM unless otherwise indicated on the official school calendar. Parents/guardians will be notified in writing of any exception.

Early Release from School:

If parents/guardians find it necessary to have a student leave school during school hours, the student must bring a written note in the morning. The teacher will sign the note and send it to the office. For the safety of the students, parents/guardians must come to the office to call for the student and sign the early dismissal record. Parents/Guardians should notify the school in advance if another adult will be picking up their child from school. Students are not permitted to drive to and from school under any circumstance.

Dress:

Leary School expects its students to wear clothing and hair that is neat, clean, safe, and acceptable for the planned activities at school. Students are expected to maintain good personal hygiene. Students are not allowed to wear clothing or jewelry on which themes of illegal drugs, sex, violence or illegal activity are represented or, in general, any material that represents potentially provocative and/or offensive messages. Tops with scooping neck lines, bared midribs and very short or tight skirts or shorts are not suitable for school wear. Tights, stretch pants, leggings, and spandex body suits must be worn with clothing that reaches no more than four inches above the knee. Students may not wear skirts or shorts over four inches above the knee. Students should not come to school with pants that are so loose that underwear can be seen. Hats and caps are not to be worn in the school building. Skull caps and bandanas of any kind may not be worn or displayed in school. Gang related colors and symbols are not permitted. This means that the responsibility rests essentially with the student and the parents or guardians to decide the interpretation. Sleeveless undershirts, layered pants or sleepwear are not permitted. The Program Director reserves the right to make the final judgment. However, we hope that the students will develop a sense of responsibility and with proper guidance from their parents or guardians will stay within a reasonable interpretation of the code.

Students arriving at school in violation of this dress code will not be accepted into the program for that day. While Leary School does keep a few T-shirts and sweat pants for students whose clothing does not meet our dress code and who want to remain in school, we cannot guarantee to have these on hand for all occasions; it is preferable that the parents/guardians ensure that the student is properly dressed before coming to school.

Personal Property:

As a general rule, students should not bring personal items, musical players, pagers, cellular phones or electronic communication devices, money or book bags to school. **Leary School cannot be responsible for lost or stolen items.** Gameboys and similar items (PSP, etc...) are prohibited without prior approval from the school. Students, as a rule, should not need any money at school and are discouraged from carrying any amount over ten dollars or wearing/bringing expensive jewelry to school.

Class Placement:

When a student enters Leary School, the initial class placement is based on all available testing, the availability of suitable class openings and is the decision of the Intake Team. While great care and consideration is given to the student's classroom assignments at the beginning of the year, after testing and teacher observation, some changes may be made in order to ensure the best placement for him/her. If there is a class assignment change, it will be accomplished in cooperation with the student and his/her parent/guardian.

Arrival:

Upon arrival to school, all students must pass through our metal detector before entering the building. Personal items such as purses or other belongings will be routinely searched. Students are then expected to report immediately to their assigned areas. Students who refuse to pass through the metal detector will not be admitted to the program.

Homework:

Leary School is strongly committed to providing students with a success-oriented environment. New concepts are introduced successively with much drill and practice and with sensitivity to each student's level of performance. Homework will vary as a function of each student's level of mastery of new concepts, level of functioning and Individual Education Plan (Individualized Education Program). Homework will be routinely given on Monday through Thursday. If at any time a parent/guardian has a question concerning homework or classroom assignments, please call the student's teacher or the

Program Director.

- Lunch:** Students bring their own lunches and drinks. Drinks should be in something other than glass containers and in their original, sealed containers. Beverages that have been opened before the student enters the building will be confiscated and will not be returned. Thermoses are not permitted. Refrigerators and microwaves are available in all classrooms. To expedite students' entry through the metal detector, students are not to bring metal utensils. Plastic cutlery will be provided. Students are asked to avoid the use of aluminum foil. Lunches wrapped in foil will be opened and checked upon arrival. Daily snacks are provided to the students in their classroom. Food is made available by classroom staff upon request to students on an emergency basis.
- Point and Level System and Token Economy:** Leary School utilizes a point and level system to help students assess and modify their school behavior. Students earn points each period for completing their school work and interacting positively and respectfully with their teachers and classmates. As students earn points, they are promoted up the five steps of the level system. Level Five students are considered honor students and are not required to use a point sheet. Alternately, some classrooms utilize a token economy to facilitate positive behavioral change.
- Parent/Guardian Involvement:** We encourage our students' parents to be actively involved with our program during the school year. In addition to the yearly Individualized Education Program meetings, our staff maintains regular contact with each student's parents and, at times, parents may be requested to participate in school conferences as needed. Our counseling department is available to provide on-going support to our parents and families.
- Inclement Weather Procedure Emergency:** Leary School of Virginia follows Fairfax County procedures:
1. When Fairfax County schools are closed due to inclement weather conditions, Leary School will also be closed.
 2. When Fairfax County opens late, Leary School will follow the same schedule (i.e., if the County schools open one hour late, Leary School will open one hour late, etc.).
- Prince George's County students observe the following exceptions:
3. For Prince George's County students, transportation will follow Fairfax County procedures only if these procedures are not additional to the Prince George's County procedures, as in the following cases:
 - In the event that Prince George's County Schools are opening later than Fairfax County Schools, transportation will be provided at the later time.
 - In the event that the Prince George's County Schools are opening earlier than Fairfax County Schools, transportation will be provided at the later time.
 - In the event that either school district (Fairfax and Prince George's County) dismiss early due to inclement weather, Prince George's County students will be dismissed at the earlier of the two times.
 - In the event that Prince George's County Schools are closed and Fairfax County Schools are open, Prince George's County students will not be provided transportation.
 - . In the event that school is canceled during the day for emergency reasons other than for inclement weather, school personnel will contact parents/guardians by telephone.
 - . Please discuss with the student emergency plans if you are not at home at the time of early closings.
- Teacher Conference:** Conferences with school personnel may be arranged at any time throughout the school year by phone or note. Please do not hesitate to call if you have a question. Call (703) 941-8150.
- Transportation:** You will be informed by mail or phone as to the bus schedule generally within five to ten days of your initial date of enrollment and/or five to ten days before the beginning of the fall semester of each school year. Transportation is not door-to-door. However, every effort is made to bring the bus as close as possible to your home. Please be sure that your student is at the specified pick-up location at least five minutes prior to the specified time. If an absence can be anticipated, please call the designated bus driver or contact the school. Office staff generally arrives at school before 7:30 A.M. There is also an answering machine available to leave messages regarding transportation. Students from Montgomery County, Prince George's County and the District of Columbia are transported by public school special education buses. Information regarding Prince George's County Public School Transportation may be obtained at (301) 952-6570. The District of Columbia's Transportation information number is (202) 576-5000. Montgomery County's Transportation information number is (301)353-0982. Please refer to Bus Regulations page for more information.

General School Regulations

Students entering Leary School become part of a community that encourages productive change and growth. Every effort is made to utilize positive and supportive interventions. In order to protect the rights and welfare of all students and the integrity of the school program, students are expected to follow all school and classroom rules. The following list identifies, in part, Leary School's most significant and general rules for student conduct. Additional rules, regulations and expectations are identified in the Leary School student information handbook and may be established by the staff throughout the school year.

Students and parents/guardians are expected to understand and agree to abide by the basic rules upon acceptance into the Leary School program and as a condition of continued placement at Leary School. Please review each rule listed below carefully and sign and return it to the school.

Verbal/Physical Abuse - Students are expected to interact with each other and with school staff in a respectful and positive way. Students are subject to suspension for harassment, fighting in school or on a school bus.

Property - Students are held accountable for destruction of property and will be billed as necessary. Subject to administrative review, students may also be charged with destruction of property in the Fairfax County court system.

Smoking - Smoking is not permitted in school on any part of the school grounds or on school sponsored activities. Cigarettes, lighters, matches and other tobacco products are not permitted in school and will be confiscated.

Drugs/Alcohol - Students will not possess, use or sell alcohol or drugs on campus, school field trips or on a school bus. Students who are suspected of or admit to using alcohol or drugs prior to school may not be permitted to remain in school. Infraction of these rules may result in a suspension pending a re-admittance conference, termination and/or police involvement. A search of personal possessions and clothing may occur when there is sufficient suspicion that a student may possess alcohol, drugs or related items. Students whose behavior or appearance suggests that they may be intoxicated will be asked to take a Breathalyzer test. Students refusing to take the test or who test positive for the presence of alcohol may not be permitted to remain in school for that day and will be subject to further disciplinary action. Please refer to your student information handbook for additional guidelines. In addition, in accordance with our zero tolerance policy, random drug screenings will be conducted throughout the school year.

Prohibited Items - Students bringing restricted items to school may be searched and will have prohibited items will be confiscated. A partial list of these items include: glass bottles, drug paraphernalia, walkie talkie radios, laser pointers, knives, sharp objects or weapons of any kind, athletic equipment (footballs, basketballs, etc), book bags, electronic games, toys, fire crackers/fireworks and non-prescribed drugs and/or alcoholic beverages or items represented as such. Bandannas or any items or clothing styles representing gang insignias or affiliation are not permitted. Drug paraphernalia, weapons and illegal devices may be turned over to the police. Students who refuse to be searched will be dismissed from school for the day and/or suspended pending a parent conference. ***Items such as cellular phones, pagers, personal music players, athletic equipment (footballs, basketballs, etc), book bags, electronic games and toys will be held by staff and returned to the student at the end of the school day

Searches - When there is sufficient suspicion that a student may possess dangerous and/or unlawful items (e.g. weapons, drugs, alcohol, drug paraphernalia, or items represented as such, etc.) they will be expected to submit to a search of their person and personal belongings. All searches will be conducted by at least two staff. Students refusing to submit to searches will be sent home and will not be re-admitted until they agree to the search policy. Refusal to abide by this policy could be grounds for police referral and possible dismissal from the program.

Metal Detector Screening - Students are required to pass through a metal detector to gain entry into the school building each day. Students refusing to pass through the metal detector will be denied admission to school. Boots worn by students will be inspected. Students refusing to surrender any weapon or prohibited item may also be denied admission to school.

Personal Property - Students are encouraged not to bring valuables (jewelry or money) to school. We cannot insure adequate protection and liability for student's property. Students choosing to bring such items to school are subject to confiscation of property, to be returned only to the student's parent or guardian. Students may bring book bags only when there is communication between their parent/guardian and the school and it is deemed necessary. Leary School cannot be responsible for lost or stolen items.

Dress Code - Clothing which is provocative or vulgar in message or style is not permitted. Clothing or hats with violent or drug oriented symbols or messages, tops with scooping neck lines, bared midriffs and very short skirts or shorts are not suitable for school wear. Tights, stretch pants, leggings, and spandex body suits must be worn with clothing that reaches no more than four inches above the knee. Shorts or skirts may be no more than four inches above the knee. Pants should be worn in such a way that underwear cannot be seen. Students are not permitted to wear or display skullcaps or bandannas of any kind. Gang related symbols or colors are not permitted on clothing or personal items. No heavy metal belts, sleepwear, layered pants or sleeveless undershirts are permitted. Hats, caps or other headgear are not to be worn in the school building.

Program Response to Disruptive and/or Negative Behaviors- The Leary School programs are designed to support students in making positive changes. All staff is committed to treating students in a respectful, supportive manner while maintaining a structured environment. To maintain that structure, a point and level system and/or a token economy is utilized schoolwide. However, when the student's behavior becomes disruptive, unsafe or is escalating, he or she may earn one of the following interventions/consequences: regroup, use of Alternate Instructional Area, after school detention and/or suspension. There are times when physical restraint must, as a last resort, be utilized; times when the student is in imminent physical danger to himself/herself and/or to others, or when deemed therapeutically necessary. Students who seriously or chronically disrupt the school program may put continued school placement in question and are subject to discharge.

Students who disrupt the operation of the school are also subject to charges in the Fairfax County court system.

Attendance - Students are expected to maintain regular attendance. Excessive truancy may result in termination. Maryland students should carefully review the MSDE attendance policy in the Student Information Handbook. Parents and students are responsible for informing the school in the event of absences. Absences are considered excused when the student is ill or for medical/dental appointments. Parents should contact the school prior to any other absences. All other absences (including those not arranged for ahead of time) will be considered unexcused. Written and/or verbal excuses cannot be accepted past the end of the month in which the absence occurred.

Bus Behavior - Students are expected to ride the bus safely and adhere to all bus rules and regulations. Students who chronically disregard bus rules are subject to suspension or expulsion from transportation services may lose transportation services.

Cell Phones and Personal Music Players - Students are expected to turn in their cell phones and personal music players to staff at the beginning of each school day. The items are locked up and returned to the student at the end of the day. If a student willfully does not turn in these items he/she will earn automatic probation. In the case where a student repeatedly violates this rule their parent/guardian will be informed and the student will receive further consequences.

Students and parents are encouraged to discuss these regulations together and to meet with the school staff should questions arise.

I/we agree to abide by these general school rules at all times. Furthermore, we recognize that serious infraction of these rules and regulations may jeopardize continued placement at Leary School.

Student Signature

Parent/Guardian Signature

Description of Program Areas

Leary School offers each student a full continuum of services commensurate with his/her strengths, limitations, needs, and interests. Students are placed into small groups not exceeding 10 students per class according to a match between their age, developmental level, presenting problems and learning and behavioral characteristics. The various management approaches range from a structured and positive behavior modification approach to a more student-directed and supportive group. Our aim is to establish homogeneity of social age and level of independent functioning within groups.

Regardless of the group in which a student is placed, he or she will receive structured support and feedback regarding school behavior. Several of our groups participate in daily psychoeducational group sessions. The group is the focus for continued direction throughout the school day. The groups with younger, developmentally immature students utilize a behavior management system heavily based on principles of behavior modification. Most students are expected to develop annual, monthly and daily goals for themselves. Feedback is given at the end of each day and each week as to their progress in meeting predetermined goals. Additionally, each student receives feedback regarding his/her school behavior in several interaction areas at the end of each class period.

Points are earned and accumulated with respect to these areas and for realizing predetermined goals. Points, the attainment of individual goals and predetermined behavioral standards are used as criteria for students' progress through the levels system. Expectations increase as the student moves upward in level.

Academic Instruction - The Leary School maintains a strong emphasis on academic instruction and remediation. Classroom instruction is designed to capitalize upon the students' strengths while simultaneously offering remedial training and/or compensatory strategies for coping with deficiencies. Students learn at their own rate in a success-oriented environment. An Individualized Education Program (IEP) is developed for each student in consultation with parents, public school personnel, and whenever feasible, the child. Included in this plan are annual goals and objectives in either all or most of the following areas: English, language arts, reading, math, independent living skills, social studies, science, behavior, counseling, art therapy, physical education, occupational therapy, speech and language therapy, woodworking, education for employment, work experience, and others.

Teachers plan their daily and weekly lessons according to the goals and objectives prescribed in the Individualized Education Program, as well as, using each student's county Program of Studies (POS) course descriptions. Progress reports are prepared for each student quarterly and distributed to the parents and the local education agencies.

Students are matched as closely as possible with a group similar in age, presenting problems, and developmental levels. Within this group the student receives individual and small group instruction, psychoeducational group, periodic achievement assessment and family life education. The student also participates in the resource services of the program: art therapy, physical education, woodshop, counseling, and computer-assisted instruction. Secondary education students receive supplementary preparation for the comprehensive tests required by the state in which they reside. Please review the policies on Granting Secondary Credits and Grading Policies located in this handbook.

Leary School of Virginia works with a self contained classroom model, as well as a cluster model for selected secondary students. In this model, students are exposed to a more traditional academic schedule in which they receive instruction from more than one teacher for their core subjects.

Class size is limited to 10 students and staffed by a certified and endorsed special education teacher, and trained assistant. Each student's academic achievement is assessed during the year using a variety of

instruments including: the Brigance Inventories, the Woodcock-Johnson Psychoeducational Battery, the Woodcock Reading Mastery Test and the Kaufman Test of Educational Achievement. A wide variety of instructional methods and materials are used to motivate students and to promote successful school experiences.

Career Development Program

The Career Development Program at Leary School is aimed at providing quality career preparation for all students. The following objectives reflect the primary goals of the program.

1. To provide students with effective career preparation;
2. To develop and implement individualized vocational plans for identified students commensurate with student's interests, abilities, aptitudes, and level of career maturity;
3. To provide identified students with work-experience commensurate with their level of career maturity, and
4. To foster work adjustment, including: work habits, attitudes, and interpersonal skills, necessary for succeeding in future training and/or employment situations.

The Career Development is comprised of five components briefly described below.

The Woodworking Program. A hands-on program of instruction designed for specific skill development in the affective, psychomotor, and cognitive domains, incorporating individualized woodworking projects. Most Leary School students participate in this program.

The Job Site Program. The Leary School Job Site program has always been determined by the category of student accepted. The only reason for the existence of Leary School is to serve the needs of its students, remediating areas of weakness, helping them modify their behavior so as to better function in society, improving their academic skills enabling them to return to a more regular school situation, or teaching them vocational skills helping them to be gainfully employed.

This program is designed to offer selected off-campus, hands-on experience in all phases of the building trades. In recent years, it became clear that increasing numbers of students would be seeking to enter the job market. Although we had offered woodshop classes and on-campus education for employment experiences for several years, we realized that in order to enable students to be ready for the job market, they needed to develop greater vocational skills. Students needed additional work experiences supervised by Leary School staff in order to develop acceptable job attitudes. This job experience needed to be as realistic as possible.

Job Site Program History. In 1986-87, a "handyman-special" house was purchased, a vocational instructor was hired, and selected students renovated the house under the supervision of the instructor. Students were paid at least the minimum wage. They learned many aspects of home building such as installing sheet rock, spackling, wiring lights and outlets, plumbing toilets, etc. The program proved very popular and some students successfully moved into the job market.

Following that first project, it was decided to expand the off-campus program by building a house. A lot was purchased and a house plan was selected.

Since that time, the Leary School of Virginia has continued to complete both new homes and renovation projects. The off-campus job experience program has been very effective in helping students become employable. There has been a marked increase in attendance among those involved in this program. An apprenticeship program through the federal and state governments is available to advance students to a journeyman level in either carpentry or plumbing.

Work Experience. Students may be placed on a variety of jobs on and off grounds according to their level of career maturity and availability of placements.

Vocational Planning and Placements. This consists of vocational assessment, goal setting, and planning that are provided to designated students on an individual basis. This could include special academic/vocational tracking, referral to outside agencies and public schools, or job placement.

Physical Education and Occupational Therapy. Team sports, physical conditioning, health and nutrition and recreation are targeted areas for instruction and skill development. Additionally, the Leary School physical education program has adopted the objectives of the President's Physical Fitness program into its Physical Education curriculum. For some students, additional physical education services may be indicated.

Students, who demonstrate developmental deficiencies in motor skills (dexterity, coordination, balance, fine motor integration, etc.) may be referred for occupational therapy. Occupational therapy and adaptive physical education are adjunctive to the regular physical education program and are individually-designed programs developed from a diagnostic-prescriptive approach. The goals of the Occupational Therapy are:

1. To develop and implement a diagnostic-prescriptive plan for each identified student;
2. To facilitate age-appropriate and/or compensatory motor skill development that will enable the student to function in a regular physical education program;
3. To facilitate effective integration of sensory-motor activities particularly as these processes relate to learning;
4. To foster the development and appreciation of group interaction skills; and
5. To help students better understand the connection between physical condition and emotional health.

All physical education and occupational therapy services are rendered by appropriate, certified personnel.

Expressive Therapy. Expressive Therapy, in the form of Art Therapy, is offered to most students to promote social/emotional insight to foster psychological development and provide support. Individual art therapy is offered to students with an identified need. The Art Therapy Program is developed and supervised by a certified art therapist. The purpose of art therapy is to channel emotional energy through creative forms of self-expression, utilizing a wide variety of art media.

The goals of art therapy are:

1. To provide the student with the opportunity to produce finished products which are reflective of his/her self-expression and which are a source of pride;
2. To provide basic levels of skill development in the use of various art materials, and
3. To provide the student with additional resources for leisure-time activity.

Family Life Education. A comprehensive family life education curriculum is offered school wide. It is designed to provide students with the information, decision-making skills and resources that will encourage responsible behavior. This curriculum is developmentally based and addresses interpersonal relationships, family life, values, general affective development, sex education, mental health, and drug and alcohol awareness.

Counseling Services. Counseling services are provided to all students at Leary School. These services range from individual counseling sessions and teacher-led groups to therapy groups and family support groups. Comprehensive individualized treatment plans are developed for each student which will determine the frequency and level of services provided.

Psychoeducational Group. Teacher led daily group sessions are designed to provide students with a forum for exploring feelings and behaviors, establishing goals, solving problems, and giving and receiving support. These peer groups are led by trained professional staff generally the student's homeroom teacher and occur daily for most of the groups.

Leary School strongly believes in the power of the group. Groups can effect positive changes by providing students with an opportunity to cope with problems within a safe and supportive environment. Through sharing, mutual support and concern, dialogue, and positive relations, students begin to identify more with other students experiencing common problems and gain a better sense of self. Problems, then, become a positive, directed focus upon which the group is motivated to resolve.

For many students an environment is created which is not only supportive but one which provides students with a neutral ground from which they can explore suppressed feelings and behavior patterns. This tends to also give students some time away from the "battleground" where they are having conflicts. This environment also has the effect of providing students with a safe place where they can explore new behaviors.

The goals of psychoeducational groups at Leary School include:

1. Helping students cope better with problems;
2. Helping students find solutions to common problems;
3. Helping students develop meaningful relationships built on support and positive regard;
4. Helping students gain insight into their own behaviors;
5. Through directed experiences, helping each student gain skills in and appreciation for the group experience as a means of support;
6. Social skills development.

Affective Education/Social Skills Training. Younger students typically do not yet have the verbal reasoning skills necessary for participation in a psychoeducational group format. Therefore, emphasis with these students is on examining feelings, attitudes and values through a more structured approach, i.e., Affective Education. The teacher uses a variety of materials and approaches to foster skills in self-expression, social skills and cooperation.

Individual Therapy. Individual counseling/therapy is provided by either a psychologist, a clinical social worker, a masters-level counselor or an art therapist trained in working with children and youth with social, emotional behavioral and learning problems. Most students may receive additional services by participating in one of the therapy groups or they may be seen individually by the expressive therapy department.

School wide treatment/counseling goals include the following:

1. To provide students with a safe, structured environment in which they can reflect upon their feelings and behavior;
2. To offer students support and guidance while they attempt alternative methods for resolving conflicts;
3. To assist students in planning for future adjustments including school and work;
4. To help students better understand the connection between their feelings and behavior and the effects of their behavior;
5. To provide students with technical support in changing their behaviors.
6. To promote general social and affective development through training in communication, socialization, and problem-solving.

These goals are pervasive throughout the program, as much collaboration is made by the faculty to advance and support student personal growth. Counseling and psychological services are actively supervised by the counseling staff and Program Director. Case reviews, ongoing counselor training, periodic consultation with the school's consulting psychiatrist, and the counselor supervision program further support Leary School's commitment to individual therapy.

Family Counseling. Leary School strongly believes in the family unit. When dealing with students with learning, emotional, and behavioral problems, we have found that our students' families probably

have the greatest impact in helping changes occur. In some cases the family is the single most important aspect of treatment. For this reason we offer family services for all students and their families.

Regular family services include: parental support from the counseling department; ongoing communication between parents and the students' case worker; and the parent group.

At times, individual treatment is offered and may be required for certain family issues. When family issues interfere with the student's functioning in school it may be determined that extended family services or family counseling is needed. These services range from periodic meetings with parents to extensive, supportive intervention.

Frequency, length, and location of sessions are determined on a contractual basis. All services delivered through the Extended Family Services program are done so by a licensed psychotherapist. Individualized programs are developed for each family with specific goals and objectives related to the educational needs of the child. The aims of the Extended Family Services Program are to: 1) help meaningful communication occur within the family; 2) help the family, as a whole, to understand problem behavior and effect change; and 3) help the family identify and realize some common goals. Leary School views its students not as individuals from a family but as a member of a family. Every effort is made to work with the family as an integral part of treatment.

Neither the Regular Family Services nor the Extended Family Services require any cost to parents.

Speech and Language Therapy. A command of language both expressively and receptively, provides the basis for all forms of communication. Students with speech and language difficulties very likely will have difficulties in understandably expressing their feelings and emotions, articulating ideas and needs, reading and writing, and subsequently may have difficulties in establishing and maintaining interpersonal relationships and effectively interacting with their environment.

Therefore, identified students with specific speech and language needs receive ongoing speech and language therapy. Screenings and therapy are provided on campus by a certified speech pathologist at no cost to parents. Individualized speech and language plans are designed specifically for the student's speech/language needs and are included in the Individualized Education Plan.

Extended School Year

Leary School has been offering Extended School Year Services (ESY) to qualifying students since the summer of 1996. This is a summer program designed to provide an academic and therapeutic focus. Academically, this program provides for continuing practice and master of concepts introduced during the regular school year and as a deterrent to anticipated regression. Therapeutically, the program assists students in maintaining and furthering the social and emotional gains they have made during the school year. The ESY program is staff with certified special education teachers, counselors and other related service providers, and other support personnel as determined by census. The maximum staff to student ratio is 1:5 and students receive highly individualized programs.

Structured Personal Development Program

The Leary School offers a comprehensive program that is on the expectation that the student can change his or her own behavior. In order to assist the student in doing so, the program is structured to provide consistency, positive reinforcement, logical consequences and immediate feedback.

The system uses points and progressive levels to reinforce mastery of individual objectives and compliance with school rules. The major components include the following:

Point and Level System

A school wide “Level” (1, 2, 3, 4, 5) System representing a sequential progression of behavioral maturity and responsibility. Students progress through levels by the accumulation of points based on sustained compliance with established rules of behavior, by consistently establishing and realizing personally meaningful goals and by developing increased socialization skills.

Each level has expectations and privileges, which accompany it (i.e. high levels access greater privileges as well as increased responsibility). All students begin on Level 1 and, after amassing 200 points in all interaction areas, move up to Level 2 (300 points leads to Level 3 and 400 to Level 4).

For a student to advance to the Upper Levels (levels 3-4), alternative social and behavioral expectations are set. On Level 3, this will be done in conjunction with the classroom teacher and other staff. Up to four mutually determine areas for growth may be identified from the goal bank and substituted for the program goals. For Level 4, the student is expected to identify relevant goals for him/herself from the goal bank and submit them for review by staff.

Each student participates in a weekly levels review with his/her group to determine if the levels expectations are being met by the group members. If the student’s group feels that the expectations of the level are NOT being met by the student, they can each student participates in a weekly levels review with his/her group to determine if the levels expectations are being met by the group members. The group discusses behavioral progress. If a student has not met the behavioral expectations of their particular level, the student may be placed on PROBATION, whereby the student remains on a level but loses the privileges of the level until he/she has successfully accrued 40 points in each interaction area. At that time, the student returns in reinstated on their level and can again begin to earn the privileges associated with that level.

Students mastering Upper and Lower levels are considered Level 5 and have mastered the behavioral program and will not be expected to carry point sheets. Point earnings for each student are recorded on color-coded point sheets at the end of each class period for expected behavior, for which student input is expected. A sheet for each student is posted in the classroom to keep a running tally of accumulated points.

Token System

Specific classrooms may utilize a behavior management program based upon a token economy. Students earn tokens for demonstrating behaviors that are congruent with their individual goals and then use those tokens to purchase tangible rewards in their classroom.

Individual Behavioral Programming

Individualized behavioral contracts, reinforcement scheduling, contingency planning and other behavioral programming are used frequently to supplement the school wide behavioral management programs. Generally, the classroom team (teacher, teacher’s assistant, counselor and behavior management staff) develops individual behavior management plans (based on a Functional Behavior Assessment-FBA) for students with identified needs. All individual plans of this nature are reviewed by staff every six weeks. Individual behavioral goals and objectives are included on the IEP for designated students.

Problems are dealt with in a constructive, therapeutic manner, utilizing a variety of techniques/strategies such as:

- Planned ignoring (responding to the motivation of the behavior, not its manifestation)
- Active Listening
- Counselor Intervention
- Contracts
- Humor
- Positive reinforcement
- Logical consequences
- Group discussion

Problem solving
Role playing
Parent Involvement

Through the consistent use of the behavior management system, discipline problems are dealt with in a therapeutic manner. Limit setting, systematic intervention, rewarding and logical consequences are the cornerstone of the behavior management program. As students become accustomed to the system, they gain knowledge of the behaviors, which promote individual growth, and realization of success.

Admissions Procedures and Policies

Leary School is a private day, coeducational special education facility which serves students, ages six to twenty-one, who have learning, emotional and/or behavioral problems. Secondary disabilities include students who are developmentally delayed, moderately visually impaired, moderately hearing impaired, speech and language impaired, mildly motorically impaired, epileptic (controlled with medication), and/or who demonstrate delinquent behaviors (which could include truancy, non-dependent drug conflicts, or court involvement).

Information required prior to admission includes a psychological evaluation, including intelligence testing, emotional functioning, and perceptual abilities; educational evaluation including grade placement and learning strengths and weaknesses; school records; social case history; medical evaluation, including immunization record; visual/hearing speech screening. These evaluations should be less than one year old.

Federal law requires that special education students only be admitted and enrolled in special education programs with an approved Individualized Education Program for the current school year. Incoming students will be admitted with a valid Individualized Education Program developed by the last school attended and/or by the local educational agency.

From the student or family, any recent psychological or academic information available which was accomplished by agencies or professionals outside the public school system; other information that might be helpful in determining the suitability of our program to fit the needs of the student being referred.

The length of time required for admission to Leary School depends on the availability of appropriate openings.

Other requirements for admission are:

1. An initial interview which includes parents/guardian, the prospective student, and any other appropriate person such as LEA placement official must be held.
2. Funding and transportation arrangements are cleared through the Business Office prior to admittance.
3. At times students may be accepted by Leary School pending the availability of a specific class grouping. In these cases incoming students are placed on a waiting list and will be placed in desired class groupings on a "first come-first served" basis provided:
 - a. The student, parent/guardian, referral source, and Leary School administration all agree on the waiting list status.
 - b. In the case where a specific referring agency has placed funding on a 'pending status' also, the "first come-first served basis" may not apply. That is, in the case in which more than one student is competing for a specific class placement, preference will be given to any student in a non-pending, fully approved status.
 - c. An Individualized Education Program for the current school year is in place prior to admission.

Leary School will review all students on the waiting list weekly and will keep all parties informed of any change in status and expected starting date regularly via written correspondence.

Leary School is not responsible for interim programming while students are on the waiting list.

5. The child's status during proceedings shall be as follows:
 - a. During the pending phase of any administrative or judicial proceedings regarding a complaint, unless the LEA and the parent of the child agree otherwise, the child must remain in his/her current educational placement. While the placement may be not changed, this does not preclude using normal procedures for dealing with children who are endangering themselves or others.
 - b. If the issue involves an application for initial admission to an LEA, the child of school age with consent of the parent, must be placed in the LEA program until the completion of all proceedings.

Medication Policies and Procedures

Any student admitted to Leary School who is under a doctor's care and receiving a psychopharmaceutical drug and whose regimen includes receiving medication during school hours will have his/her medication administered in the following manner:

1. The medication must be duly prescribed and verified by a bonafide physician (e.g., psychiatrist, pediatrician, neurologist, etc.).
2. The administration of this medication at Leary School must be with written parent/guardian permission and written physician permission.
3. The medication must be transported to and from Leary School by the parent/guardian, or their designee, in its original prescription container with clearly defined and verifiable instructions for its administration.
4. A permission form for the administration of any medication, prescription or Over the Counter Medication (OTC) will be signed by parent/guardian and physician and must include the name and telephone number of the attending physician. This form will be kept in the student's permanent file.
5. All prescribed OTC medication will be kept in a locked cabinet in the front office.
6. The student will be brought to the front office by staff. The student will take the medication in the presence of staff and this administration will be logged in a daily log book. Medication log books and medication procedures are overseen by a consulting licensed nurse.

Leary School cannot initiate, prescribe or alter a student's psychopharmaceutical medication or that student's regimen of psychopharmaceutical medication, without a physician's written instructions.

Staff will receive guidance in assessing the effects of psychopharmaceutical medication and will be available to supply any needed information to the student's physician or parent/guardian requesting such information.

While Leary School will adhere to the above administration of any psychopharmaceutical medication, Leary School assumes no responsibility for the effects of any prescribed psychopharmaceutical medication.

Program Response to Disruptive and/or Negative Behaviors

The Leary School Program is designed to support students in making positive changes. All staff are committed to treating students in a respectful, supportive manner while maintaining a structured environment. To this end, a heavy emphasis is placed on recognizing and reinforcing socially acceptable and effective behaviors and ignoring minor negative behaviors that are not attended to by the student's classmates. However, when student behavior becomes disruptive, dangerous, or is escalating, he or she may earn one or more of the following interventions/consequences.

Re-Group

A student is directed to complete a Re-Group when he/she demonstrates an unwillingness to cooperate within the limits of the program or becomes agitated to a point of being a serious disruption and/or safety threat to themselves or to others. Students are directed to Re-Group for a period of not less than five (5) minutes and not more than ten (10) minutes. A Re-Group is not meant to be a punitive measure. Rather it is used as an opportunity for the student, in a closely supervised situation away from the group, to gain control of his or her behavior.

Alternate Instructional Area

Students who either demonstrate repeated negative behaviors or who demonstrate extremely disruptive, non-acceptable behaviors may be directed to the Alternate Instructional Area, in accordance with program policies and procedures. The Alternate Instructional Area is a separate location away from the classrooms, which is supervised by trained staff members at all times. This is an opportunity for students to bring themselves under control, review the difficulties they are having and prepare for re-entry into the classroom. This process may take a relatively short time or may take the entire day to work through. Our goal is to assist each student to grow through this experience while allowing order to be maintained in the classroom.

Suspension

Suspension is an extreme response utilized when a student's behavior demonstrates that he or she is unwilling or unable to function within the most basic limits of the program or when he or she repeatedly violates the program policies and procedures to a degree that threatens students, staff or the integrity of the program. A suspension is the restriction of a student from returning to school until certain criteria are met. The severity of the action of the student will determine the number of days a student will be suspended. If the accumulated number of days of suspension approaches five (5) school days, the teacher will notify the program director or designee verbally and a meeting will be arranged between the staff of Leary School, the parent/guardian, the student and the Local School System (LSS). The LSS and parent/guardian will be contacted by telephone to schedule the Individualized Education Program meeting. A manifestation determination review may be held and a functional behavioral assessment will be developed. The object is to enable the student to return to school as soon as possible.

Suspension Policies and Procedures

1. Earned for behaviors beyond the acceptable limits of the daily program;
2. A review of placement may be necessary if behaviors are severe or if there are repeated occurrences; and
3. A parent conference may be required.

Suspensions may be earned for certain specific behaviors, some of which are listed below:

1. Sexual exposure or harassment
2. Attacking or seriously injuring a peer
3. Pushing, shoving, hitting, or physically threatening a staff member or another student

4. Stealing, defacing or destroying school property or property of a staff member or student
5. Consuming or selling drugs or alcohol (or substances represented as such) or being with students who are doing same
6. Selling, dispensing, or consuming drugs/alcohol (or substances represented as such) on campus
7. Being a serious and on-going threat or disruption to the staff, students or program
8. Unsuccessful completion of in-school referral
9. Possession of a weapon or any item that could be used as such.

Police may be notified in certain situations:

1. Refusing to leave the school grounds after earning a suspension or after being asked to leave by a staff member;
2. Physical aggression towards a student or staff member;
3. Destroying or stealing staff personal property or property of the school;
4. Selling drugs or alcohol or substances represented as such;
5. Bringing and/or concealing weapons or dangerous items on school grounds or the school bus; and
6. Ongoing or severe disruption of the school program.

Physical Restraint

Leary School maintains a firm ban on corporal punishment. However, there are those times when physical restraint must, **as a last resort**, be utilized; times when the student is of imminent physical danger to himself/herself and/or to others, or when deemed therapeutically necessary and in the best judgment of the professional staff involved. Physical restraint is never used as a punitive measure. Prone restraints are never implemented.

Additional Responses

Leary School may, when indicated, involve the police or court authorities when students violate the Virginia State Code of Criminal Conduct (i.e., trespassing, school disruption, destruction of property, verbal harassment, physical assault or use or possession of a weapon, drugs or alcohol or any substances presented as such). These actions, while on Leary School grounds, on a school bus or at any school sponsored activity are subject to charges in Fairfax County Juvenile and Domestic Relations Court or Fairfax County (Adult) Court if the student has reached the age of 18.

Additional responses to negative and/or socially unacceptable behaviors may include individual contracting, loss of privileges, restitution, group contingencies, after school detention and Saturday school. Whenever the above described responses are utilized, frequency and behavioral data are kept by the homeroom teachers and shared with parents. All serious incidents are fully documented and reported to the Program Director. Program responses to behavior are only used after all other avenues of intervention have been exhausted. The school staff is firmly committed to maintaining positive relationships with students and the use of preventative measures.

Discharge Policies and Procedures

There are certain behaviors for which a student may be considered for discharge from the program. These behaviors are beyond the scope and boundaries of our program. They prevent the student from being assisted effectively and seriously endanger the property, rights and/or safety of other persons within the program.

A student may be considered for discharge by Leary School for certain behaviors, including:

1. Assaulting and seriously injuring a peer;
2. Assaulting a staff member or threatening them with an object or weapon;
3. Stealing or defacing a staff member's car or home or any property therein;
4. Repeated occurrences of consuming or distributing drugs or alcohol or items represented as such;
5. Violations of student contract indicating discharge as a consequence;
6. Chronic absenteeism;
7. Ongoing and serious non-compliant behavior which chronically disrupts the program; and
8. Sexual harassment or assault of student or staff member.

Procedure

In all cases in which discharge is being considered, Leary School administration will immediately request an emergency MDT/Individualized Education Program conference with the local educational agency by phone and by written correspondence. Parents will be informed of the nature of the discharge, the review process, and the length of time (not more than 10 days) until the MDT/Individualized Education Program conference and will receive a copy of current parent rights and due process rights and regulations.

A parent has the right to appeal to the special education department any decision of termination arrived at by the Leary School.

In the event of a mutually agreeable discharge (agreed upon change in educational programming and placement, move, graduation, completion of special education programming, student attains 22nd birthday, etc.), Leary School will coordinate discharge planning with the student's parents and the LEA by formal review process to occur within 30 days of discharge. Notification should be the same as all policies relevant to the Individualized Education Program process apply in discharge review.

Fees and Refund Policy

Lincolnia Educational Foundation, Inc. (the Foundation) fees are approved annually by local educational and community service agencies and the State of Maryland.

The Foundation will only charge uniform rates to applicable jurisdictions for an agreed upon enrollment period.

In instances of prepaid tuition where the student is discharged by mutual agreement between both parties, the Foundation will refund tuition based on a per diem basis to the date of discharge.

All tuition, related services and supplies are paid for by the referring jurisdiction; there is no cost to the student and/or family.

Harassment Policy

Leary School's general rules and regulations are based on the premises articulated in our staff and student Bill of Rights. Among these rights is the right to be treated with dignity and respect.

Leary School does not condone or tolerate any form of harassment, either in the form of verbal abuse, cursing or gestures. Abuse or harassment based on a person's race, religion, gender, sexual preference or personal or physical attributes will not be permitted.

Students who habitually or flagrantly harass others are subject to disciplinary actions including, but not limited to, loss of privileges, time out, in-house suspension, court charges and/or suspension or discharge from the program.

Verbal harassment and intimidation is defined as comments that are intimidating or offensive to the recipient or observer that may include vulgar, degrading, teasing or threatening remarks. Threats of bodily harm to the recipient or their family members constitute a serious infraction of Leary School policies and are also explicitly covered by the Virginia State Code of Criminal Conduct.

Leary School may, when indicated, involve the legal authorities when threats of bodily harm are substantiated.

Sexual harassment is defined as unwelcome sexual advances, request for sexual favors and/or physical contact or gestures of a sexual nature, including touching or grabbing others, propositions, sexually offensive pictures, notes or jokes, graphic comments about an individual's body or sexually degrading names. Students are strongly encouraged to report allegations of sexual harassment as soon as they occur. All allegations of sexual harassment will be investigated by Leary School staff. Students found to be in violation of this policy will be subject to disciplinary actions. Under federal and state laws and policies, sexual harassment is illegal and is prohibited in school settings.

Use of telephone or cyber (on-line) communication for the purpose of harassment. Telephone calls or cyber communication (i.e. e-mails, instant messaging, etc...) that result in verbal abuse and/or intimidation are also a violation of the Leary School guidelines. Should a call of this sort come to the attention of our staff, we will contact the parents of the students involved and make one or all of the following recommendations:

1. Please encourage your student to report any further annoying and/or threatening calls to you and to the school. When on-line harassment is taking place, it is recommended that you block the address that is sending the communication.
2. Please also notify Unlawful Calls Center at 1 800 518-5507 whenever you might become aware of any incoming annoying or threatening call. Making such calls is illegal and the Telephone Company can assist you in monitoring your incoming calls and in prosecuting those responsible for any such calls. The Police Department should also be called in the event of any threatening telephone calls.
3. Please call Leary School with any information and/or comments you may have regarding annoying and/or threatening telephone calls or cyber communication that you may be aware of involving Leary School students.

For your information, Leary School will release student information to the police officials in their jurisdiction when and if they request such information while investigating an annoying and/or threatening telephone call involving Leary School students.

Please do not hesitate to contact the school if you have questions or concerns regarding our general harassment policy.

Drug/Alcohol Use Policy and Procedures

Policy

Leary School maintains a zero tolerance drug and alcohol policy. It is unacceptable for any student to consume or have in his/her possession illegal drugs, alcohol, non-prescribed or items represented as such, while riding the school bus to and from school, while at school, or while on any school related trips. In accordance with this policy, random drug screens may be conducted throughout the school year. Students are not permitted in school if their behavior or appearance suggests that they are under the influence of illegal drugs, alcohol or non-prescribed drugs.

Procedures

1. School bus drivers suspecting a student of using or having in his/her possession drugs or alcohol or items represented as such will report their concerns to the Program Director immediately upon arrival to school.
2. Any staff suspecting the same will report to administration.
3. Students suspected to be under the influence of drugs or alcohol may not be permitted to remain in the program that day. When indicated, and with parent permission, students may be requested to submit to a drug and/or alcohol assessment and urinalysis. In instances when a student's behavior or appearance suggests that the student may be intoxicated, Leary School will ask the student to take a Breathalyzer test to determine the presence of alcohol. Refusal to do so may result in the student not being permitted to remain in the program for that day and further disciplinary action. Students testing positive for the presence of alcohol or drugs in their system may not be permitted to remain in the program for that day and will be subject to further disciplinary action.
4. Students suspected to be at risk for substance abuse may be referred to substance education classes and or further treatment.
5. Students suspected of possessing drugs or alcohol or items represented as such may be asked to submit themselves to a search and to release any such items to the school. Refusal to do so may result in the student not being permitted to remain in the program for that day and further disciplinary actions. Upon his or her return to school, the student and/or his or her parent or guardian will be required to complete a recommitment conference. Students who bring drugs into the program may be referred for Police intervention.
6. Students selling, attempting to sell, or distributing drugs or alcohol or items represented as such to other students will not be permitted to remain in the program that day and are subject to further disciplinary action, including suspension, referral to the police, and expulsion.
7. In items #1 - 6 above, parents/guardians will be contacted to: (A) come and pick up the student. If this is not possible, the student may be sent home or designated staff will take the student home; (B) arrange for a conference with school staff before the student can return to school. Any such incidents may result in (A) suspension; (B) asking the parent/guardian, along with student, to get involved in a drug/alcohol program; (C) police involvement; or (D) the student being discharged from the program.

Bus Regulations

In order to make for as safe and enjoyable a ride as possible, it is imperative that students follow the specific instructions of each individual driver. Each driver sets priorities for his or her bus in accordance with the general bus regulations. The MAIN responsibility of each driver is to transport the students to and from school safely.

Contact will be made with the parents/guardians when the student is reported for disruptive or unsafe behavior. Infractions such as fighting, throwing objects on or out of the bus, smoking, leaving the bus other than at designated stops, destruction of property, verbal abuse, and use of drugs are considered serious offenses and will be dealt with by suspending the student in question from the bus and/or from school until a parent conference can be arranged.

Bus Rules Parents/Guardians Should Know

1. No student may be let off the bus at any place other than his/her regular stop without a written note and follow up telephone verification from his/her parent/guardian.
2. No student may ride another bus to go home with a friend unless parents/guardians of both students write notes and are verified by school staff. Both notes must be approved by the Program Director and the Transportation Department. Local jurisdictions require advance notice (7-10 days) before any changes can be initiated.
3. Students should be at designated stops at least five minutes before pick-up time.

Report Procedure, I.E.P. Development and Student Assessment

A great deal of thought and deliberation has gone into developing a reporting procedure for the students of Leary School. The essential requirement of any reporting system is that it properly and sufficiently communicates the desired message from teacher to student, to parent/guardian, and to local educational agencies. Good feedback that is fair and accurate is vital in promoting educational progress. The hope is that these reports can be completed without raising anxieties on the part of anyone. If questions are raised after reading the reports, then it is easy for a conference to be arranged for a fuller explanation with all interested parties. The secondary purpose of reports is for record keeping.

On a quarterly basis, progress reports are mailed to parents/guardians and Local Education Agency (LEAs) representatives offering information on the student's attendance for each month, a report on academic and behavioral progress as specified on the students' current Individualized Education Program and, for secondary students, instructional hours completed toward high school credits.

Clinical Reports

Clinical Progress Reports are prepared on a yearly basis and mailed to all parents/guardians and LEAs. Clinical Progress Reports are prepared by the teaching and counseling staffs and essentially reports clinical progress in relation to program goals. Generally, a brief background section, which includes information gleaned in part, from available student records, a review of program goals which were identified at the initial intake and which may be supplemented with program goals established by staff, and specific treatment strategies established by the staff begin this report. Clinical progress – social, emotional, and/or behavioral growth – is then documented in narrative form. The report concludes with a summary and program recommendations.

Clinical Progress Reports should be seen as a central planning and reporting document in relation to the overall social, emotional, and behavioral treatment of each student. For many students, clinical progress is the primary factor which supports their overall progress within the Leary School program.

Individualized Education Program Development

Every student at Leary School has his own Individualized Educational Program (IEP). This document, unique for each student, reflects the following information:

1. Current test scores and level of educational functioning in all academic areas;
2. Informal observations and assessments conducted by the classroom teacher, including present competencies in areas of academic, motor development, behavioral and independent living skills;
3. Assessment of the student's relative strengths and weaknesses in each academic area;
4. Prioritized goals and objectives for the school year in designated areas; and
5. Frequency, teacher-student ratio, duration and priority for each educational service provided.

The Individualized Education Program is used to outline individualized instruction for the school year. It provides a "roadmap" for both student and teacher and concentrates on academic areas that may need remediation.

On a yearly basis, all Leary School students are evaluated by standardized and/or criterion-referenced testing in the areas of math, reading, written language, general knowledge, and any related services provided in the IEP. Additional diagnostic testing is performed on a case by case basis as needed.

For our incoming secondary students, after a review of the cumulative file and previous placements is conducted, a planning card and transition plan (included as an IEP annual goal area for student aged 14 and above) is prepared. This allows the academic staff to see which high school courses still need to be completed for graduation and aids in the preparation of the student's IEP.

Within thirty days after a student enters Leary School, the IEP is reviewed and any necessary changes are proposed by the Leary School staff. If changes are proposed, parents or guardians, along with a LEA representative, meet to discuss the Individualized Education Program. At the IEP conference, all interested parties have an opportunity to participate in programming and/or curriculum decisions.

Once a year, the IEP team has a meeting to review the student's progress. At the meeting, the student's Individualized Education Program for the following year is reviewed and amended, if necessary, by the parent/guardian, a representative from the LEA, and the administration and staff of Leary School. This meeting not only gives everyone a chance to discuss progress that has been achieved during the present school year but also an opportunity to look toward the next school year.

Throughout the school year, each teacher accumulates a folder on each student, which includes daily work and teacher-made tests. Work is sent home regularly by the classroom teacher and also kept for use during conferences. Contact with parents/guardians is maintained throughout the year by the staff through telephone calls or additional conferences when necessary.

This reporting procedure, we feel, best fits our very particular situation. If questions develop at any time about the procedure or any other aspect of the school program, parents/guardians are urged to call the office and ask to speak to the Program Director.

Statewide Assessment Testing

Students will participate in statewide testing in cooperation with the parent/guardian and the LEA. Testing with any agreed upon modifications is conducted at Leary School under standardized conditions and in the time frame requested by the state/LEA. Testing materials are returned to the state/LEA for scoring.

Grading Policy

Leary School has developed a High School Credit System that will ensure that credits are being awarded consistently and equitably, allowing students to progress in the accumulation of high school credits leading towards fulfilling graduation requirements.

The High School Credit System takes into account that there are many factors in determining academic progress. Leary School has devised a matrix whereby letter grades are weighed on a quarterly basis. The following matrix will be used to determine grades.

20% Tests/Assessments.

Tests will be used to assess how well a student is progressing in mastering content of subject areas and goals/objectives on their IEP. Tests will consist of end of unit reviews, teacher prepared tests and formal assessments related to content. Classroom teachers will determine the frequency of tests, but on the average, tests will be administered bi-weekly allowing students to earn points for each test that will total 20% of their grade for a given quarter (i.e. Test #1 will be worth 5 points, Test #2 will be worth 10 points, etc.) Teachers are encouraged to implement a variety of assessment methods based on the student's learning styles.

20% Quizzes

Quizzes will be used to consistently review academic progress and to assess how well students are grasping concepts. Quizzes are instrumental and allow the teacher to consistently review academic progress and assess how well students are grasping concepts and new material. Quizzes are instrumental and allow the teacher to assist students in helping to prepare for tests. Quizzes will be prepared by teachers and on the average will be presented weekly in all content areas. Teachers will determine method of quizzes based on student's learning styles.

15% Homework

Leary School Homework Policy stated that students will be assigned homework Monday-Thursday. Homework will be provided to reinforce drill/practice essential skills, conduct research, complete unfinished class work and as a review of introduced concepts.

15% Projects

Projects are assigned throughout the year. Projects are related to concepts being review in the classroom and school wide events.

30% Participation

Students are expected to participate in day to day activities in the classroom, turn in assignments exhibiting satisfactory work, within expected timelines.

Leary School has an open enrollment whereby students may start and exit the program at various intervals during the school year. In an effort to accommodate these students, Leary School has developed an open entry and open exit system, which will allow such students to accumulate credits in a nontraditional manner. Students enter the program after the quarter has begun will begin accumulating credits at that time. Students entering the program later in the quarter who do not meet the requirement for a passing grade will receive an Incomplete (I) and will have the opportunity to complete those requirements before the end of the fourth quarter. Any incomplete quarterly grades will be committed to E's at the end of the final marking period.

Alternately, an Incomplete will be adjusted accordingly upon receipt of transcript(s) from previous school(s).

Grading Scale:

- A 100%-90%
- B 89%-80%
- C 79%-70%
- D 69%-60%
- E 59%-50%
- P Pass (student meets the expectations)
- I Incomplete (student has not fulfilled the requirements)

Leary School grading system and credit determination is based on a combination of skill master classroom participation, completion of classroom assignments, projects and homework.

Final semester and course grades are determined by averaging the quarter grades.

Granting of Secondary School Credit

Minimum requirements for graduation, both in number and individual courses required, are developed by the student's individual Local Educational Agency (LEA).

Upon entry to Leary School, a review of records that includes previous credits earned and courses already completed will be completed and a transcript developed.

Once the review is completed, projected courses that the student still needs to complete will be reported to the classroom teacher to aid in the development of the Individualized Education Program.

Credit accumulation and course grades are reported to the student's individual LEA, along with parent and/or guardian, quarterly.

Leary School's grading system and credit determination is based on a combination of skill mastery, classroom participation and completion of classroom assignments. Quarterly Incompletes in any subject are committed to a failing grade at the end of the following quarter or at last grading period.

Student grades and instructional hours earned toward high school credits are reported to the individual students' LEA and ultimate decisions about the awarding of credits is at the discretion of the students' LEA when a student has successfully completed all required coursework, testing, and any other requirements the school jurisdiction may dictate, the LEA may authorize the awarding of a high school diploma from their jurisdiction. As enrolled students, graduating students are eligible to participate in commencement exercises through their individual base school.

Leary School, through the authority of the Commonwealth of Virginia, may issue a secondary school diploma when a student has successfully completed all coursework and any statewide testing required for high school graduation.

Child Abuse and Neglect Policies and Procedures

Leary School is committed to providing the best possible learning experiences for all of our students. Occasionally, there are factors in a student's appearance and/or behavior that lead to suspicions of child abuse or neglect. State and Federal law requires that all educators and other school employees, including volunteers, report **suspected** abuse or neglect to the proper authorities in order that children may be protected from harm and the family may be helped.

Leary School policy supports these laws in this regard and requires that all school staff report suspected abuse and neglect to administration who, in turn, report to the Department of Social Services, Protective Services Division and, when indicated, the local police department. At all times, the intent is to protect children from harm by providing services to maintain and strengthen the child's own family.

When an initial referral is made, the local Department of Social Services and, at times, the local police department conducts an independent inquiry to determine if an incident of abuse or neglect has occurred and if the family could benefit from the assistance and services their agency can provide. Quite frequently, Leary School is instructed not to discuss the case with the family until the initial investigation is completed.

We recognize that when a referral to Child Protective Services is made, parents may feel at odds with school personnel and perhaps resentful of a possible intrusion into family life or, at the very least, that the school or school staff executed this responsibility recklessly, without sensitivity or concern for potentially damaging repercussions. We try very hard never to act this way but our first obligation and legal responsibility is to report all suspected cases of neglect and abuse to the proper authorities. It is our hope that when a Child Protective Services referral is required, we are able to maintain an open and respectful working relationship with the student's family.

Records Management

A master file is kept on each student. Chronologically complete from entrance to exit, this file is maintained by the designated Office Manager. To insure confidentiality of these records, only the individuals who plan and implement the programming strategies for the students shall have access to their files. Each master file contains:

1. Documents on evaluation that identify the specific needs of the student;
2. The comprehensive habilitation program plan devised to meet all the identified needs;
3. Program goals and objectives stated clearly;
4. Reports of student progress toward the goals and objectives;
5. Documents of review and modification of the program, plan, goals, and objectives in light of the student's progress;
6. Summarization, upon exit, of the student's strengths and areas of needs with relevant program recommendations.

Disposition of Records upon Dissolution of Facility: Should Leary School ever cease to operate, all records will continue to be maintained for a period of two years. After that time, all remaining records will be returned to the referring agency. Prior to their return, a reasonable effort shall be made by the Leary School, to notify parents or eligible student that they have a right to be provided with a copy of the record.

Privacy Rights Policies and Procedures

All records pertaining to a student are available to the student's parent and/or legal guardian for inspection or review.

A parent and/or legal guardian may request to inspect, have explained or interpreted the contents of the file, have copies of the materials made, challenge any information in the file and request its correction, and/or review the records collected, maintained and used by Lincolnia Educational Foundation, Inc. of his or her child in writing or by telephone to the program director or designee. The request will be honored within 45 days of its receipt. Student records are maintained by the office manager and/or program director designee.

The school may not disclose personally identifiable information from a student's record without prior written consent of the student's parent and/or legal guardian unless otherwise allowed by law.

The School shall maintain a written record of requests (except access by parent/legal guardian and authorized employees of the Foundation) for and disclosure of, personally identifiable information from the student's record that includes the name of the reviewer, the month, day, and year of the review and the purpose of the review. The access form is kept on the inside cover of the student's cumulative file. Written requests for access and accompanying consent/release forms are also located in the student's cumulative file.

These rights are accorded if the child is under 18 or if the parents have legal guardianship of him if he is 18 or older. If the student is 18 or over and parents do not have legal guardianship, the rights herein are the student's, not the parents' or guardians'.

Parents/Guardians are informed annually via the Student Information Handbook of their rights regarding this policy and/or whenever the policy changes during the course of the school year. The Student Information Handbook is mailed out to parents/guardians by the director or designee prior to the start of each school year or within 30 days of its revision. Students that enter the program after the start of the school year receive the Student Information Handbook at the time of admission.

Please refer to the following **Parental Rights** document that corresponds to your child's local school system for additional information.

Internal Complaints

Parents, student and/or placing agencies who have concerns and/or complaints with the program may address their concern with the Program Director or designee in an effort to resolve the concern. Every effort will be made to reach a fair resolution and to provide concerned parties with an opportunity to express their concerns and suggestions. If the complainant does not feel that resolution has been reached, they may submit their grievance in writing to the Office of Private Schools for Students with Disabilities, Virginia Department of Education, P.O. Box 2120, Richmond, Virginia 23218.

Parental Rights in Special Education

As the parent of a child who is suspected to need or identified as needing special education, you have certain rights, which are guaranteed by state and federal law. These rights are listed here. If you would like a full explanation of them, please contact your local school division director of special education.

Both you and your local education agency (LEA) share in the education of your child. The term LEA, by definition in state regulations includes state-operated programs (SOPs). If you or the school have concerns about the education of your child, you and your child's teacher should hold early and open discussions about the issues.

Notice

You have the right to:

- Receive a written prior notice each time the LEA Proposes or Refuses to initiate or change the identification, evaluation or placement of your child or the provision of a free appropriate public education to your child. The notice shall include:
 - A full explanation of all of the procedural safeguards available to you under the Individuals with Disabilities Education Act.
 - A description of the action proposed or refused by the LEA including:
 - An explanation of why the action is proposed or refused; a description of any options the LEA considered; an explanation of the reasons why those options were rejected; a description of the nature, purpose, and use of each evaluation procedure, test, report, or record used as a basis for the action proposed or refused; and a description of any other factors relevant to the LEA's proposal or refusal.

The notice must be written in language understandable to the general public, and provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

If the native language or other mode of communication of the parent is not a written language, the State Education Agency (SEA) or LEA shall take steps to insure: that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication; that the parent understands the content of the notice; and that there is written evidence that these requirements have been met.

Consent

Consent means that you have been fully informed of all information relevant to the activity for which consent is sought, in your native language or mode of communication. It also means you have agreed in writing to the carrying out of the activity for which your consent is being sought and the consent describes that activity and lists the records (if any) which will be released and to whom. You should also understand that the granting of your consent is voluntary and may be revoked any time.

You have the right to:

- Give written consent before an LEA conducts preplacement evaluation of your child or initially places your child in a program providing special education and related services.

Evaluation means procedures used in accordance with federal and state regulations to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively with an individual child and does not include basic tests administered to or procedures used with all children in a school, grade, or class.

- Be informed that if you do not provide consent for preplacement evaluation or initial placement, the LEA may use the state procedures for due process hearings described in this notice to override your refusal to give consent.
- Be informed that, except for preplacement evaluation and initial placement, consent may not be required as a condition of any benefit to the parent or child.
- Be informed that consent must be obtained before any change in the program/placement, including any partial or complete termination of

special education and related services, except for expulsions and graduation. Consent for placement may be revoked up until the first day of placement.

- Give written consent before any change in identification of a child with disabilities; and any evaluation which is conducted other than the assessment components required for the triennial evaluations. Parental consent is not necessary for reviewing the child's records for conducting a reevaluation.
- Be informed that except for preplacement evaluation and initial placement, consent or refusal to give consent for those other situations requiring consent shall be given by the parent to the LEA within ten administrative working days after the notice is received. If the parent fails to notify the LEA within ten administrative working days, the LEA may proceed as if consent had been granted, and the parent must initiate due process to contest the action. If the parent refuses to give consent, the LEA shall attempt to resolve parental withholding of consent through informal means. If those informal methods are not successful, the LEA must use other measures as necessary to ensure that, except for preplacement evaluation and initial placement, parental refusal to consent will not result in a denial of a necessary free appropriate public education.

Records

You have the right to:

- Inspect and review any educational records relating to your child with respect to the identification, evaluation, and educational placement of the child, and the provision of a free appropriate public education to the child, which are collected, maintained or used by the LEA. The LEA shall comply with a request without unnecessary delay. When a request for disclosure of education record data is made, such a request shall be granted immediately, if practicable, but in no case more than five administrative working days after the date of the request.
- Have the LEA comply with a request to inspect and review education records before any meeting regarding an Individualized Education Program or hearing relating to the identification, evaluation, or educational placement of the student or provision of a free appropriate public education. The right to inspect and review education records includes: the right to a response from the LEA to reasonable requests for explanations and interpretations of the education records; the right to request that the LEA provide copies of the education records containing the information, if failure to provide the copies would effectively prevent the parent from exercising the right to inspect and review the education records; and the right to have a representative of the parent inspect and review the education records.
- Be informed that the LEA may presume that both parents have the authority to inspect and review records relating to the student unless the LEA has been advised that both parents do not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.
- Be informed that the LEA shall keep a record of parties obtaining access to education records collected, maintained, or used including the name of the party, the date access was given, and the purpose for which the party is authorized to use the record.
- Inspect and review only the information relating to your child or to be informed of that specific information even if the education record includes information on more than one student.
- Upon request be provided with a list of the types and locations of education records collected, maintained, or used by the LEA.
- Be informed that an LEA may charge a fee for copies of the education record(s) at reasonable cost, not to exceed the cost of reproduction. Such fee shall not effectively prevent the parents, or their designee, from exercising their right to inspect and review said records. An LEA may not charge a fee for search or retrieval.

Amendment Procedure

You have the right to be informed that:

- The parent or eligible student who believes that information in the education record of the student is inaccurate or misleading or violates the privacy or other rights of the student may request that the LEA amend it, regardless of when the information was entered in the record.
- The LEA shall decide whether to amend the education record in accordance with the request within a reasonable period of time - no more than 15 administrative working days after the receipt of the request. If the LEA agrees to amend, then the amendment shall be made in writing, inserted in the student's education records, and maintained in accordance with maintenance and disposition.
- The LEA may utilize informal attempts to reconcile differences; however, the parent or eligible student may exercise the right to a hearing without benefit of the decision from any informal proceeding.
- If the LEA decides to refuse to amend the education record of the student in accordance with the request, it shall, within 15 administrative working days inform the parent or eligible student of the refusal and advise of the right to a hearing.
- The LEA shall on written request provide an opportunity for a hearing to enable the parent or eligible student to challenge information in the education record to ensure that it is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student.
- If, as a result of the hearing, the LEA decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall amend the education record of the student accordingly and so inform the parent or eligible student in writing.
- If, as a result of the hearing, the LEA decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place in the education record of the student a statement commenting on their information or setting forth any reasons for disagreeing with the decision of the LEA.
- Any such explanation placed in the education record of the student shall be maintained by the LEA as part of the education record of the student as long as the record or contested portion thereof is maintained; and shall be disclosed by the LEA when the education record of the student or the contested portion thereof is disclosed to any party.

Evaluation Procedures

You have the right to:

- Have testing and evaluation materials and procedures used for the purposes of evaluation and placement selected and administered so as not to be racially or culturally discriminatory.
- Have a full and individual evaluation of the child's educational needs conducted in accordance with the requirements before any action is taken with respect to the initial placement of a child with disabilities in a special education program.
- Be assured, at a minimum, that tests and other evaluation materials: are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so; have been validated for the specific purpose for which they are used; and are administered by trained personnel in conformance with the instructions provided by their producers.
- Be assured that tests and other evaluation materials used include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
- Be assured that tests are selected and administered so as to best ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (except where those skills are the factors which the test purports to measure).
- Be assured that no single procedure shall be used as the sole criterion for determining an appropriate educational program for a child.
- An evaluation made by a multi-disciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of suspected disability.
- A multi-disciplinary team for a child suspected of being learning disabled shall include the child's regular teacher or if the child does not have a regular teacher, a classroom teacher qualified to teach a child of

that age, or if a child is below school age, or if a child is below school age, a person qualified to teach that age; and at least one person qualified to conduct individual diagnostic examinations of children and knowledgeable in the disabling condition.

- LEA procedures to ensure that each child is assessed in all areas related to the suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
- Have the multi-disciplinary team when interpreting evaluation data and in making placement decision: draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; insure that information obtained from all of these sources is documented and carefully considered; insure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and insure that the placement decision is made in conformity with the least restrictive environment.
- An Individualized Education Program developed for the child in accordance with the regulations if it is determined that a child is disabled and needs special education and related services.
- Have the Individualized Education Program of a child with a disability reviewed annually.
- Have your child reevaluated every three years or more frequently if conditions warrant, or if the child's parent or teacher requests an evaluation, or any time a significant change in placement is being considered and the evaluations are not current, based on procedures which meet the requirements.

Independent Educational Evaluation

You have the right to:

- Obtain an Independent Educational Evaluation (IEE) of your child.
- Be provided, on request, information as to where an IEE may be obtained. Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the LEA responsible for the education of your child.

A parent has the right to an IEE at public expense if the parent disagrees with an evaluation obtained by the LEA. Public expense means that the LEA either pays for the full cost of the evaluation or insures that the evaluation is otherwise provided at no cost to the parent, consistent with federal and state regulation. However, the LEA shall have the right to initiate a due process hearing to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent still has the right to an IEE, but not at public expense.

Whenever an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria which the LEA uses when it initiates an evaluation.

The results of the IEE, whether at public expense or obtained by the parent.

- Must be considered by the LEA in any decision regarding a free appropriate public education for the child; and
- May be presented as evidence at a hearing.

A hearing officer may require an independent educational evaluation of the child. This evaluation shall be at public expense and shall be conducted in accordance with the regulations governing evaluation and assessment.

Least Restrictive Environment

You have the right to:

- Have your child educated with children who are not disabled to the maximum extent appropriate, including those in public or private institutions or other care facilities; and
- Special class placement, separate schooling or other removal of children with disabilities from the regular educational environment occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

- Have a continuum of alternative placements available to meet the needs of children with disabilities for special education and related services.
- Have your child's educational placement determined at least annually; be based on his or her Individualized Education Program; and be as close as possible to the child's home.
- Various alternative placements available to the extent necessary to implement the INDIVIDUALIZED EDUCATION PROGRAM for each child with a disability.
- Have your child educated in the school which he or she would attend if not disabled unless the INDIVIDUALIZED EDUCATION PROGRAM requires some other arrangement.
- Selection of the least restrictive environment considering any potential harmful effects on the child or on the quality of services which he or she needs.

In providing or arranging for the provision of non-academic and extracurricular services and activities, including meals, recess periods, and services and activities, each LEA shall insure that each child with a disability participates with non-disabled children in those services and activities to the maximum extent appropriate to the needs of that child.

Surrogate Parents

Each LEA shall insure that the rights of a child are protected when:

- No parent can be identified.
- The LEA, after reasonable efforts cannot discover the location of a parent, or,
- The child is a ward of the State pursuant to applicable law.
- The duty of an LEA includes the assignment of an individual to act as a surrogate for the parents, including a method for determining whether a child needs a surrogate parent, and for assigning a surrogate to the child.

An LEA may select a surrogate parent in any way permitted under State law while ensuring that a person selected as a surrogate has no interest that conflicts with the interest of the child he or she represents; and has knowledge and skills that ensure adequate representation of the child.

A person assigned as a surrogate may not be an employee of the public agency which is involved in the education or care of the child.

A person who otherwise qualified to be a surrogate is not an employee of the LEA solely because he or she is paid by the LEA to serve as a surrogate.

The surrogate parent may represent the child in all matters relating to:

- The identification, evaluation, and educational placement of the child; and,
- The provision of a free appropriate public education to the child.

Impartial Due Process Hearing

A parent or an LEA may initiate a hearing on any matters relating to proposals and refusals to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child. The LEA directly responsible for the education of the child must ensure the hearing is conducted in accordance with applicable state statutes and regulations. The LEA must inform the parent of any free or low-cost legal and other relevant services available in the area if the parent requests the information; or the parent or LEA initiates a hearing.

A hearing may not be conducted by a person who is an employee of the LEA which is involved in the education or care of the child, or by any person having a personal or professional interest which would conflict with his or her objectivity in the hearing. A person who otherwise qualifies to conduct a hearing is not an employee of the LEA solely because he or she is paid by the LEA to serve as a hearing officer. Each LEA shall keep a list of the persons who serve as hearing officers which includes a statement of the qualifications of each of those persons.

Any party to a hearing has a right to:

- Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities.
- Present evidence and confront, cross-examine, and compel the attendance of witnesses.

- Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five days before the hearing.
- Obtain a written or electronic verbatim record of the hearing.
- Obtain written findings of fact and decisions. After deleting any personally identifiable information, the LEA shall transmit those findings and decisions to the State Special Education Advisory Committee and make them available to the public.

Parents involved in hearings must be given the right to: have the child who is subject of the hearing present; open the hearing to the public; and have the hearing conducted at a time and place which is reasonably convenient to the parent and child involved.

The LEA shall ensure that not later than 45 calendar days after the receipt of a request for a due process hearing:

- A final decision is rendered in the hearing; and
- A copy of the decision is mailed to the parties.

A decision made in a hearing is final unless a party to the hearing appeals the decision.

Any party aggrieved by the findings and decision in the hearing may appeal to the State Education Agency (SEA). If there is an appeal, the SEA shall conduct an impartial review of the hearing. The official conducting the review shall: examine the entire hearing record; insure that the procedures at the hearing were consistent with the requirements of due process; seek additional evidence if necessary; if a hearing is held to receive additional evidence, all hearing rights described above would apply; afford the parties an opportunity for oral or written argument, or both, at the discretion of the reviewing official; make an independent decision on completion of the review; and give a copy of the written findings are decision(s) to the parties. The decision made by the reviewing official is final, unless a party brings civil action.

The SEA shall ensure that not later than 30 calendar days after the receipt of a request for a review:

- A final decision is reached in the review; and
- A copy of the decision is mailed to the parties.

Each review where a hearing is held to receive additional oral arguments must be conducted at a time and place which is reasonably convenient to the parent and child involved.

A hearing or reviewing officer may grant specific extensions of time beyond the periods set out in this section at the request of either party.

Any party aggrieved by the findings and decision(s) made in an administrative review has the right to bring a civil action in State or Federal Court.

In any such action or proceeding, the court may award reasonable attorney's fees to the parents or guardians of a child or youth with disabilities who is the prevailing party.

During the pendency of any hearing, administrative or judicial proceeding regarding a complaint, unless the LEA and the parents of the child agree otherwise, the child involved in the complaint must remain in his current educational placement.

If the complaint involves an application for initial admission to the LEA, the child, with the consent of the parents, must be placed in a public school program until the completion of all proceeding.

MSDE Funding Policy for Students in Attendance

Medical absentee: A physician's note confirming the required absence from the school program must be provided for all absences beyond ten (10) consecutive days. This includes absence for all medical reasons, including pregnancy. Students who are absent episodically due to chronic medical conditions should have a physician's statement regarding their condition on file.

Absences not related to medical reasons: For absences beyond ten (10) days not related to medical reasons, an Individualized Education Program meeting must be conducted for the purpose of reviewing the appropriateness of the placement, the IEP implementation and the continuance of the placement. An additional IEP meeting is not required if the student experiences recurring non-medical absences as a manifestation of his disability (e.g., school phobia, truancy, substance abuse), but documentation of the condition must be provided to the local school system.

Absences related to placement in a detention center, a shelter or a hospital: When a student is placed in a detention center, a shelter or a hospital, it is the responsibility of the local school system's IEP team to determine whether a change in a placement has occurred. If it is anticipated that the student will be returning to the nonpublic school within thirty calendar days, funding may be continued only during that period. If the student has not returned to the nonpublic school placement by the twentieth day, an Individualized Education Plan meeting must be scheduled (and conducted by the thirtieth day) for the purpose of reviewing the appropriateness of the placement, the Individualized Education Program implementation and the continuance of the placement.

Change in enrollment status: If the student will not be returning to the nonpublic school placement, funding should be discontinued immediately. When either the nonpublic school or the local school system becomes aware of an anticipated or actual change in a student's enrollment status, it is the responsibility of the informed source to share the information immediately with the other party. If, at any point during the thirty calendar day period, it is determined that the student will not be returning to the nonpublic school, funding should be discontinued immediately.

Note: Placements that are not implemented in accordance with a student's Individualized Education Program are subject to loss of MSDE funding.

MSDE Funding Policy for Students in Attendance appears in the directions for the Special Education Nonpublic School Budget Packet – Fiscal Year 2003.