

# 23-24 Lowell SD Special Education

The district strives to deliver high quality special education programs whereby all students are empowered to reach their individual potential, respect and value themselves and others, and become independent life-long learners! The Lowell School District is looking forward to accomplishing this goal in a Virtual Special Education model at Bridge Charter Academy in 2023-2024!

## Benefits of Virtual Services

- Virtual model fits well with a remote learning (i.e., home-based/virtual) charter school model
- Parents no longer have to transport their child to/from campus for special education services
- Students are taught virtually with live special education teachers/service providers/ staff while in the comfort of their own home
- Virtual Special Education schedule allows for less interruptions to home-school schedule
- Less stimulating/overwhelming/larger group instructional setting
- Virtual social groups give kids a real-life opportunity to practice social in a less intimidating comfortable social setting
- Virtual instructional groups can increase student's focus and on-task behavior

## Virtual Special Ed Program at Bridge Charter Academy

- Academic Specially Designed Instruction (e.g., reading, writing, and math) may be provided by the general education teacher under the guidance and collaboration of the virtual special education staff within the onsite general education setting (3 hour/weekly BCA cohort) when appropriate, as determined by the IEP team.
- All other Specially Designed Instruction and Related services will be provided virtually by qualified staff/service providers.
- Students are required to regularly attend all IEP instructional groups, as scheduled by special education staff. Attendance will be taken for all IEP sessions. If students are chronically late/absent for IEP instruction, an IEP meeting will be scheduled.
- If attendance issues cannot be corrected, IEP Placement at BCA will be revisited. If students are unable to regularly attend their IEP instruction as determined by the IEP team, the district is unable to provide a Free and Appropriate Public Education (FAPE) in conjunction with the remote learning charter setting and this warrants an IEP Placement change.
- If a student's individual needs require more intensive or different specialized services beyond what is provided in a remote learning charter with virtual special education services, the

IEP team will NOT be able to select the remote learning charter as an appropriate IEP placement. IEP teams must develop an appropriate IEP program and select a placement that is able to implement the IEP in the Least Restrictive Environment.

- Parents are required to sign a confidentiality form prior to virtual services being provided.
- Parents are required to sign an informed consent form prior to virtual teletherapy (e.g. speech and language) being provided.
- If parents do not wish to sign the confidentiality or teletherapy consent form, the team must reconvene to discuss IEP Placement. The IEP cannot be implemented in conjunction with the remote learning charter if virtual services cannot be provided due to lack of consent.

### Students New to BCA

- Complete Enrollment Paperwork
- Provide copies of IEP and recent Eligibility and Evaluation information, if available
- BCA requests records from previous district upon enrollment
- Initial IEP meetings and Placement determinations are required for all new students attending a Charter School. Within 10 school days of receiving special education records, case managers will schedule a meeting to determine if any IEP revisions are necessary based on a change of individual needs based on the new remote learning charter setting. The team must also determine if the IEP/FAPE can be implemented in conjunction with a remote learning charter school with a virtual special education model.
- If individual student needs cannot be appropriately addressed in a remote learning charter model with virtual special education services, the team must “reject” this placement option and the student must return to his/her resident district. The student’s resident district IEP team is responsible for determining what placement constitutes a Free and Appropriate Public Education in the Least Restrictive Environment if the Charter School is not appropriate.

### All BCA 2023-2024 students

- Students with academic IEP goals will be assessed virtually. BCA K-12 Special Education Teachers, will be in touch to arrange a virtual appointment with your child.
- Students will not have BCA cohorts during conference/grading weeks, however, Special Ed Groups WILL continue as scheduled. These weeks are considered regular school days therefore IEP services must be provided.
- Students are required to regularly attend scheduled special ed sessions in order to receive a FAPE and remain at Bridge Charter Academy with an active IEP.
- All parent consent forms must be returned prior to virtual services beginning.

## Individuals with Disabilities Education Act (IDEA) Eligible Students

Bridge Charter Academy complies with the requirements described in the IDEA as well as state special education regulations and statutes in order to provide a Free Appropriate Public Education (FAPE) to students who have a qualifying disability under IDEA. In general, and in cooperation with the school's sponsoring school district, Lowell School District, this includes but is not limited to identifying and evaluating the needs of students with disabilities under the IDEA, developing and revising Individualized Education Programs (IEPs), determining appropriate placement in the least restrictive environment for students with IEPs, implementing IEPs in the appropriate placement determined by the IEP team, considering continued eligibility for special education and related services, and developing and implementing transition plans to prepare for post-secondary transition after high school.

## Free and Appropriate Public Education

Under the IDEA, every child with a disability is entitled to a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). The IDEA emphasizes special education and related services, which should be designed to meet a child's "unique needs and prepare them for further education, employment, and independent living."

Furthermore, IDEA requires schools to prepare Individualized Education Plans, which confer "meaningful educational benefit" to children with disabilities. The "meaningful educational benefit" requirement includes a focus on raised student expectations, appropriate progress, and transition into postsecondary education and independent living.

For most children, a FAPE will involve integration in the regular classroom and individualized special education services reasonably calculated to enable a child to make progress and to achieve advancement from grade to grade. If a child is not making expected progress toward grade level standards and/or his or her annual goals, the IEP Team must revise, as appropriate, the IEP to address the lack of progress. Revisiting Placement may also take place if the placement is not able to adequately meet the child's individual needs or provide a FAPE.

## IEP teams must reconvene when:

- Specially Designed Instruction IEP minutes or other services are not adequately addressing student needs
- Goals are not sufficiently ambitious to make meaningful educational progress
- Lack of appropriate IEP goal progress has occurred
- Lack of appropriate progress toward state standards within home-based general education program has occurred
- Students are chronically absent from Special Education Services
- A team member has IEP Placement concerns

- Students are not receiving a FAPE
- A Parent Requests an IEP meeting

## IEP Placement Determinations at a Charter School

- The full continuum of district IEP Placements and supports associated with such programs (e.g., onsite special ed services, life skills program, etc.) are not always provided in conjunction with charter schools.
- The IEP placement team is charged with ensuring IEPs are developed adhering to FAPE requirements, and then determining if the student's IEP can be implemented in conjunction with the remote learning charter school and Virtual Special Education model provided within this program.
- Essentially, the IEP placement option available in conjunction with charter schools within the Lowell SD specific to Bridge Charter Academy is:
  1. General Education (3-hour weekly Cohort) with Virtual Special Education Services.
- For an IEP team to select BCA as an appropriate IEP Placement, the placement options listed above must be an appropriate level of services for the student to access and make progress toward grade level standards and IEP goals.
- If the placement option provided in conjunction with BCA do not adequately address a child's individual needs and the student requires different/more services beyond what is provided in the remote learning charter (home-based program with virtual special education services (e.g. face to face special education instruction, consistent school setting, in-person work with peers, hands-on instruction with teachers, self-contained class with a focus on behavior, specialized staff (e.g. behavior consultants), more structure, predictability and teacher feedback, etc.), the team will not be able to select BCA as the student's IEP placement because the district would be unable to implement the appropriate level of IEP services in conjunction with the remote learning charter program.
- If individual student needs cannot be met in a remote learning charter model with/without virtual special education, the team must "reject" this placement option on the IEP Placement Determination Page and the student must return to his/her resident district to determine what placement constitutes a Free and Appropriate Public Education in the Least Restrictive Environment.

## Frequently Asked Questions (FAQ)

- **Q: Will there be an in-person option for social skills in a 1:1 or small group environment?**A: No. All Specially Designed Instruction provided outside of the general education setting/3 hour weekly cohort at Bridge Charter Academy, will be provided virtually.
- **Q: Will virtual IEP instruction be one-on-one instruction or small group instruction?**A: Students will be served in small groups whenever possible. It's possible your student does not require 1:1 level of support, but we need to schedule them 1:1 because we do not have any similar age peers working on similar IEP goals.
- **Q: When I've given my child's special education schedule, will it be the same all year?**A: Probably not. Our Master Special Education schedule is fluid based on individual needs, progress monitoring results, instructional adjustments, etc.
- **Q: Can my child meet only one time a week?**A: Students are required to attend their special education groups according to the specially designed service minutes outlined in their IEP. IEP teams must develop an IEP with special education services that are reasonably calculated to enable a child to make progress and to achieve advancement from grade to grade. Chronic absenteeism/ongoing refusal to attend sessions outlined in the IEP, warrants a change of placement from the remote learning Charter School.
- **Q: Can my child attend some of his specially designed groups but not all goal areas? For example, can he/she attend his virtual academic sessions and not his/her virtual speech?**A: No. Students are required to attend their special education groups according to the specially designed service minutes outlined in their IEP. The minutes are reasonably calculated to provide the student with a FAPE. If students are chronically absent or refuse to attend all of the IEP groups, the IEP team must consider a Placement change. If student's do not regularly attend all their IEP sessions according to their IEP service page, we are unable to provide the child with a FAPE which is required by law.
- **Q: Can the IEP team leave services on the IEP that are no longer an area of need in the remote learning charter setting, if the team suspects that it would continue to be a need in a typical brick and mortar school?**A: No. When a student enrolls at a charter school, the IEP team must revise the IEP to reflect current individual needs in the student's new remote learning charter setting. Needs and services that are no longer necessary for the student to access and make progress must be removed from the IEP. However, a note can be made in the IEP to reflect the teams input including the reason for removal of services and that a different IEP team should reconsider adding back such services if the student returns to a typical brick and

mortar school. IEP teams cannot add services back to the IEP before transferring to another school. Again, we can only include current needs in the remote learning setting. It's the responsibility of the receiving district to make changes based on their program/placement.

- [Q: If a student is eligible under Communication Disorder, can the team add academic IEP goals.](#)

A: No. The mere fact that a student is struggling academically doesn't automatically make it an "area of need" that warrants specially designed instruction in that specific area. The need must be so severe that it is rendering the student unable to access and make progress in the gen ed curriculum. The team would not be able measure this level of need without ensuring the student has been provided appropriate instruction in reading and math as well as targeted general education interventions and progress monitoring data collection. As students' needs are addressed through the general education intervention process (Growth Team at BCA), schools collect pre-referral data and refer students to the district's Child Study Team/Special Ed Evaluation Team once the data suggests that the student may have a disability that impacts his/her ability to access and make progress in the general education setting.

Lastly, adding specially designed instruction services to IEPs, typically results in increased removal time from general education which increases the restrictiveness of the program. Districts are required by law to serve students in the Least Restrictive Environment, therefore, adding academic IEP services to communication eligible student's IEP can only take place once it's deemed absolutely necessary by a special education evaluation in all areas of suspected disability.

- [Q: Can I choose my student's special education schedule?](#)

A: You can submit a schedule request to your child's case manager, and they will take your request into account when developing their master schedule. However, there are many factors that go into a master schedule. The work hours of the service providers, student cohort schedules, other special services schedules, and the instructional needs of the entire K-12 special education population at Bridge Charter Academy.

- [Q: Does my curriculum need to be standards aligned?](#)

A: Yes. According to Oregon Administrative Rules, K-12 instructional programs must be aligned to Common Curriculum Goals and academic content standards adopted by the State Board of Education.

- [Q: If on an IEP, can my child work below grade level?](#)

A: Bridge Charter Academy allows families of students in general education and special education to select curriculum below grade level upon Bridge Charter Administrator

approval. This decision should not be made lightly as modifying curriculum can have multiple negative impacts.

According to the US Department of Education, “Research has demonstrated that children with disabilities who struggle in reading and mathematics can successfully learn grade-level content and make significant academic progress when appropriate instruction, services, and supports are provided. Conversely, low expectations can lead to children with disabilities receiving less challenging instruction that reflects below grade-level content standards, and thereby not learning what they need to succeed at the grade in which they are enrolled.” (<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-fape-11-17-2015.pdf>)

Additionally, if students are being taught solely with curriculum below their grade level, they are missing the opportunity to access the entire scope of grade level standards for that particular content area. For example, if a student’s phonics skills are two grade levels below, with appropriate supports (e.g. read aloud, prompts, etc.) they could likely access grade level comprehension and vocabulary standards.

Lastly, Oregon State Assessments, Essential skills and Diploma requirements are all aligned with grade level standards so it’s crucial to discuss how modifications will impact diploma options for their child at the HS level. Any modified course at the HS level warrants a modified diploma or requires the student to retake required courses under standard conditions in order to earn credits toward a regular diploma. Of course, not all students with disabilities can access grade level standards, however, with high expectations and appropriate supports all students can make progress toward grade level standards.

If parents and BCA staff agree to below-grade level instruction, the IEP team will discuss this choice including the personalized learning plan developed by the parent and BCA staff to close the gap and offer opportunities for access to grade level curriculum. The IEP team will also discuss appropriate ambitious IEP goals to support progress toward grade level standards as required by law.

- [Q: Can I remain at Bridge Charter Academy if my child’s IEP cannot be implemented in conjunction with the remote learning charter?](#)

A: Once Bridge Charter Academy is determined NOT to be an appropriate placement for a child, there are two options for parents:

1. Student is unenrolled at Bridge Charter Academy and parents can return to their resident district and an appropriate IEP placement will be selected, or parent enrolls in another parent-choice school and the sponsoring district for the Charter schedules an IEP meeting, or parent could register their child as a homeschooler.
2. Parent Revokes Consent for Special Education Services. The district does NOT recommended this option but it is a parent choice. This option would allow the student

to remain at Bridge Charter Academy but the student would be a regular ed student without special education services, an IEP or active eligibility. More information about revocation can be found in Oregon Department of Education Parent Procedural Safeguards: <https://www.oregon.gov/ode/rules-and-policies/pages/procedural-safeguards.aspx>

- Q: If I revoke services, can I keep my child's IEP?

A: No. If a district receives written consent to revoke special ed services, parents will receive a Prior Written Notice and all Special Ed services will be discontinued at that point.

- Q: If I revoke services, how difficult is it to have an IEP reinstated?

A: Once a student has returned to general education, the sped referral process starts over. A parent can request a special education evaluation at any point and from that point the district must respond and either agree to conduct a special education evaluation or they could refuse to evaluate with an appropriate reason. It's likely if the student was eligible for special education recently but they are currently not eligible due to parent revocation of consent, all parties would be in agreement a Sped Referral/Evaluation was appropriate.

- Q: If I revoke services can my child switch to 504 accommodations?

A: ODE recommends that schools evaluate this situation on a case-by-case basis. This means that the 504 team at BCA must consider whether the student has a disability Under Section 504. If so, the 504 team should consider whether a 504 plan will provide FAPE to the student.

In some situations, a team may reasonably decide to try a 504 plan of accommodations and supports. The 504 team will need to periodically review the plan to determine whether it continues to be appropriate for the student.

In other situations, a 504 team may decide that the student needs the services and supports offered under the previous IEP to receive FAPE under Section 504 (which means to access the benefits of public instruction to a level comparable to a non-disabled student in the general population). Under these circumstances, if the parent refuses the offer of FAPE through the IEP by revoking consent, a 504 would not be appropriate or provided.

- Q: [If I have concerns regarding my student's IEP or I have questions regarding Special Education at Bridge Charter School, who should I go to?](#)

A: Parents should initially contact their child's IEP case manager with all IEP questions and concerns. If questions/concerns cannot be addressed by case managers, parents can contact administrators below.



-Ben Silebi/BCA Administrator: [bsilebi@bridgecharter.com](mailto:bsilebi@bridgecharter.com)

-Haidee Copeland/Lowell SD Special Education Director: [hcopeland@lowell.k12.or.us](mailto:hcopeland@lowell.k12.or.us)

-Scott Yakovich/Lowell SD Superintendent/Special Education Director:

[syakovich@lowell.k12.or.us](mailto:syakovich@lowell.k12.or.us)