

**English Language Learners (ELL) Coordinator**

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**Identification of Section 504 Coordinator**

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**Homeless Liaison**

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**Foster Care Coordinator**

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**American with Disabilities (ADA) Compliance Act Coordinator/Special Programs Manager**

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### **Request for Parent/Guardian Interpreter Services or Disability Accommodations**

Professional interpreter services may be requested at any time for parents/guardians that wish to communicate in a language other than English. Individuals seeking to discuss accommodations for this reason may contact Amanda Sullivan at [amsullivan@k12.com](mailto:amsullivan@k12.com).

### **Procedural Safeguards**

In accordance with the Individuals with Disabilities Education Act (IDEA), it is a requirement that all educational agencies provide parents of students with disabilities notice containing a full explanation of the procedural safeguards available under the IDEA and U.S. Department of Education regulations, please click [HERE \(https://sites.ed.gov/idea/files/modelform\\_Procedural\\_Safeguards\\_June\\_2009.pdf\)](https://sites.ed.gov/idea/files/modelform_Procedural_Safeguards_June_2009.pdf) to review the Procedural Safeguards Notice.

### **Annual Public Notice of Special Services & Programs**

In accordance with federal and state regulations, Arkansas Virtual Academy will provide an annual public notice to families informing them of Arkansas Virtual Academy's child find responsibilities, procedures involved in the identification of educational disabilities and determination of students' service and support needs. Information regarding Arkansas Virtual Academy's internal practices to comply with these will be available in ARVA's Student/Parent Handbook.

### **Child Find**

Arkansas Virtual Academy strives to identify, locate, and evaluate all enrolled children who may have disabilities. Disability, as stated in IDEA, includes such conditions as hearing, visual, speech, or language impairment, specific learning disability, emotional disturbance, cognitive disability, other health or physical impairment, autism, and traumatic brain injury. The process of identifying, locating, and evaluating these children is referred to as Child Find.

As a public school, we will respond vigorously to federal and state mandates requiring the provision of a Free Appropriate Public Education regardless of a child's disability or the severity of the disability. In order to comply with the Child Find requirements, ARVA will implement procedures to help ensure that all ARVA students with disabilities, regardless of the severity of their disability, who are in need of special education and related services—are identified, located, and evaluated—including students with disabilities who are homeless or students who are wards of the state.

Parent/Guardian permission and involvement is a vital piece in the process. Once a student has been identified as having a "suspected disability" or identified as having a disability, ARVA will ask the student or the student's Parent/Guardian for information needed to support the student.

### **Consent**

Arkansas Virtual Academy cannot proceed with an evaluation, or with the initial provision of special education and related services, without the written consent of a student's parents/legal guardians. For additional information related to consent, please refer to the Procedural Safeguards Notice which can be found at the state website, [https://arksped.k12.ar.us/rules\\_regs\\_08/RevisionstoRulesandRegulationJuly2010/YOUR%20RIGHTS%20UNDER%20THE%20IDEA.pdf](https://arksped.k12.ar.us/rules_regs_08/RevisionstoRulesandRegulationJuly2010/YOUR%20RIGHTS%20UNDER%20THE%20IDEA.pdf). Once written parental/guardian consent is obtained, ARVA will proceed with the evaluation process. If the parent disagrees with the evaluation results, the parent can request an independent education evaluation at public expense.

### Special Education (IEP) or Service Agreements (504 Plans)

Once the evaluation process is completed, a team of qualified school personnel, parents/guardians, and other relevant service providers hold an eligibility determination meeting to decide whether the student meets eligibility for one of the disability categories under IDEA or is eligible to be served with a plan under Section 504 of the Rehabilitation Act. (<http://www.arkansased.gov/divisions/learning-services/special-education/policy-regulations/eligibility-criteria-program-guidelines>) for information related to eligibility criteria associated with the disability categories defined under IDEA.

### Privacy & Confidentiality

To maintain privacy of students' special education records, both within its central office and across school systems and databases, Arkansas Virtual Academy follows protocols consistent with the federal regulations associated with the Family Educational Rights and Privacy Act (FERPA). Click (<http://www.arkansased.gov/divisions/research-and-technology/technology-initiatives-and-resources/data-privacy/resources-for-parents>) for additional information about the privacy and security guidelines for your child's educational records.

### Accommodations

Notice of these rights is available, upon request, on audiotape, in Braille, and in languages other than English. Should you need further assistance or information regarding any of these accommodations, please contact Amanda Sullivan, Special Programs Manager at [amsullivan@k12.com](mailto:amsullivan@k12.com)

### Translation Needs

ARVA has an account with a professional translation service called **Certified Languages International** (CLI).



**Microsoft Immersive Reader** is a free tool, built into Word, OneNote, Outlook, Office Lens, Microsoft Teams, Forms, Flipgrid, and more.

To request written documents to be translated into a language other than English, click the link below to complete the form.



[Click here to complete the form.](#)

### Special Education Grievances or Disputes

Arkansas Virtual Academy recognizes that despite best intentions of all parties, disagreements or miscommunications may arise between the school-based team and ARVA families or students. Parents and school districts are encouraged to work together to resolve issues regarding the educational

services of a student with a disability. When concerns or disagreements regarding a student's educational services arise, it is helpful for the parent to immediately contact the student's Teacher, Principal, or the Special Programs Manager.

### **Dispute Resolution Options**

If the issue or concern is still not resolved, a parent may contact the Dispute Resolution Section (DRS) for assistance and to discuss the resources and administrative remedies available. The DRS works proactively with parents and districts to resolve issues at the lowest possible level. The Dispute Resolution Section (DRS) is responsible for managing the due process hearing system and the complaint investigation system, both of which are required by the Individuals with Disabilities Education Act (IDEA), as amended.

Implementation of both systems is accomplished under Arkansas state rule, Special Education and Related Services: Procedural Requirements and Standards (Arkansas Department of Education, 2008). The DRS also provides oversight of the Arkansas Special Education Mediation Project (ASEMP) administered by the UALR Bowen School of Law Mediation Clinic. Click here (<http://www.arkansased.gov/divisions/learning-services/special-education/dispute-resolution>) for additional dispute resolution information.

### **Special Services (McKinney Vento) Dispute Resolution Policy**

1. The child or youth “shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute” [42 U.S.C. § 11432(g)(3)(E)(i)]. In disputes involving unaccompanied homeless youth, the local liaison must ensure that unaccompanied homeless youth are immediately enrolled in school [42 U.S.C. § 11432 (g)(3)(E)(iv)]. The U.S. Department of Education (ED) emphasizes the importance of the requirement for enrollment during the dispute process in the 2004 Non-Regulatory Guidance:

- *When enrollment disputes arise, it is critical that students not be kept out of school. Interruption of education can severely disrupt the student's academic progress. To avoid such disruptions, LEAs need an established process for resolving school placement disputes. Permitting students to enroll immediately in the school of choice pending resolution of disputes helps provide needed stability [G-5].*
- *While disputes are pending, students have the right to participate fully in school and receive all services which they would normally receive. This includes transportation services, as indicated by the Non-Regulatory Guidance: The McKinney-Vento Act's transportation requirements apply while disputes are being resolved [2004, H-5]*

2. The parent, guardian, or unaccompanied youth must be provided with a

written explanation of the school's decision regarding school selection or enrollment, including the right of the parent, guardian, or youth to appeal the decision any time the student is denied enrollment in a requested school [42 U.S.C. § 11432(g)(3)(E)(ii)]. In the case of an unaccompanied homeless youth, the notice explaining the decision and the right to appeal are provided directly to the youth [42 U.S.C. § 11432(g)(3)(B)(iii)].

3. The child, youth, parent, or guardian must be referred to the local liaison, who will carry out the dispute resolution process as quickly as possible [42 U.S.C. § 11432(g)(3)(E)(iii)]. The local liaison must be familiar with the state's McKinney-Vento dispute resolution process and follow all procedures outlined therein.

