



Constellation Special Education Staff Handbook

Table of Contents

- 1. Overview..... Page 2**
 - 1.1. [Department Vision/Mission](#) 2
 - 1.1.1. *Constellation Legacy*
 - 1.2. [Department Structure and Contact Information](#) 3-4
 - 1.3. [Key Terminology](#) 5

- 2. Policies and Procedures..... Page 6**
 - 2.1. [Roles and Responsibilities](#)
 - 2.1.1. *Caseload Manager*
 - 2.1.2. *District Representative*
 - 2.1.3. *Intervention Specialist*
 - 2.1.4. *General Education Teacher*
 - 2.1.5. *Related Service Providers*
 - 2.1.6. *School Psychologist*
 - 2.2. [Student Records](#)
 - 2.3. [Multi-Tiered Support Systems](#)
 - 2.3.1. *Tier 1: Universal Instruction and Supports*
 - 2.3.2. *Tier 2: Targeted Group Interventions*
 - 2.3.3. *Tier 3: Intensive, Individualized Interventions*
 - 2.4. [Behavior Supports](#)
 - 2.4.1. *Tier 1: PBIS*
 - 2.4.2. *Tier 2: Interventions and SEL Examples*
 - 2.4.3. *Tier 3: SEL Interventions*
 - 2.5. [Referrals](#)
 - 2.5.1. *Internal Referrals*
 - 2.5.2. *External Referrals*
 - 2.6. [Multifactorial Evaluations \(MFE\) and Evaluation Team Reports \(ETR\)](#)
 - 2.6.1. *Legal Framework*
 - 2.6.2. *Referral for Evaluation*
 - 2.6.3. *MFE*
 - 2.6.4. *ETR*
 - 2.6.5. *Timelines*
 - 2.6.6. *Procedural Safeguards*
 - 2.6.7. *Best Practices*
 - 2.6.8. *Documentation & Records*



- 2.7. [Individualized Education Plans \(IEP\)](#)
 - 2.7.1. *Legal Authority & Purpose*
 - 2.7.2. *Team Composition*
 - 2.7.3. *IEP Content*
 - 2.7.4. *Placement & LRE*
 - 2.7.5. *Parent Rights*
 - 2.7.6. *Best Practices*
- 2.8. [504 Plans](#)
 - 2.8.1. *Qualifying*
 - 2.8.2. *Teams & Processes*
 - 2.8.3. *Components of Section 504 Plans*
 - 2.8.4. *Implementation & Review*
 - 2.8.5. *Integration with IDEA*
 - 2.8.6. *District Responsibilities*
 - 2.8.7. *Documentation & Safeguards*
- 2.9. [Disciplinary Actions](#)
 - 2.9.1. *Our Approach*
 - 2.9.2. *Disciplinary Action*
 - 2.9.3. *Emergency Removals*
 - 2.9.4. *Suspensions*
 - 2.9.5. *Expulsions*
 - 2.9.6. *Support for Young Learners*
 - 2.9.7. *Communication & Documentation*
 - 2.9.8. *Appeal Process*
 - 2.9.9. *Working with Our Families*
- 2.10. [Dispute Resolution](#)
 - 2.10.1. *Early Resolution*
 - 2.10.2. *Mediation*
 - 2.10.3. *Facilitation*
 - 2.10.4. *Formal Complaints*
 - 2.10.5. *Due Process*
 - 2.10.6. *Important Notes*
 - 2.10.7. *Working with Our Families*

3. Resources.....Page 46



I. Overview

Constellation Legacy

Founded in 2001, Constellation Schools grew out of a community's desire to offer an educational choice that balanced academic achievement with life skills, character education, and social-emotional learning. Over the years, Constellation Schools garnered many awards including the US Department of Education's Blue Ribbon award and multiple School of Promise and Momentum awards from the Ohio Department of Education. Today, Constellation Schools comprise 15 learning communities operated by ACCEL Schools, one of the nation's leading charter school management companies.



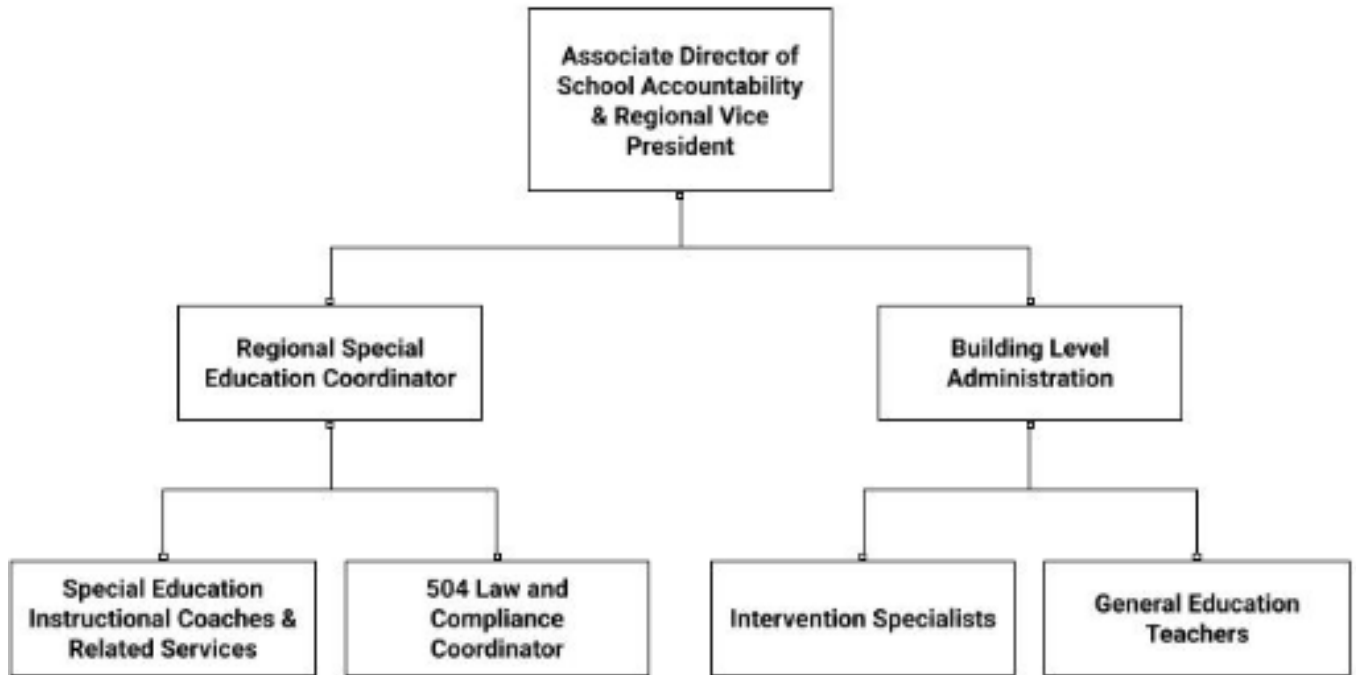
1.1 Department Vision/Mission

Constellation Schools will create an exceptional learning community characterized by high expectations and academic excellence.

1. Students will become **actively engaged, lifelong global learners**, emerging as **responsible, compassionate, and involved world citizens**
2. Teachers and staff will be **inspiring, compassionate professionals**, dedicated to the success of every student.
3. School leaders and the Board will support a **culture of excellence**, fostering success for all learners



1.2 Special Education Department Structure





Special Education Department Contacts

Kate Craft
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Old Brooklyn Elementary
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1.3. Key Terminology

Term	Definition
Targeted Assistance Intervention	
SameGoal	
Individualize Education Plan	
Evaluation Team Report	
LEA	



II. Policies and Procedures

2.1 Roles and Responsibilities

Roles & Responsibilities- Handbook Outline

Role	Required By	Key Responsibilities
District Representative	OAC 3301-51-07 (F)(1)(d)	Resource authority, service approval, procedural guidance
Intervention Specialist	Special ed licensure, local assignment	Case management, IEP writing, instruction, compliance
General Education Teacher	OAC 3301-51-07 (F)(1)(b)	Classroom insight, implementation of accommodations
Related Service Providers	OAC 3301-51-07 (F)(1)(f)	Deliver specialized services, recommend goals, consult
School Psychologist	OAC 3301-51-07 (F)(1)(e)	Lead evaluations, interpret data, consult, support behavior plans



2.1.1 Case Manager

The Intervention Specialist is the Case Manager unless the student has an IEP for Speech and Language Services only. The Speech and Language Pathologist is the Case Manager for students who have a Speech Only IEP.

- **Review Caseload**
 - Work with Special Education Coach and Building Leader to establish caseload list
 - Identify IEP & Eligibility dates
 - Review goals
 - Review service times
 - Review accommodations
 - Organize files
 - Create *IEP at a Glance* for General Education Teachers
 - Create Accommodation Trackers
 - **Calendar**
 - Create service schedule (service times for students)
 - Tentatively schedule IEP Team and Evaluation Team Meeting dates (note times not available due to appointments, etc.)
 - Notify ALL required team members
 - **Share “*IEP at a Glance*” and Accommodation Trackers**
 - General Education teachers
 - Specials teachers
 - **Develop Specially Designed Instruction Systems**
 - Classroom procedures
 - Service Times Schedule
 - Progress monitor student goals in the Specially Designed Instruction Log on SameGoal.
 - Provide Building Administrators Interim and Progress Reports to review and send home.
 - **Paraprofessional Training & Support**
 - Discuss expectations and roles with paraprofessionals assigned to caseload
 - Share individual student information with paraprofessionals serving them
 - Provide data tracking sheets and train paraprofessionals on how to collect data
-

2.1.2 District Representative

Required by Ohio law (ODE Rule 3301-51-07 paragraph (F)(1)(d)). Must:



- Be qualified to provide or supervise special education services.
- Be knowledgeable about the general education curriculum and district resources.

Key Responsibilities:

- Ensure the district can commit the necessary resources to implement the IEP decisions.
 - Provide input on available services, staffing, funding, and program options.
 - Lead or co-facilitate ETR/IEP meetings, clarifying procedural safeguards and setting timelines.
 - Ensure that decisions made during meetings are actionable without needing further district approval.
-

2.1.3 Intervention Specialist

In Ohio, Intervention Specialists are licensed SpEd teachers.

They are responsible for:

- Coordinating the evaluation and IEP process, including conducting or facilitating MTSS/Early Intervention referrals, data collection, and writing sections of the ETR.
 - Writing, monitoring, and reporting progress on IEP goals and accommodations.
 - Collaborating with general education teachers, related service providers, and families to adapt instruction and support.
 - Ensuring all deadlines and procedural requirements are met.
-



2.1.4 General Education Teacher

Required per OAC 3301-51-07 paragraph (F)(1)(b) if the student may participate in general education.
This teacher:

- Shares firsthand knowledge of the student's performance, peer interaction, and behavior within the general education setting.
 - Provides insight into curriculum demands and classroom routines.
 - Advises the team on accommodations or instructional strategies needed in the classroom.
 - Helps implement accommodations and monitors the student's response.
-

2.1.5 Related Service Providers

Includes professionals such as speech-language pathologists, school occupational/physical therapists, audiologists, school nurses, social workers, etc.

As described in Ohio ODE overview, they:

- Assess functional needs tied to disability, and provide developmental, corrective, or supportive services to help the student benefit from special education.
 - Participate in ETR and IEP teams when their area of expertise or services is discussed.
 - Recommend services, duration, goals, accommodations, and modifications related to their discipline.
 - Consult with general and special educators and families about integrating strategies throughout the school day.
-

2.1.6 School Psychologist

Identified under ODE rule 3301-51-07 paragraph (F)(1)(e) as someone who interprets evaluation results



and may conduct multi-factored evaluations.

Ohio-defined roles include:

Major responsibilities:

- Lead/manage the multi-factored evaluation (MFE/ETR) process:
 - Selecting assessment instruments and gathering relevant data.
 - Interpreting academic, cognitive, behavioral, emotional, and social performance.
 - Writing the evaluation summary and eligibility recommendations.
- Interpret findings for the IEP team and families in clear, actionable terms.
- Support the team in behavior assessment and development of Behavior Intervention Plans.
- Provide consultation on intervention strategies, progress monitoring, and referral decisions across MTSS and special education.
- Offer short-term counseling and crisis intervention as needed.
- Conduct re-evaluations triennially or more frequently when conditions warrant.



2.2 Student Records/Files

Constellation Schools maintains all special education student records electronically in SameGoal. When applicable, original hard copy documents—such as signed signature pages—must be uploaded to SameGoal and attached as an “Attachment” to the corresponding document. Once the original hardcopy has been uploaded to SameGoal, it can be shredded.

By law, electronic records are considered equivalent to hard copy records. Therefore, documents stored in SameGoal are subject to the same confidentiality, access, and disclosure requirements as physical records.

2.3 Multi-Tiered System and Supports (MTSS)

Constellation Schools utilizes a Multi-Tiered System of Supports (MTSS) to deliver comprehensive academic, behavioral, and social-emotional support to all students. This framework is designed to ensure that each student receives targeted, high-quality instruction aligned with their individual learning needs.

All Interventions are documented in SameGoal through the Response to Intervention Forms.

2.3.1 Tier 1: Universal Instruction and Supports

- All students begin in Tier 1, receiving **high-quality, standards-based instruction** in the general education setting.
- Universal screeners are administered at least three times per year to assess academic and behavioral performance.
- Teachers use **differentiated instruction and classroom-based supports** to meet the diverse needs of learners.

If a student is not responding adequately to Tier 1 instruction, based on assessment data and teacher observations, they may be recommended for *Targeted Assistance Interventions*.

Targeted Assistance Interventions:



All Targeted Assistance Interventions must be documented in SameGoal using the RTI Tier 2 Form.

2.3.2 Tier 2: Targeted Group Interventions

All Tier 2 interventions must be documented in **SameGoal** using the RTI Tier 2 Form. The Special Education Instructional Coach will provide core teachers with SameGoal access to enter weekly data

- Students identified through screening and/or referral receive **small group, targeted interventions** in addition to Tier 1 instruction.
- Interventions may focus on specific skills in areas such as reading, math, writing, behavior, or social-emotional learning.
- **Progress is monitored biweekly** using curriculum-based measures or behavior tracking tools.

If the student shows improvement, they may return to Tier 1 supports with continued monitoring.

If the student shows minimal or no progress, the team may intensify support or consider a move to Tier 3.

2.3.3 Tier 3: Intensive, Individualized Interventions

- Students with persistent difficulties receive **individualized, high-intensity interventions** tailored to their specific needs.
- These supports may be delivered one-on-one or in very small groups and are often more frequent and longer in duration.
- **Progress is monitored weekly or more frequently**, with data reviewed regularly by the MTSS or Intervention Team.

If the student responds well, they may transition back to Tier 2 or Tier 1 support.

If significant challenges remain, the team may initiate a referral for a comprehensive special education evaluation.



2.4 Behavior Supports

2.4.1 Constellation Schools employ Positive Behavior Interventions and Supports (PBIS) through the MTSS Model.

Students requiring additional behavioral or social-emotional support will be identified by core teachers and school administration. Based on individual needs, targeted Tier 2 interventions will be implemented. Each Tier 2 student will have a customized **Check-In/Check-Out (CICO) behavior plan** to track progress and collect data. Interventions must be implemented with fidelity for a minimum of six weeks. The frequency of interventions will be determined by the team based on the student's needs.

All Tier 2 interventions must be documented in **SameGoal** using the RTI Tier 2 Form. The Special Education Instructional Coach will provide core teachers with SameGoal access to enter weekly data.

Following plan development, the school team will meet with the student and parent(s)/guardian(s) to review the intervention plan and schedule a follow-up meeting within 6–8 weeks. If insufficient progress is noted, the team will consider Tier 3 support. The same process will apply for Tier 3 interventions.

2.4.2 Tier 2 Intervention Examples

- Behavior Contract
- Check-In/Check-Out Plan with Incentives
- Assigned Adult Mentor
- Referral to Bellefaire

2.4.3 Tier 3 Intervention Examples

- Intensified Tier 2 Interventions (increased frequency)
- Observations by Special Education Instructional Coach
- Small Group Social or Emotional Skills Instruction (with School Counselor)
- Functional Behavior Assessment (FBA)

Behavior Intervention Plans (BIPs) are developed when needed.

[Documenting Tiered Interventions in SameGoal](#)



2.5 Referrals for Evaluations

2.5.1 Internal Referral

An internal referral is a formal request initiated by the district to the Special Education Team for the purpose of evaluating a student. This referral is made only after Tiered Interventions have been implemented with fidelity and have not resulted in adequate student progress

2.5.2 External Referral

An external referral is a formal request for evaluation made by an individual or professional not employed by Constellation Schools.

All referrals must be submitted to the school principal and/or school psychologist promptly upon receipt by the district. Parents or guardians may initiate a referral at any time.

Upon receiving a request, the district has 30 calendar days to respond to the parent(s) or guardian(s) with a Prior Written Notice (PR-01), outlining the district's decision regarding whether or not to proceed with an evaluation.



Evaluation Roadmap

FOR FAMILIES WITH CHILDREN AGES 3 - 21

- Click on these icons throughout for additional information.



Interventions vs. Evaluation Request

School districts are required to adjust instruction to help all struggling students. Evaluation requests are NOT the same as interventions.

1

You have concerns about your child's learning

Speak to your child's teacher or the special education director for the district.



2

Interventions vs. Evaluation Request

School districts are required to adjust instruction to help all struggling students. Evaluation requests are NOT the same as interventions.



Request for Evaluation

You can request a special education evaluation at any time.



3

District does not suspect a disability

Continue with general education ...

OR pursue a dispute resolution option through the Ohio Department of Education* with [this link](#).



Disability is suspected Consent for Evaluation



30 days

4



Evaluation Procedure

A team of qualified individuals, including parents, will gather to plan for an evaluation in all areas of concern.



60 days

5



Initial Evaluation Team Report completed

The team, including parents, meet to review the results.



30 days

6

7

Eligibility Determination



Eligibility team determines child not eligible

Continue with general education



Initial IEP developed

If the team, including parents, determines that the child is eligible, an IEP will be developed



9

Initial IEP implemented

The district is required to provide the services included in the student's IEP.





2.6 Multifactored Evaluations (MFE) and Evaluation Team Reports (ETR)

MFE Section- Handbook outline

Section	Description
Purpose & Legal Framework	Model Policies & Procedures, Ohio Law
Referral for Evaluation	Consent regulations and Timelines
Multifactored Evaluations	Evaluation Areas, Teams and Practices
Evaluation Team Report	Components, Eligibility, SDI
Timelines	Initial Evaluation & Reevaluation
Parental Procedures & Safeguards	Notice of Safeguards, Rights & IEEs
Best Practices	ODEW Model Forms, Data, Timelines
Documentation & Records	Security, Distribution and Retention



Purpose:

Multifactor Evaluations (MFEs) are comprehensive assessments used to determine whether a student qualifies for special education services under the Individuals with Disabilities Education Act (IDEA). The findings of the MFE are documented in the Evaluation Team Report (ETR), which serves as the foundation for eligibility determination and informs the development of the Individualized Education Program (IEP).

2.6.1 Legal Framework

This process is governed by:

- Ohio Operating Standards for the Education of Children with Disabilities (OAC 3301-51-06)
 - IDEA (34 C.F.R. §300.301–311)
 - ODEW’s 2024 Model Special Education Policies and Procedures
-

2.6.2 Referral for Evaluation

Referrals for an initial MFE may be made by a parent/guardian, school personnel, or other individuals knowledgeable about the student. Upon receipt of a referral:

- The district must obtain informed written parental consent before conducting any evaluation.
 - The district has 60 calendar days from receipt of signed consent to complete the evaluation and hold the Evaluation Team meeting to determine eligibility.
-

2.6.3 Multifactor Evaluation (MFE)

An MFE must be:



- Comprehensive: Assess all areas related to the suspected disability (e.g., academic achievement, cognition, communication, social-emotional functioning, motor skills).
 - Multidisciplinary: Conducted by a team that includes qualified professionals across disciplines (e.g., school psychologist, intervention specialist, speech-language pathologist, OT/PT).
 - Non-discriminatory: Assessments must be valid, reliable, and administered in the student's native language or preferred mode of communication.
 - Individualized: Tailored to the student's unique needs—not a single measure or test used as the sole basis for eligibility.
 - Culturally and linguistically responsive: The district must ensure evaluations are free of bias related to race, culture, or language.
-

2.6.4 Evaluation Team Report (ETR)

The ETR is the formal documentation of the evaluation process and must include:

- A summary of each evaluation area assessed
- A discussion of whether the student meets IDEA eligibility criteria for one or more of the 13 disability categories
- Evidence of adverse educational impact
- The need for specially designed instruction
- Signatures and findings from all evaluation team members
- A parent-friendly summary of results

Note: The ETR team must reach consensus regarding eligibility. If a member disagrees, they have the right to include a written dissenting opinion in the ETR.



2.6.5 Timelines

- Initial Evaluations: Must be completed within 60 calendar days from the date parental consent is received.
 - Reevaluations: Must occur at least once every three years unless the team and parent agree that reevaluation is unnecessary.
 - Parent Requests for Reevaluation: Must be considered without delay; the district must respond in writing and follow the same consent and timeline requirements.
-

2.6.6 Parent Participation and Procedural Safeguards

Parents are essential members of the MFE/ETR team and must be:

- Informed of their rights through the Notice of Procedural Safeguards
 - Given opportunities to participate in planning and review meetings
 - Provided copies of the completed ETR at no cost
 - Allowed to request independent educational evaluations (IEE) if they disagree with the district's findings
-

2.6.7 Best Practices for District Staff

- Use ODEW's standardized model forms and documentation templates
- Schedule evaluation team meetings early enough to meet timeline requirements
- Collaborate with families and general education teachers throughout the evaluation process
- Ensure all components of the ETR are completed thoroughly and with clarity



- Include behavioral observations and classroom performance as part of the comprehensive review
 - Monitor timelines using a district tracking system to ensure compliance
-

2.6.8 Documentation and Records

- The ETR must be stored securely in the student's special education file
- Copies should be shared with all relevant IEP team members and service providers
- The district must retain MFE/ETR documents according to ODEW's record retention policy



2.7 Individualized Education Plans (IEP)

IEP Section – Handbook Outline

Section	Description
Purpose & Legal Basis	Overview of Ohio IEP rules and FAPE/LRE obligations
Team Composition	Required members and collaborative process
IEP Components	PLAAFP, Goals, Services, Accommodations, etc.
Placement & LRE	Decision-making aligned with rule 3301-51-09
Safeguards & Notices	Parent rights, due process, procedural safeguards
Roles & Timeline	Responsibilities of district staff, timelines for meetings
Tools & Forms	Reference to ODEW model templates & district checklists



2.7.1 Legal Authority & Purpose

IEPs are developed, reviewed, and revised according to:

- Ohio Administrative Code Rule 3301-51-07 (Individualized Education Program)
- Ohio Revised Code § 3323.011 (2024) which defines required IEP components

The IEP ensures that each eligible student receives a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).

2.7.2 IEP Team Composition & Process

The IEP must be created by a team that includes:

- The student's parent(s) or guardian(s)
- At least one general education teacher (if applicable)
- At least one special education teacher or provider
- A district representative qualified to provide or supervise special education services and knowledgeable about general curriculum and district

Team members collaborate to develop an IEP that reflects the unique needs, strengths, preferences, and interests of the student.

2.7.3 Required IEP Contents

Per Ohio standards, an IEP must include the following:

1. Present Levels of Academic Achievement and Functional Performance (PLAAFP):
Description of how the child's disability affects involvement and progress in general education



2. **Measurable Annual Goals:**
Academic and functional goals, including benchmarks or short-term objectives, that address needs resulting from the disability and enable curriculum progress
3. **Progress Monitoring:**
Explanation of how goal progress will be measured and how and when progress reports will be provided to parents
4. **Special Education and Related Services:**
A statement of services (e.g., SDI, related services, supplementary aids), grounded in peer-reviewed research when practicable, specifying program modifications and supports for personnel
5. **Extent of Non-Participation:**
Description of any time the child will not participate with non-disabled peers in regular classes and activities
6. **Accommodations for Assessment:**
Necessary accommodations for state and district assessments; rationale for alternate assessments if appropriate
7. **Services Start Date, Frequency, Location, and Duration:**
Projected beginning date and details of service delivery
8. **Transition Services (if applicable):**
For students age 14 or older (or younger if appropriate), include measurable post-secondary goals and transition services based on evidenced transition assessments ([Chapter 3301-51 | Education of Students with Special Needs](#))
9. **Preferences & Interests:**
Documentation of student and family preferences and interests to inform future planning and goal-setting
10. **Transfer of Rights:**
If the student will reach age 18 during the IEP term, a statement that rights will transfer to the student at the age of majority (unless determined incompetent under Ohio law) [Rule 3301-51-05 | Procedural safeguards](#)



2.7.4 Placement & Least Restrictive Environment (LRE)

The IEP must drive placement decisions:

- Placement must be consistent with LRE in Rule 3301-51-09, ensuring education with non-disabled peers to the maximum extent appropriate
 - Placement decisions are made annually by the IEP team and based on the IEP and proximity to the student's home
-

2.7.5 Procedural Safeguards & Parent Rights

- Parents must receive prior written notice whenever the district proposes or refuses an action related to evaluation, placement, or services
 - Parents must be given the Notice of Procedural Safeguards at least once per school year, upon initial referral, first due process complaint, discipline incident, upon request
-

2.7.6 Best Practices & District Implementation

- Use updated ODEW model IEP forms and templates
- Schedule IEP meetings timely to ensure service delivery begins promptly
- Include input from general educators, special educators, service providers, and parents
- Ensure clarity and readability of each component for parent understanding
- Monitor annual reviews and revisions to maintain continuity and compliance



2.8 504 Plans

Section 504 Plan- Handbook Outline

Section 504 of the Rehabilitation Act of 1973 is a federal civil rights law that prohibits discrimination and ensures that students with qualifying impairments receive a Free Appropriate Public Education (FAPE) in the public school setting. It covers students whose disabilities substantially limit major life activities (e.g., learning, breathing, walking, caring for oneself).

Topic	Description
Eligibility Criteria	Disability substantially limits major life activity, record of, or regarded as having one
Core Plan Components	Accommodations, related services, responsibilities, duration
Team Members	Parents, general ed teacher, administrator, possibly specialists
Timelines	~30 days for evaluation decision; annual review; reevaluation before significant change
Related Services	Counseling, OT, PT, nursing, etc., if needed to access general education
Integration with IEP	IEP may subsume 504 accommodations when there is an active IEP
Grievance Rights	District-level and OCR complaint channels



2.8.1 Qualifying for a Section 504 Plan

A student may be eligible if they:

- Have a physical or mental impairment that *substantially limits* a major life activity,
- Have a history of such an impairment,
- Or are perceived by others as having an impairment.

Common qualifying conditions include:

- ADHD, anxiety/depressive disorders, asthma, diabetes, severe food allergies, epilepsy, mobility limitations, etc.
-

2.8.2 Section 504 Plan Team and Process

A 504 Plan is developed by a **group knowledgeable about the student**, often including:

- Parents or guardians
- Regular education teacher(s)
- School counselor, nurse, or administrator
- School psychologist or other evaluators

Process steps include:

1. Referral & Evaluation

- A parent, teacher, or staff member may request a 504 evaluation in writing.
- The school must respond promptly (often within ~30 calendar days) and gather relevant information: medical documentation, educational performance data, and observations.



2. Eligibility Meeting & Plan Development

- If eligible, the team develops a written 504 Plan at the meeting, specifying accommodations, service responsibility, and duration.
 - If the student is *not* eligible, an alternative intervention plan may be offered.
-

2.8.3 Components of a 504 Plan

Each Plan should include:

- A clear statement of the impairment or diagnosis
 - A tailored list of accommodations (e.g., extended time, preferential seating, medical protocols)
 - Identification of who is responsible for implementation
 - Any related services needed (e.g., counseling, occupational therapy, speech/language support, nursing services)
-

2.8.4 Implementation and Review

- Once signed, accommodations must be implemented **immediately** and consistently.
 - The Plan should be **reviewed at least annually**, though there is no strict federal timeline. Many districts follow an annual review cycle.
 - **Reevaluation** is required before any **significant change in placement**, such as extended exclusion from school (e.g. suspension beyond 10 consecutive days) or major reduction in services.
-



2.8.5 Integration with IDEA / IEP

- Students with IEPs under IDEA are also protected under Section 504. In such cases, an IEP typically includes all accommodations required; a separate 504 Plan may be unnecessary unless unique health-related needs exist.
-

2.8.6 District Responsibilities

Under Section 504, the district must:

1. Identify and locate eligible students through **child find** procedures.
 2. Conduct timely evaluations and eligibility determinations.
 3. Develop, implement, and maintain individualized plans.
 4. Provide accommodations and related services to ensure equal access to general education programs.
 5. Offer **procedural safeguards**, including notice of rights and grievance procedures.
 6. Maintain nondiscriminatory policies and train staff accordingly.
-

2.8.7 Documentation and Safeguards

All 504 files must be maintained securely, including:

- Evaluation data
- Meeting minutes
- Signed Plan documentation
- Notes on annual reviews and updates



Parents have the right to:

- Receive copies of evaluation results and Plans
 - Be involved in meetings and decision-making
 - File a grievance at the school or district level if they believe rights are violated
 - Pursue complaints with the U.S. Department of Education's **Office for Civil Rights (OCR)**, which has independent enforcement authority.
-



2.9 Disciplinary Actions for Students with Disabilities

Our district is committed to providing a safe, inclusive, and supportive learning environment for all students. When a student with a disability violates the Code of Conduct, we follow specific procedures to ensure the student's rights are protected and educational needs are addressed.

This section outlines how discipline is handled for students with disabilities, in accordance with federal law (IDEA, Section 504), state guidance from the **Ohio Department of Education**, and our district's own policies.

2.9.1 Our Approach to Student Discipline

We believe discipline should:

- Be fair, consistent, and developmentally appropriate.
- Support learning and growth, not just punishment.
- Take into account each student's unique needs, especially for those with disabilities.
- Be used as a last resort, especially for students in grades PreK–3.

We strive to work closely with families throughout the process.

2.9.2 If a Student with a Disability Faces Disciplinary Action

If a student with an Individualized Education Program (IEP) or 504 Plan violates the Student Code of Conduct, the following steps take place:

1. Informing the Student

- The student is first presented with a **Notice of Intended Suspension or Removal**.



- The principal or administrator meets with the student to explain what happened and hear the student's side during an informal meeting.

2. Family Notification

- After this meeting, if the decision is made to suspend or remove the student, parents or guardians are notified and receive written documentation explaining:
 - The reason for the removal
 - The student's rights
 - The next steps in the process

3. Consideration of the Student's Disability

For students with disabilities, the school team will:

- Review the student's IEP or 504 Plan
- Consider whether the behavior was related to the student's disability
- Meet with families if the removal exceeds 10 school days (either in a row or over time), which may qualify as a **change in placement**

This process is called a **Manifestation Determination Review (MDR)**.

If the behavior **is related to the student's disability**, the student cannot be suspended or expelled in the same way as students without disabilities. Instead, the school team will develop a plan to support the student more effectively.

If the behavior **is not related** to the disability, the school may proceed with discipline—but the student will still receive educational services during any removal from school.



2.9.3 Emergency Removal

In rare situations where a student poses a danger to others or severely disrupts the school day, a **short-term emergency removal** may be necessary. This means the student is removed from school for the rest of the day but may return the next school day.

- This is **not** considered a suspension, but it does count against attendance.
- Families are notified as soon as possible.
- Students in **grades K–3** are handled with particular care and may be connected with mental health support resources.

2.9.4 Suspension (Up to 10 Days)

If a student with a disability is suspended, the following happens:

- Families receive written notices explaining the reason, rights, and duration of the suspension.
- The school considers whether other strategies have been tried first (progressive discipline).
- If the student is in special education, the IEP team will be notified.

A student with a disability **cannot be suspended for more than 10 days in a school year** without a review of their educational plan and behavior support.

2.9.5 Expulsion (More Than 10 Days)

Expulsions are rare and only used for the most serious violations. If a student with a disability is recommended for expulsion:

- Families receive a **Notice of Intent to Expel**, and a formal hearing is scheduled.
- Before expulsion can occur, the school holds a **Manifestation Determination Meeting** with the family to decide if the behavior is related to the student's disability.



- If it is, the student will **not** be expelled. The team will adjust the IEP to better meet the student's needs.

If the behavior is **not** related to the disability, the student may be expelled—but will continue to receive educational services as required by law.



Diagram of Suspension Guidelines utilized by the district:

Suspension Guidelines

Sec. 300.530 Authority of School Personnel

Student SSID:

Administrator completing the review:

I. Initial Removal Days Days 1-10	II. Additional Removal Days Days 11-20
School Personnel Decision Short Term Removal No Change in Placement	School Personnel Decision Short Term Removal No Change in Placement
<input type="checkbox"/> 1. Case-by-Case Determination <i>(You reviewed the students ETR and IEP prior to determining the discipline action)</i> Intervention tried this school: <i>Please list any and all interventions used to correct behavior</i> _____ _____ _____ _____ Unsuccessful? Why? _____ _____ _____ <input type="checkbox"/> 2. FAPE/Educational Services STOP <input type="checkbox"/> 3. Number of initial Removal Days <i>(Removal Days 1-10, but NOT more than 10 consecutive school days)</i> <input type="checkbox"/> 4. Removal Application <i>(Applied in the same manner as it would be for students without disabilities)</i>	<input type="checkbox"/> 1. Case-by-Case Determination <input type="checkbox"/> 2. FAPE/Educational Services CONTINUE <i>(Determined in consultation with one of the student's teachers)</i> <input type="checkbox"/> 3. Number of Additional Removal Days <i>(Removal days 11-20, but NOT more than 10 consecutive school days)</i> <input type="checkbox"/> 4. Separate Incidents of Misconduct <input type="checkbox"/> Additional Removal Das are for separate incidents of misconduct <i>(NOT to be combine with the 10 initial Removal Days)</i> <input type="checkbox"/> 5. NO Change in Placement <i>(Allowable Additional Removal Days, but removals DO NOT constitute a change in placement)</i> <input type="checkbox"/> 6. Removal Application <i>(Applied in the same manner as it would be for students without disabilities)</i> <input type="checkbox"/> 7. FBA/BIP <input type="checkbox"/> As appropriate conduct an FBA & develop a BIP, designed to address the behavior that resulted in the code violation; so that the behavior does not recur
In-School Suspension U.S. Dept. of Education OSEP- Q & A 22-02	What constitutes a change in placement? A change of placement occurs if: 1. The removal is for more than 10 consecutive schools days; or
School Personnel Decision Short Term Removal	



No Change in Placement	<p>2. The student has been subjected to a series of removals that constitute a pattern-</p> <p>(i) Because the series of removals total more than 10 schools in a school year;</p> <p>(ii.) Because the student’s behavior is substantially similar to the student’s behavior in previous incidents that resulted in the series of removals; and</p> <p>(iii) Because of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another</p>
<p>An in-school suspension is not considered a part of the days of suspension addressed in Sec. 300.530 <u>as long as</u> the child is:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1. Afforded the opportunity to continue to appropriately participate in the general curriculum; and <input type="checkbox"/> 2. Continue to receive the services specified on the child’s IEP, and <input type="checkbox"/> 3. Continue to participate with nondisabled children to the extent they would have in their current placement <p><i>NOTE: Portions of the school day that a child is suspended; may be considered as a removal, in regards to determining whether there is a pattern of removals, including emergency removals, as defined in Sec. 300.536</i></p>	
<p>III. Additional Authority Removal Exceeds 10 Consecutive Days</p>	
<p>IEP Team Decision Long Term Removal Disciplinary Change in Placement</p>	<p>IEP Team Decision No Change in Placement</p>
<p>NOT a Manifestation NO</p>	<p>IS a Manifestation YES</p>
<ul style="list-style-type: none"> <input type="checkbox"/> 1. Conduct a Manifestation Determination Review- <u>Within 10 school days</u> of any decision to change the placement of a student with a disability: <ul style="list-style-type: none"> <input type="checkbox"/> The LEA, the parent, and relevant members of the student’s IEP Team (as determined by the parent and the LEA) must review ALL relevant information in the student’s file, including the child’s IEP, any teacher observations, and any relevant information provided by the parents to determine <ul style="list-style-type: none"> (i) If the conduct in question was caused by, or had a direct and substantial relationship to, the student’s disability; or (ii) If the conduct in question was the direct result of the LEA’s failure to implement the IEP <input type="checkbox"/> 2. Case-by-Case Determination 	
<ul style="list-style-type: none"> <input type="checkbox"/> 3. FAPE/Educational Services CONTINUE <i>(Determined by the IEP Team)</i> <input type="checkbox"/> 4. Number of Removal Days <i>(Exceeds 10 consecutive school days at once)</i> <input type="checkbox"/> 5. Removal Application <i>(Applied in the same manner/duration as it would be for a children without a disability)</i> 	<p>The IEP Team must either:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 3. FBA/BIP <ul style="list-style-type: none"> <input type="checkbox"/> Conduct an FBA, unless the LEA had conducted an FBA before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or



- 6. FBA/BIP** (As appropriate conduct an FBA & develop a BIP, designed to address the behavior that resulted in the violation; so that the behavior do not recur)
- 7. Parental Notification & Procedural Safeguards Pg. 58-101** (On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability, notify the parents of the decision and provide the parents with the procedural safeguards notice)

NOTE:

- The conduct must be determined to be a manifestation of the student’s disability if the LEA, the parent, and relevant members of the child’s IEP Team determine that a condition in either (i) or (ii) was met (see above)
- If the LEA, the parent, and relevant members of the student’s IEP Team determine the condition described in (ii) was met, the LEA must take immediate steps to remedy those deficiencies (see above)
- **Conduct the Manifestation Determination Review using the PR-03 Manifestation Determination Review Form**

- If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and

4. Return the Student

- Except as provided in paragraph (g) (Special Circumstances) of the this section, “return the child” to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan

**IV. Special Circumstance Removal (g)
Not More than 45 Days**

School Personnel Decision
Long Term Removal
Disciplinary Change in Placement

See and Apply “NOT a Manifestation” Conditions (1, 2, 3, 4, 5, 6, & 7)

- 8. School personnel may remove a student to an interim alternative educational setting for not more than 45 schools without regard to whether the behavior is determined to be a manifestation of the student’s disability if the child-**

Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of a SEA or an LEA; or **knowingly possesses or uses illegal drugs, or sells or solicits the sale** of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a SEA or an LEA; or has **inflicted serious bodily injury** upon another person while at school, on school premises, or a school function under the jurisdiction of a SEA or an LEA



2.9.6 Support for Our Youngest Learners (Grades PreK–3)

We take special care to avoid suspending or expelling students in grades PreK through 3. Before any removal:

- We explore behavioral and mental health supports.
 - Families receive information about community resources.
 - A team—including a counselor or special education representative—works with the family to find alternatives to exclusion.
-

2.9.7 Communication and Documentation

Throughout any disciplinary process:

- Families receive all relevant forms and documents.
- A signed copy is kept on file, and another is provided to the family.
- If a student or parent does not sign the paperwork, the school will note that the student refused.

We encourage families to ask questions and stay involved throughout this process.

2.9.8 Appeal Process

If you disagree with a suspension, you have the right to **appeal**. During the appeal process:

- Your child may return to school until the appeal is heard.
 - Details about how to appeal are included in the suspension notice.
-



2.9.10 Working With Our Families

We know that school discipline can be stressful. Our goal is always to work **with families** to support students—academically, socially, and emotionally.

If you have questions or concerns about a disciplinary action involving your child with a disability, please reach out to your school principal, special education team, or the district’s Special Education Coordinator.



2.10 Dispute Resolution

Dispute Resolution Section- Handbook Outline

Process	Description
Early Resolution (EPS)	Informal guidance, resource referral, explanation of rights
Mediation	Facilitated negotiation of disagreement
Facilitation	Neutral support during IEP/evaluation meetings
State Complaint	Formal complaint reviewed by ODE
Due Process Hearing	Formal legal hearing with due process rights

If you have concerns or disagreements involving identification, evaluation, placement, or services for your child with a disability, Ohio school districts and parents have several legal and collaborative dispute-resolution options guided by state and federal law.



2.10.1 Early Resolution (Informal Support)

The Ohio Department of Education’s Office for Exceptional Children provides an **Education Program Specialist (EPS)** by phone or email to help families understand IDEA and Ohio law, review available options (mediation, due process, etc.), and connect to resources. This may resolve issues without filing a formal complaint.

2.10.2 Mediation (Voluntary Alternative Dispute Resolution)

- Mediation is a **voluntary** process—both parties must agree to participate.
 - It is facilitated by a **qualified, impartial mediator** trained in special education law.
 - Mediation **cannot delay or deny** your right to due process.
 - The **Ohio Department of Education covers all mediation costs** and selects mediators through a fair, impartial process.
 - If mediation resolves the dispute, the parties create a **legally binding agreement** confirming terms—confidential and not usable in later hearings—and, if required, the IEP team updates the child’s IEP within 20 school days.
-

2.10.3 Facilitation (Neutral Support in IEP or Evaluation Meetings)

- A facilitator—trained in special education but not part of the IEP team—can be invited to help keep meetings focused and productive.
 - Facilitation supports thoughtful conversations during IEP, evaluation planning, or placement meetings.
-

2.10.4 Formal Complaint to the State (State Complaint Process)



- If informal steps do not resolve the issue, parents may submit a **formal written complaint** to the Ohio Department of Education alleging violations of special education law.
 - The state investigates and issues findings within approximately 60 calendar days.
 - If violations are found, remedies may include compensatory services, corrective action, and improvements in educational practices. [Ohio LawsOhio Laws](#)
-

2.10.5 Due Process Hearing (Impartial Formal Proceeding)

- Parents—or the district—can request an **impartial due process hearing** for disputes involving identification, evaluation, placement, or the provision of a free appropriate public education (FAPE).
 - A hearing officer—independent from the district and qualified in IDEA regulations—conducts the hearing. The written decision must be issued within 30 calendar days. [Ohio Laws- Chapter 5180-10](#)
 - In due process hearings, families have comprehensive rights:
 - Be represented by counsel or persons with special knowledge (at their expense),
 - Present and challenge evidence,
 - Obtain a free transcript and final written decision.
 - If dissatisfied, either party may appeal the decision in federal or state court.
-

2.10.6 Important Notes

- Mediation and facilitation are intended to offer timely, collaborative resolution and **cannot replace legal rights**, such as the right to due process.



- Participants in mediation **must keep discussions confidential**; mediators may not be called to testify in future proceedings. [Ohio Laws- Rule 3301-51-05](#)
 - If mediation leads to IEP changes, the team must reconvene to implement those within 20 school days. [Ohio LawsOhio Laws](#)
-



Ohio's Dispute Resolution Processes Information Chart



	EARLY COMPLAINT RESOLUTION	FACILITATION	MEDIATION	FORMAL WRITTEN COMPLAINT	DUE PROCESS COMPLAINT (HEARING)	EXPEDITED DUE PROCESS (HEARING)
Who can Initiate the Process	Parent or public agency contacts the Ohio Department of Education, Office for Exceptional Children, for assistance	Parent or public agency, but must be voluntary for both	Parent or public agency, but must be voluntary for both	Any individual or organization	Parent or district/school or student who has reached the age of majority	Parent or district/school or student who has reached the age of majority
Time Limits	None	None	None	One year from date of alleged violation	Two years from when the party knew or should have known of the alleged problem	Two years from when the party knew or should have known of the alleged problem
Purpose	In most cases, to deal with issues related to Individuals with Disabilities Education Act (IDEA), communication or complaint resolution processes	Any meeting related to an evaluation or Individual Education Plan (IEP)	Any matter under IDEA including matters arising from a formal written complaint or due process (with some exceptions)	Alleged violations of IDEA or the Operating Standards for Ohio schools	Any matter relating to the identification, evaluation or educational placement or provision of a free appropriate public education (with some exceptions)	Only for disagreement about disciplinary placement or disagreement with manifestation determination
Timeline to Resolve Issues	None	None, but must meet IEP or evaluation deadlines	None	60 days from when the Office for Exceptional Children receives the complaint unless extension granted or parties resolve earlier	No more 45 days from the end of the resolution (maximum of 30 days). Public agency must convene a resolution meeting within 15 days of receipt of the complaint, unless parties agree to waive it, or agree to mediate (other factors may affect timeline)	No more than 30 school days (20 school days for the hearing and 10 school days to write the decision) from the end of the resolution period (maximum 15 calendar days). No extensions of time permitted.
Who Oversees Process	Education Program Specialist	Coordinator from the Ohio Department of Education	Coordinator from the Ohio Department of Education	Coordinator from the Ohio Department of Education	Due Process Coordinator assigns Hearing Officer	Due Process Coordinator assigns Hearing Officer
Decision Makers	Parties involved	IEP or Evaluation Team	Parties involved	Education Program Specialist or Attorney Complaint Consultant	Hearing Officer	Hearing Officer

2.10.7 Working With Our Families

Our goal is always to resolve concerns collaboratively and respectfully, recognizing parents as vital partners in their child's education. These processes provide layers of support, whether through informal resolution or formal legal rights, to ensure students receive appropriate services and families have access to justice and clarity.



III. Resources

[Documenting Tiered Interventions in SameGoal](#)

[Special Education Model Policies and Procedures](#)

[Roles and Responsibilities](#)

[\(Chapter 3301-51 | Education of Students with Special Needs\)](#)

[Rule 3301-51-05 | Procedural safeguards](#)