



DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION PROGRAMS

CHECKLIST FOR APPROVAL  
OF COMPREHENSIVE PLANS  
FOR SPECIAL EDUCATION AGENCIES

AGENCY: LifeScape: LifeScape Specialty School and Pathways to Life Specialty School

South Dakota Agency Comprehensive Plan

**Free and Appropriate Public Education (FAPE) 34 C.F.R. §§ 300.101-300.108, 300.110; ARSD 24:05:13:02**

The district/cooperative and all member schools/districts will make available to all children with disabilities residing in the district(s) between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school, as provided for in 300.530(d); 24:05:26 and 24:05:26.01, ARSD.

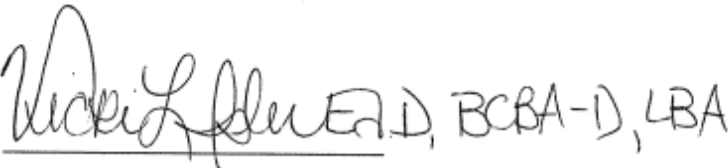
**State monitoring -- Primary focus. ARSD 24:05:20:18.01.** The department shall monitor the implementation of this article, enforce this article in accordance with §§ 24:05:20:23.03 and 24:05:20:23.04 and annually report on performance under this article. The primary focus of the department's monitoring activities shall be on:

- (1) Improving educational results and functional outcomes for all children with disabilities; and
- (2) Ensuring that public agencies meet the program requirements under Part B of the IDEA, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

As a part of its responsibilities under this section, the department shall use quantifiable indicators and such qualitative indicators as are needed to adequately measure performance in the priority areas identified in § 24:05:20:18.02 and the indicators established by the U.S. Secretary of Education for the state performance plan.

The **LifeScape Specialty School and Pathways to Life Specialty Schools Agency** has formally adopted the following policies and procedures as their comprehensive plan for special education. The intent of this document is to identify the responsibilities of the district and the Agency.

CERTIFICATION- I certify that I have read and reviewed the above assurance and will comply with all provisions of applicable federal and state laws.

 4/25/2023

Signature of Authorized Official  
Dr. Vicki Isler, Superintendent

Date

LifeScape Specialty School

April 2023

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## LifeScape Specialty Schools Overview of Services:

It is the goal of the LifeScape Specialty School and Pathways to Life Specialty School agency/facility is to provide full educational opportunity to all children with disabilities, aged birth through twenty-one, consistent with the timetable established in the South Dakota Eligibility Document or Part B of the Individuals with Disabilities Act. LifeScape Specialty School provides services for students age Birth through 21. LifeScape Pathways to Life Specialty School provides educational services and for students age 16-21.

### Section I.

Communication between the agency and district is vital to the success of the student. This includes communicating about meetings, evaluations, timelines, and etc. **Identify who will be responsible for this (title and position).**

The LifeScape Special Education Director, Education Specialist, and/or designee will work with referring school districts Superintendent or Special Education Director or designee on the communication and collaboration of meetings, evaluations, timelines, progress monitoring and any other coordination of services.

The LifeScape Special Education Director, Education Specialist, and/or designee will notify the local LEA (Sioux Falls School District) of Students who are placed at LifeScape by CPS/DSS and the South Dakota Auxiliary Placements. Procedures have been developed with the Sioux Falls School District that include notification of enrollment at LifeScape to the Sioux Falls School District Special Education Director and/or Designee. The LifeScape Special Education Director and/or designee will coordinate completion of the required initial documentation for the Sioux Falls School District. This paperwork will be submitted to the Information and Technology Services Representative or designee within the Sioux Falls School District. The assigned LEA Representative and the Office of Auxiliary Placements Representative will both be included in all district correspondence and all IDEA processes meetings.

Students may enroll in LifeScape Adult Day Programs up to 12 months prior to reaching the maximum age of entitlement for Special Education Services. The referring School District will be solely responsible for the development, monitoring, and provision of all special education services for Students enrolling in LifeScape Adult Day services. Based upon regulations from Section 511 of the Workforce Innovation Opportunity Act, students may not participate in day programs which provide subminimum wage opportunities. The Local Education Agency (LEA) will ensure LifeScape is provided with copies of all IDEA related documentation for the student.

Students transitioning from LifeScape Specialty School and Intermediate Care Facility may transition to LifeScape Adult Residential and Day services with LifeScape Specialty Schools maintaining the responsibility for the development, monitoring, and provision of all special education services. The specific location and implementation of services will be identified on an individual basis through the team process.

## Section II. Child Count

### **Child Count 34 C.F.R. §300.640; ARSD 24:05:17**

- a. Child Count data is the collection of enrollment information for students with disabilities ages 3-21 that are receiving Special Education services. Accurate reporting ensures who is responsible for providing services to identified students. **If your agency reports child count data, explicitly state the procedures for reporting data in the state Student Information System.**

LifeScape Exceptional Services Facilitator/SIMS Coordinator under the supervision of the Special Education Director or Designee will input student specific data into the Statewide Student Information System for students enrolled at either of the LifeScape Specialty Schools. This information will be updated within 5 business days of the IEP or changes in enrollment.

The Exceptional Services/SIMS Facilitator under the supervision of the Special Education Director or Designee will work with referring school districts and the South Dakota Department of Education to ensure the accuracy and reliability of the data. LifeScape will send copies of enrollment records to the referring school district upon request from the district.

LifeScape Special Education Director or Designee will work the Exceptional Services/SIMS Facilitator, referring school district, and South Dakota Department of Education to address any overlaps, corrections, errors, noncompliance issues, and responses.

The LifeScape Exceptional Services/SIMS Facilitator will provide requested reports to LifeScape Leadership to allow for future planning of programmatic needs. LifeScape uses a variety of processes such as staff needs assessments, parent, staff and student surveys, and review of test scores to determine systemic district issues and training.

The LifeScape Exceptional Services Facilitator/SIMS Facilitator will direct any data improvement needs to the LifeScape Leadership Team.

## Section III. Timelines

### **Evaluation 34 C.F.R. §300.122; ARSD 24:05:25**

#### **Yearly Review and revision of individual educational programs 34 C.F.R. §300.324; ARSD 24:05:27:08**

- a. Special Education has explicit timelines that need to be followed. Those timelines are associated with;
  - i. Annual Meetings
  - ii. Eligibility
  - iii. Evaluation – Initial and reevaluation

Explain how your agency will work with the district to ensure that these timelines are followed.

The LifeScape Special Education Director, Education Specialist, and/or designee will work with referring school district's Superintendent or Special Education Director on the communication and collaboration of annual IEP meetings, evaluations, timelines, etc. Any discrepancies in timelines will be addressed through the LifeScape Special Education Director, Education Specialist, and/or designee and the referring school district. LifeScape and the referring school district will work together to ensure any needed copies of documentation related to the special education processes are within the cumulative files at both LifeScape and the School District.

The LifeScape Special Education Director or designee will ensure Auxiliary Placements students are registered through the Sioux Falls School District and the Sioux Falls School District is provided with courtesy invitations and copies of all special education documentation.

A database of all timelines is maintained in the LifeScape Exceptional Services Office. LifeScape has in place systematic processes to alert a team of timelines and expectations for IEP's and Comprehensive Evaluations approximately 15 weeks prior to the established due dates.

During any National or State Emergency, LifeScape will seek and follow guidance of Federal and State entities on any flexibilities to timelines. While awaiting federal and state guidance, LifeScape will implement the following procedures until clear guidance can be provided. These same procedures will be implemented in the event that the student experiences a serious medical event or family emergency that prohibits the ability to have access to the student.

#### **Re-evaluation Triennial Due Dates – Consent Received:**

- In the event that limitations in **residential student or a day student** access prohibits the ability to complete assessment procedures as indicated by the guidelines within the testing materials or ethical guidance and best practice of professional practices, the team will implement the following actions.
  - In process evaluations: The team will review the recommendations and make the determination that assessment procedures are unable to be completed in light of the special circumstances of the National Emergency or State Emergency or medical emergency.
  - The LifeScape Special Education Director or Designee will contact parents and the Local Education Agency (LEA) and communicate that the procedures are unable to be completed and request a 45-school day extension to complete the Evaluation and Updated Eligibility Determination once in person school has resumed or the student's health allows. During this contact it will be asked if the parent agrees to pull forward all previous information in order to continue eligibility until the team has an opportunity to complete the recommended assessments.
  - The LifeScape Special Education Director or Designee will document the extension on the ***Parental Prior Written Notice of Consent*** by documenting the parent's approval and the LEA's notification on the extension portion of the form.

- The Special Education Director or Designee will complete a **Parental Prior Written Notice** documenting the extenuating circumstances leading to the inability to complete the assessment procedures by the established timelines/due date and the proposed actions and proposed extensions LifeScape will take to remedy the situation.
- The team will hold the Annual **Individualized Education Plan** prior to the due date using video or phone conferencing methods if all parties agree.
- The team will attach a **National and/or State Emergency Extension or Health Emergency Extension** cover page to the most current Eligibility Determination Document indicating individual team approval to pull the eligibility forward until 45 days after in person school has resumed.
- The Special Education Director or Designee will also document individual team member approval to document their approval on the **National and/or State Emergency Extension or Health Emergency Extension** within the Parental Prior Written Notice completed the Individual Education Plan.

#### **Re-evaluation Triennial Due Dates – Consent Not Obtained**

- In the event that limitations in **residential student or a day student** access prohibits the ability to complete assessment procedures as indicated by the guidelines within the testing materials or ethical guidance and best practice of professional practices, the team will implement the following actions.
  - The team will meet to determine the plan/recommendations for the Triennial Evaluation as if in-person school was in session and/or the student was available. This will be documented on the **Parental Prior Written Notice for Consent**.
  - The team will review the recommendations and make the determination that assessment procedures are unable to be completed in light of the special circumstances of the National Emergency.
  - The LifeScape Special Education Director or Designee will contact parents and the Local Education Agency (LEA) and communicate the recommendations for the triennial evaluation and in light of the special circumstances of the National and/or State Emergency **or Health Emergency**, the procedures are unable to be completed and request a 45-day extension to complete the Evaluation and Updated Eligibility Determination once in person school has resumed. During this contact it will be asked if the parent agrees to pull forward all previous information in order to continue eligibility until the team has an opportunity to complete the recommended assessments.
  - The Special Education Director or Designee will complete a **Parental Prior Written Notice** documenting the extenuating circumstances leading to the inability to complete the assessment procedures by the established timelines/due date and the proposed action and proposed extensions LifeScape will take to remedy the situation.
  - The team will hold the Annual **Individualized Education Plan** (IEP) prior to the due date using video or phone conferencing methods if all parties agree.

- The team will attach a **National Emergency Extension or Health Emergency Extension** cover page to the most current Eligibility Determination Document indicating team approval to pull the eligibility forward until 45 days after in person school has resumed.
- The team will also document the **National and/or State Emergency Extension or Health Emergency Extension** within the **Parental Prior Written Notice** completed with the **Individual Education Plan (IEP)**.

### Annual Individual Education Plan Review Timelines

- The team will work to the best of its abilities to hold **Individual Education Plan (IEP)** Annual Review prior to the established timelines. Given the special circumstances of the National or state Emergency or health emergency, the Special Education Department will work with LifeScape Staff, the LEA, Parents/Guardians, Students, and Transition to Adulthood Stakeholders to hold meeting by phone or video conferencing.
  - The Special Education Director or designee will document the Parent/Guardian approval to have a team member document their initials on the required items on the front page of IEP within the Parental Prior Written Notice for the IEP and their name on the signature page of the IEP document.
  - The IEP Process is meant to be collaborative. If not meeting face to face would impact the results of the IEP we will offer the flexibility that we extend the annual review timelines to within 30 days of resuming in person school.
  - In the event that a parent/guardian, LEA, or the LifeScape Team would be unable to meet due to incapacitation related to the issues of the National and/or State of Emergency or health emergency, LifeScape will provide the flexibility to extend the annual review timelines to within 30 days of resuming in person school.
  - The Special Education Director or Designee will complete a **Parental Prior Written Notice** documenting the extenuating circumstances leading to the inability to complete the annual review of the IEP by the established timelines/due date and the proposed action and proposed extensions LifeScape will take to remedy the situation.

Note: Agency procedures for children transitioning from Part C to Part B are only required if the agency provides services to children of this age.

#### Transition from Part C to Part B:

LifeScape and the referring school district will work closely with the local (Birth to Three) service coordinator for the service area to ensure a smooth transition of children participating in the early intervention program under Part C of the IDEA who are eligible for participating in preschool programs under Part B of IDEA. The following steps will occur.

1. 90 days prior to the child’s third birthday, LifeScape and the referring school district will meet with the local service coordinator and the child’s family to discuss and begin necessary steps in the transition plan. Note: In most cases the local service coordinator will make arrangements for this meeting, however, if not, LifeScape will work the LEA to determine the next steps in the referral process and determine responsibilities.

2. LifeScape will provide the family with information on the eligibility and evaluation requirements under Part B of IDEA, including the parents' and district's rights regarding procedural safeguards.
3. In addition, the district and LifeScape will review with the family a child's program options, for the period commencing on the day a child turns three and through the remainder of the school year regarding transition planning, including development of an individual education program.
4. All requirements under IDEA will be implemented in the process for determining eligibility for a child moving from the Part C program to the Part B program.

#### Section IV. Individualized Education Program (IEP)

##### Development of the IEP 34 C.F.R. 300.112; ARSD 24:05:27

- a. Identify who will be responsible for writing the IEP. Some agencies have certified special education staff on-site and are capable of developing the IEP. **Explicitly state which entity will be the party to complete the IEP.**

LifeScape Specialty Schools empower people to live their best lives. LifeScape Specialty Schools are committed to promoting independence for children and adults with disabilities by providing specialized services, healthcare, community connections, and lifelong learning. LifeScape pursues excellence in family-centered services for children with special health care and educational needs. We empower people to live their best life. LifeScape will be an **innovative organization**, providing **exceptional services** and **creative solutions** for people with **varied needs** and **complex care across their life span**. Through **collaborative partnerships**, LifeScape will become a **destination for research**, and the development, implementation, and training of **technology-based solutions to improve the lives of people we support**. Using evidence-based interventions, LifeScape is a leading provider of comprehensive services for children with significant needs in the areas of academics, adaptive skills, behavior, communication, health, physical rehabilitation, skills of daily living, motor skills, vocational skills, and socialization, and collaborates with other organizations to participate in research related to the children served. Staff training is conducted in accordance with the vision and mission of LifeScape and based on staff needs assessment and/or research in the field related to the population served by the facility.

LifeScape Specialty Schools provides qualified certified special education staff and related services to carry out Part B of the Individuals with Disabilities Education Act. LifeScape strives to ensure certified, licensed, or otherwise highly qualified personnel, including child evaluators, early childhood teachers and related services providers are employed by the agency to provide special education and related services. LifeScape follows the same procedure for other certified staff, making sure staff work only in those areas where they are properly endorsed.

LifeScape makes a good faith effort to recruit and hire adequately trained personnel to provide special education and related services to children with disabilities. In the instance of shortage of personnel, the most qualified individuals available may be hired. Individuals will work collaboratively with their supervisor and human resources to develop and make progress towards applicable coursework to meet state standards. The individual will be assigned a highly qualified mentor/teacher of record in their respective field who will supervise all education, treatment and documentation, development of treatment, and serve as the interventionist of record. LifeScape offers competitive salary and benefits packages in order to recruit and retain



personnel. Professional development and advanced career tracks provide an incentive for the retention of highly qualified performers.

LifeScape provides professional development opportunities for professional staff during a school year. Annual training is provided to professional staff on the implementation of IDEA. Additional in-service training is based on needs assessment information and understanding and implementation of IDEA. Additionally, training is offered related to specific evidence-based techniques and materials that staff may use as part of their job requirements. Professional staff are encouraged to participate in local, state, and national workshops and training opportunities that may enhance their job skills.

Paraprofessional Staff are required to have a high school diploma or GED. All paraprofessional staff work under a job description that defines their roles and responsibilities. All paraprofessional staff working in the classroom environments will work under the direction of the classroom teacher and/or Principal.

Per guidance of 24:05:27:10 related to Individual educational programs for students placed in private schools. Before a resident school district places or refers a child in need of special education or special education and related services to LifeScape Specialty Schools, the district shall initiate and conduct an IEP team meeting to develop an individual educational program for the child in accordance with district procedures. The district shall ensure that a representative of the private school or facility is invited to and/or attends the IEP team meeting. If the representative of the private school or facility cannot attend the IEP team meeting, the district shall use other methods to ensure participation, including individual or conference telephone calls. LifeScape will request a copy of the documentation be obtained prior to admission.

Unless otherwise agreed upon at the time of admission, LifeScape Specialty Schools Interdisciplinary team under the direction of the Special Education Director, Education Specialist, and/or Designee and with the leadership of the Special Education Teacher and collaboration of the interdisciplinary team will complete the processes associated with the annual IEP.

Should the resident district choose to complete the Meeting Notice, IEP, and Parental Prior Written Notice, LifeScape Specialty Schools will work cooperatively and collaboratively with the Local Education Agency. The resident district will ensure LifeScape Specialty Schools receives a copy of the finalized documents.

Extended School Year (ESY) Placements (students placed at LifeScape for the delivery of services during our 4<sup>th</sup> quarter): The resident district will complete the meeting notice, IEP, and Parental Prior Written Notice (PPWN) for students participating in only short-term services such as Extended School Year unless otherwise arranged with the LifeScape Special Education Director, Education Specialist, and/or Designee. LifeScape Specialty School will provide a summary of progress (i.e. quarterly report) to the family and district at the end of ESY session. A meeting will be offered to the LEA and Parent to review the results.

LifeScape Specialty Hospital Stays: The resident district will complete the meeting notice, IEP, and Parental Prior Written Notice (PPWN) for students participating in short term hospital stays

unless otherwise arranged with the LifeScape Special Education Director, Education Specialist, and/or Designee.

LifeScape Specialty Schools has procedures in place to guide the interdisciplinary team in preparation and development of the IEP. The Special Education Director, Education Specialist, or Designee will be responsible to ensure that the proper procedures are followed in the development, review, and revision of each IEP. This would include completing and mailing Meeting Notices, Parental Prior Written Notices and other correspondence relating to development, review, or revision of IEP's, adhering to timelines, composition of the IEP team, and properly completing each section of the IEP. South Dakota IEP Technical Assistance Guide, and the South Dakota Eligibility Guide available from the Department of Education Special Education Programs, will be used as references in the development, review, and revision of each IEP. Students receiving residential services will have an annual Individual Service Plan outlining needs and supports in the residential plan. To further promote the integration of a well-coordinated 24-hour program, when feasible LifeScape will coordinate the two meetings to occur in conjunction with each other.

Decisions regarding a student's related services will be made by the IEP team. The team will ensure all team members have been provided appropriate updated assessment information to assist in determination of need or discontinuation of any related services. Team members will work with the LifeScape Special Education Director, Education Specialist, or designee to obtain any consents that may be needed to conduct any updated assessments to assist in the decision-making process.

LifeScape shall ensure that children in need of special education or special education and related services have available to them the variety of educational programs and services available to non-disabled children in the area served by the agency. Music therapy, adaptive physical education, computer instruction, domestic instruction, and vocational education are available to LifeScape students.

LifeScape shall provide non-academic and extracurricular services and activities in the manner necessary to afford children in need of special education or special education and related services an equal opportunity for participation in those activities. Nonacademic and extracurricular services and activities may include Special Olympics, community sports activities, Theatre/Arts Activities, transportation, recreational activities, referrals to agencies which provide assistance to persons with disabilities, and employment of students including both employment by the agency and assistance in making outside employment and volunteering available. Peer volunteers as available at the Elementary through High School level participate in experiences in the education and residential settings as their schedule and local health initiatives allow. At the high school level, the students may work as volunteers at community work sites such as churches, schools, businesses, employment programs through Vocational Rehabilitation (i.e., project skills, etc.), and nursing homes as based on their individual's needs and abilities. Community outings include more functional life skills such as grocery shopping, youth groups, scouts, social programs with cooperating public schools, and other age appropriate social and entertainment events. Students, based on their individual needs, may participate in dual enrollment experiences within a public-school environment or afterschool program. Students also have opportunities to participate in neighborhood events with typically developing persons. LifeScape will determine for each student the extent to which participation

with non-disabled peers can occur. Since LifeScape does not offer programmatic options with non-disabled peers, the team will hold discussions on how the student may participate in non-academic and extracurricular activities to the extent possible for the individual student.

Decisions regarding a student's least restrictive environment will be made by the IEP team in the same way any other placement decision is made. Readiness for movement within the continuum of alternative placements is determined through review of student progress and team discussion. Placement decisions for the continuum of a day placement/24-hour residential placement are initially made at the district level. This decision will be reviewed at each IEP meeting.

All decisions of the team will be made jointly with the parents, LifeScape IEP Team and the referring school district through the IEP process and specified on the child's IEP. The IEP will be in effect before special education and related services are provided to a child and will be implemented as determined by the dates on the Parental Prior Written Notice Form. If a parent makes a request during the IEP meeting and LifeScape and/or the LEA declines to implement the request and a consensus is not met, the information will be documented on the Parental Prior Written Notice Form reflecting the request and will be sent to the family and LEA documenting this request and the reason why this proposed action is being declined.

The Exceptional Services Facilitator in conjunction with the Special Education Director will ensure that the parent and referring school district receives a copy of the completed IEP and Parental Prior Written Notice Form. LifeScape will ensure the IEP Team Members and other contracted service providers are provided a copy of the IEP.

b. The agency works directly with the student and has the knowledge of the strengths and needs of the student. The district and the agency must work together to develop a comprehensive IEP based on the needs of the student. **Describe your process of collaborating with the district to provide input into the IEP.**

LifeScape Specialty Schools will provide the school district with a copy of the progress report for the student and draft of the proposed ideas prior to the IEP meeting. School Districts will be involved in the annual IEP meeting with the parents and LifeScape staff on an annual basis. School Districts will be involved with any IEP Amendments held with the parents. School Districts are encouraged to visit and observe students from the district within their classroom at LifeScape to assist in keeping up to date with current needs. Progress reports will be provided to the district on a quarterly basis to assist them in overseeing the progress. School districts will continually monitor student's needs and progress to assist in determination of any changes to least restrictive environment.

c. Every student on an IEP will have annual goals. These goals are written to be measurable, and progress documented. Each student's progress must be reported to the parent as specified in the IEP. **Describe whether the agency or district will be responsible for reporting the progress on the goals to the parent. If the agency will be responsible, designate how this task will be completed and who the progress will be shared with the parent/student/guardian/district/etc.**

LifeScape Specialty Schools Interdisciplinary team under the direction of the Special Education Director, Education Specialist, and/or Designee and the leadership of the

Special Education Teacher and collaboration of the interdisciplinary team will complete quarterly reports/progress reports in November, February, May and August. Interdisciplinary teams will receive notification of timelines and due dates for reporting of progress on a quarterly basis by the Special Education Director, Education Specialist, or Designee. Due date reminders will be placed on team calendars. A copy of the progress report will be mailed to the resident school district, parent, guardian, and /or surrogate parent. Progress reports will be available at Annual IEP meetings and additionally as requested by parents or local education agencies.

- d. The IEP identifies the individual services that each student with a disability will receive. These services identified in the IEP documents the amount of service and frequency related but not limited to, special education services, related services, transition services, etc. Describe who will be providing the services (the district or agency) and the process used to ensure that the services are given to the student as designated in the IEP.

The determination and implementation of special education services, related services, and transition services will be made by the IEP team. LifeScape Specialty Schools will implement/coordinate the special education services, related services, and transition services as indicated by the IEP. For South Dakota students should a student access the transition services of Vocational Rehabilitation Services, the team will work through the Vocational Rehabilitation counselor assigned to the district unless otherwise directed by the Vocational Rehabilitation Office. Students accessing Project Skills will utilize the contract for services from the resident district. Transportation services will be the responsibility of and coordinated by the LEA and through IEP Team process.

LifeScape has specialized speech therapy, occupational therapy, physical therapy, behavior therapy, nursing, dietary, and one on one services available to students as indicated by their IEP. Additional services are coordinated through the South Dakota School for the Deaf, SD School for the Blind and Visually Impaired, and Deaf Blind Program. Highly specialized services that are not available at LifeScape will be coordinated and provided by the Local Education Agency (LEA).

The LEA is responsible for any filing of Medicaid Reimbursement for students placed in the day program. LifeScape will provide assistance with any documentation needed for this process.

Children placed at LifeScape Specialty Schools will follow the calendar year of the LifeScape Specialty School specific to each location. Extended School Year Services will be based on the LifeScape Calendar rather than the calendar year of the referring school district. It should be noted that LifeScape Children's does offer a contracted service of Extended School Year Services to LEA's. This contracted service is offered during LifeScape's 4<sup>th</sup> quarter term. These students are enrolled as contracted Extended School

Year students and not as regular enrollment students. 4<sup>th</sup> Quarter is not Extended School Year Services for regularly enrolled LifeScape students.

In the event of a National or State States of Emergency or long-term health issues, LifeScape Specialty School has procedures in place to ensure the continuity of learning through flexible learning plans that consist of any combination of the following activities dependent on the needs of the students. These activities may include learning packets, video conferencing, lessons delivered through pre-recorded lessons Google Classroom Platforms, You Tube, etc. platforms, teletherapy, consultation with caregivers, and other individualized needs. LifeScape will put in place technology to allow accessibility to the information should it be needed by the family. Teachers and therapists will implement regular check in with the family and student when in person school is not an option. Procedures are in place to document the provision of instruction in this situation.

Following any significant interruptions in face-to-face instruction related to health, pandemics, or natural disasters, the team will closely monitor the student's progress and if needed make recommendations for any changes in strategies, goals, objectives, behavior plans, special education services, and or related services through the IEP process.

## Section V. Evaluation

### **Completion of the evaluation 34 C.F.R. §300.122; ARSD 24:05:25**

- a. Special education evaluations (initial or reevaluations) must be completed in a specific timeframe. For students of transition age, a transition evaluation must also take place. The district and the agency will determine who will be responsible for initiating the evaluation process. Communication between the agency and the district is significantly important to complete the evaluation. **Explicitly state which entity and the process that will be used to conduct the evaluations; to include the standardized, transition, and skill based.**

LifeScape Specialty Schools have procedures in place to guide the interdisciplinary team in preparation and development of the Parental Prior Written Notice for Consent and the Comprehensive Evaluation. Staff involved with the delivery of IDEA services will participate in annual training on the processes associated with evaluations.

The Special Education Director, Education Specialist, or Designee will be responsible to ensure that the proper procedures are followed in the development of Comprehensive Evaluations. This would include working with the team, LEA, and family to determine needed areas of assessment, completing the Parental Prior Written Notice for Consent, working with the parent for consent for the evaluation, coordinating the completion of the needed assessments and development of the written comprehension evaluation. LifeScape will coordinate distribution of the evaluation reports completed at LifeScape.

LifeScape Specialty Schools Special Education Director, Education Specialist, or Designee will work with the Local Education Agency Designee on the coordination of the completion of assessments. Should any assessments be determined to be administered by the LEA, this information will be clearly identified on the Parental Prior Written Notice for Consent for Evaluation.

The South Dakota IEP Technical Assistance Guide and Eligibility Guide, available from the Department of Education Special Education Programs, will be used as references in the development, review, and determination of eligibility.

National or State States of Emergency or Health Emergency Provisional Plan: In the event that limitations in **residential student or a day student** access prohibits the ability to complete assessment procedures as indicated by the guidelines within the testing materials or ethical guidance and best practice of professional practices, the team will implement the following actions.

- The team will meet to determine the plan/recommendations for the Triennial Evaluation as if in-person school was in session. This will be documented on the **Parental Prior Written Notice for Consent**.
- The team will review the recommendations and make the determination that assessment procedures are unable to be completed in light of the special circumstances of the National Emergency.
- The LifeScape Special Education Director or Designee will contact parents and the Local Education Agency (LEA) and communicate the recommendations for the triennial evaluation and in light of the special circumstances of the National and/or State Emergency or Health Emergency, the procedures are unable to be completed and request a 45-day extension to complete the Evaluation and Updated Eligibility Determination once in person school has resumed. During this contact it will be asked if the parent agrees to pull forward all previous information in order to continue eligibility until the team has an opportunity to complete the recommended assessments.
- The Special Education Director or Designee will complete a **Parental Prior Written Notice** documenting the extenuating circumstances leading to the inability to complete the assessment procedures by the established timelines/due date and the proposed action and proposed extensions LifeScape will take to remedy the situation.
- The team will hold the Annual **Individualized Education Plan** (IEP) prior to the due date using video or phone conferencing methods if all parties agree.
- The team will attach a **National Emergency or Health Emergency Extension** cover page to the most current Eligibility Determination Document indicating team approval to pull the eligibility forward until 45 days after in person school has resumed.
- The team will also document the **National and/or State Emergency or Health Emergency Extension** within the **Parental Prior Written Notice** completed with the **Individual Education Plan** (IEP).

## Referral for Initial and Reevaluations

LifeScape Specialty Schools adheres to and implements procedures in accordance with the rules and regulations related to referral of children with disabilities.

At LifeScape a referral for services includes any written, electronic, or verbal inquiry, which brings a student currently receiving services at LifeScape to the attention of the school administrator (building principal/assistant principal, special education director or designee). Parents, teacher, therapists, social worker/ case manager, social service agencies, school districts, physicians, and/or other service providers may make a referral for evaluation for any person receiving services at LifeScape. These are also directed to the school administrator.

LifeScape also serves children post-acute care hospitalization, rehabilitation, and Department of Social Services emergency placement. When a student is identified through a screening process, the LifeScape School Administrator (principal, special education director or designee) will document the information on a LifeScape Referral for Consideration of Evaluation Form and the student's local education agency (LEA) and parent/guardian will be contacted. Coordination of evaluation procedures between LifeScape and the LEA will be arranged, and responsibility determined. If determined by the LEA, LifeScape will complete the referral, evaluation, consent, and eligibility procedures. The LifeScape Special Education Director or Education Specialist will begin the following process.

1. The LifeScape Special Education Director or Education Specialist will pull together information from the applicable sources such as:
  - a. Parent Information: Discuss areas of concern which generated the referral, deficits that may be seen at home, evaluation/medical information from the family, other concerns the parent may have that are impacting the child's educational program.
  - b. Regular/Special education teachers: Gather information regarding the child's progression in the general curriculum, classroom performance, grades, accommodations that have been attempted to address any problems, preferred learning styles, attention or behavioral issues that may be impacting learning etc.
  - c. Students Educational Record: Review of classroom data and observations. Review and compare existing data and observations with the information provided by other sources.
    - Pre-referral data
    - Attendance information
    - State/District wide assessments results

- Where student is achieving in the general curriculum
- Skill areas affected by the suspected disability.

d. LifeScape will review the referral and informal review process within 10 school days (in accordance with LifeScape School Calendar) from the date of the written referral.

e. If determined that LifeScape will take the lead on an initial evaluation, after an informal review arising from a referral, LifeScape and the LEA determines that no evaluation is necessary, the facility shall inform the parents and the LEA of its decision and the reason for the decision in writing on a parental prior notice form. It shall also inform the parents of their due process rights. If after informal review, the agency, parent, LEA determines that further evaluation is necessary, the agency/LEA shall outline the plan for the assessment on a prior notice and consent form. LifeScape will obtain parent and LEA input, written permission from the parent, and conduct a multidisciplinary evaluation as outlined on the Prior Notice and Consent.

f. LifeScape and the LEA will maintain documentation of the referral, informal review and prior notice for students that do not result in evaluation. All information will be located in the student's cumulative file, sent to the parent and the LEA.

2. At the request of the referring school district, LifeScape Specialty School works collaboratively with the referring school district to determine initial and reevaluation responsibility. If a specific request is not received, LifeScape Specialty School will assume responsibility for implementation and documentation of IDEA requirements related to the evaluation, consent, and placement. LifeScape Specialty School will adhere to the administrative rules and regulations for the State of South Dakota for all students in the state and students from out of state. If this is an initial evaluation, LifeScape will utilize the team meeting process to discuss any need for potential referrals for evaluation. The referral form will used as documentation for the referral. The student's IEP Team will conduct an informal review of information to determine suspected areas of disability or for reevaluation, a review of existing data. In the area of reevaluations, the team may deem it appropriate to pull forward previous test information for the purpose of eligibility.

3. LifeScape Pathways to Life Specialty School will work collaboratively with the referring school district to determine re-evaluation responsibility either at admission or prior to the due date of the evaluation. LifeScape Pathways to Life has services to conduct evaluations that may be administered by a special educator and related services of Speech Therapy, Occupational Therapy, Physical Therapy, and Behavior Therapy. Psychological will be coordinated with the referring school district for completion or contracting the services. Contracted services will be the financial responsibility of the referring school district.



LifeScape Pathways to Life Specialty School will not complete initial evaluations and this process will be the responsibility of the school district prior to completion of admission.

4. Based upon the skill areas affected, the eligibility guide will be used to understand and guide the team to determine suspected category(s) of disability to be assessed and determination of needed assessments. The LifeScape Team will work with parents to obtain any needed medical reports to support the process of determination of eligibility.

5. LifeScape has procedures in place for the assignment of a surrogate parent in the event that a student is a ward of the state and meets criteria as stated in regulation for the assignment of a surrogate.

6. Parents and the referring school district will be contacted to gain their input into the evaluation process and the areas to be assessed.

7. **Parental Prior Written Notice/Consent Form** will be completed and sent to parents for consent.

8. Upon receipt of the signed **Parental Prior Notice/Consent Form**, the date that permission was received by the district will be documented on the form. The evaluation team will be notified of the timelines by the Special Education Director, Education Specialist, or Designee.

9. LifeScape Specialty Schools will secure an evaluation team and or work with referring school district to conduct a comprehensive evaluation in all areas of suspected disability that matches with the types of evaluations checked on the **Parental Prior Written Notice/Consent Form**. In addition to completing standardized evaluations that will help the team determine eligibility, they will also gather skill-based data as indicated the **Parental Prior Written Notice/Consent Form** and developmental information about the child relating to progress in the general curriculum.

10. Within **25 school days** of receipt of the signed **Parental Prior Written Notice/Consent Form**, the evaluation will be completed unless other timelines are agreed to.

11. Upon completion of all evaluations, the data will be analyzed and compiled into a written report(s). The report(s) will be disseminated to team members prior to the meeting, which will be held within **30 calendar days** of last day of testing or prior to the due date dependent on which one come first.

12. LifeScape Exceptional Services Facilitator and/or designee, the referring school district, and parents will decide upon a mutually agreeable meeting date. LifeScape will mail to the parent and referring school district a completed **Meeting Notice** informing them of the meeting date, time, place, persons invited to attend the meeting, and any other required prior notice content information. A copy of the Parental Rights Booklet will be included with the Notice. Parental Rights Booklets are always available in the Special Education Office and IEP Meeting Rooms at LifeScape.

13. The **Meeting Notice** will be sent to the parent at a reasonable time prior to the meeting.
14. If the evaluation report is handed out for first viewing at the scheduled meeting, the parents, district, and any other team members will be given a reasonable amount of time to read through the document and reflect on the contents. The IEP meeting should not begin until this is accomplished.
15. At the meeting, the report will be summarized. Team Members, parents and the referring school district may add to the report. Any changes will be written on the report and initialed. If changes are made, an updated final copy will be distributed to the parents, school district, and the main file.
16. At the meeting, the team will review the evaluation report(s), determine eligibility for special education and special education and related services, and, if appropriate, develop an IEP and then determine placement in the appropriate least restrictive environment.
17. The parent's consent, which is required for initial placement, will be obtained by LifeScape prior to implementation of an IEP.
18. A **Parental Prior Written Notice Form** summarizing the decisions made and rejected at the meeting will be reviewed and sent to the family and district. The family will have 5 days from receiving the **Parental Prior Written Notice Form** to review the decision prior to implementing any decisions. The family may choose to waive the 5-day notice by indicating this preference on **the Parental Prior Written Notice Form**.

## Section VI. IEP Team

**IEP team meeting date 34 C.F.R. §300.23; ARSD 24:05:27:02**

**Parent Participation 34 C.F.R. §; ARSD 24:05:30:02.01**

**IEP team 34 C.F.R. §300.321; ARSD 24:05:27:01.01**

Special Education has specific laws that govern the meetings. The IEP team is the key element in making informed decisions for the best interest of the student. Communication with the district about who will be conducting the meetings (annual, eligibility, amendment, etc.) is essential.

- a. Meeting Notice –Prior to a meeting, the notice will be sent out. Content of the meeting notice includes date, time, location, purpose, or agenda, attendees, and contact information.  
 Conducting –  
 Unless otherwise agreed upon at the time of admission, LifeScape Specialty Schools Interdisciplinary team under the direction of the Special Education Director, Education Specialist, or Designee will complete the meeting notice and send it to all invitees. A copy will be sent to the resident school district for their cumulative file. LifeScape

Specialty Schools will take an active role in initiating and conducting the meeting with full collaboration with the LEA and parents/guardian.

- b. Location - **Whether the meeting is initiated by the agency or district, describe how the parent, district, and agency will be involved.**

The location of the meeting will typically be at one of the LifeScape Specialty Schools unless other arrangements are made. LifeScape Specialty School has various technology available to promote participation when distance and travel are obstacles for participation. These options include dedicated conference systems and video technology.

- c. Attendance - Special Education law requires, at a minimum, that the parents of the student, regular education teacher (if student is participating in the regular education environment), at least one special education provider, representative of the school district that can make decisions about the availability of resources of the district, the student (if appropriate), and transition service participants (if applicable). **Describe how the required attendees will be included if the meeting is being held at the agency.** LifeScape will work with all participants to determine a mutually agreeable time for the meeting. Meeting invitations will be sent to individuals outside of LifeScape by mail, electronic correspondence, or sent home with the student per parent and district preference. The team will make reasonable effort to promote the parent's participation in the IEP process. If after reasonable measures are taken to have the parents attend the meeting have been unsuccessful, the team will continue with the IEP with the local education agency. LifeScape will continue to work with the parent to review the document via technology, visits when they are on campus, or home visits. Team members that must be excused from an IEP will be responsible for completion of an Excusal Form and document parent approval of their absence prior to the meeting. A copy of the excusal will be attached to the meeting notice and copy provided to the parents and the LEA.

## Section VII. Parental Prior Written Notice

### **Content of Notice 34 C.F.R. §300.503; ARSD 24:05:30:04, 24:05:30:05**

- a. Meeting Notice -Parents of students with disabilities are to be included in all IEP team meetings. These meetings are at a mutually agreed upon time and place. Parents are to be informed early enough to ensure that they will have the opportunity to attend. As for the Parental Prior Written Notice, is completed and given to the parent after a meeting has been held. This notice is provided as a recap of what was discussed in the meeting and should include what the district proposes or refuses to initiate or change in the identification, evaluation, or educational placement of the child and should be given to the parents five days before this change. **Identify who will be responsible for the completion and delivery of these notices. (district or agency)**

LifeScape Specialty Schools Interdisciplinary team under the direction of the Special Education Director, Education Specialist, or Designee will complete the meeting notice and

the Exceptional Services Facilitator will send it to all participants in the IEP process. A copy will be delivered to the student in their classroom if the student is of transition age or younger if they would like to attend to their meeting. The teacher will always inform the student that they have an IEP and give the option of participating in the development and presentation of the IEP. A copy will be sent to the LEA for their cumulative file.

All decisions of the team will be made jointly with the parents, LifeScape IEP Team and the referring school district through the IEP process and will be specified on the child's IEP. The IEP will be in effect before special education and related services are provided to a child and will be implemented as determined by the dates on the **Parental Prior Written Notice Form**. If a parent makes a request during the IEP meeting and LifeScape and/or the LEA declines to implement the request and a consensus is not met, the information will be documented on **the Parental Prior Written Notice Form** reflecting the request and will be sent to the family and LEA documenting this request and the reason why this proposed action is being declined. Additionally, the **Parental Prior Written Notice Form** will document additional information including proposed actions, requests that were rejected, the specific information used to assist in making decisions, and any additional information summarizing the discussions at the meeting not specifically documented within the IEP form. The Special Education Director, Education Specialist, or Designee will complete the **Parental Prior Written Notice Form** during the meeting and coordinate its distribution. It will typically be attached to the back of the IEP.

- b. The timelines of the notices are important and need to be provided to the parents within those timelines. **Describe the process that will be used to ensure that the Notices are sent with adequate time.**

LifeScape Specialty School's Exceptional Services Facilitator under the direction of the Special Education Director or Education Specialist maintains a database of the timelines for the Individual Education Plan and Comprehensive Evaluation. The meeting notices are generally sent out one week prior to the scheduled meeting, if at all possible, via e-mail or US Mail. The Parental Prior Written Notice summarizing the IEP or IEP Amendment will be handed out with the IEP to participants attending the meeting in person or at a mutually agreeable time. Participants attending via phone or technology will have a copy mailed or e-mailed to them.

## Section VIII. Discipline Procedures

**Authority of School Personnel 34 C.F.R. §300.530; ARSD 24:05:26:02.03, 24:05:26:09.03**

**Change of Placement for disciplinary removals 34 C.F.R. §300.536: ARSD 24:05:26:02.01**

- a. Students that are on an IEP may exhibit minor to extreme behavior issues. Existing behavior plans in the IEP may need to be addressed. Specific guidelines exist and need to be followed for the suspension and expulsion of students on an IEP. **Describe how behavior situations are handled at the agency and how the behavior will be communicated to the district.**

LifeScape has policies and procedures in place for the management of maladaptive behavior. Students may require the support of a formal behavior support plan to address maladaptive behavior.

Behavior Plans (BP) include research-based strategies that are developed for persons whose frequency, intensity, and/or duration of problem behavior is harmful to self or others, impedes learning, and/or restricts access to the community. The BP will include the least restrictive intervention to prevent problem behavior from occurring, skill building programs or functional replacements skills, how to reinforce identified alternative skills, what to do when a person exhibits problem behavior, maintenance, and generalization strategies.

In the case of a student whose behavior impedes his or her learning or that of others, the LifeScape Individual Education Plan (IEP) team will consider the use of positive behavioral interventions and supports and other strategies to address that behavior.

Upon admission, or at the start of a newly defined behavior with no previous intervention, an initial set of behavioral guidelines will be developed, in collaboration with Individual Education Plan (IEP) Team, based upon the principles of Applied Behavior Analysis (ABA), specific to historic information, medical and mental health records, and parent/guardian/LEA report.

1. Components of a BP include:
  - a. Target Behavior(s)
  - b. Rationale for the necessity of intervention
  - c. Baseline or Current Data
  - d. Predictors
  - e. Environmental/Antecedent Modifications
  - f. Behavioral Function(s)
  - g. Teaching Procedures
  - h. Reinforcement System
  - i. Reactive Strategies
  - j. Goals
  - k. Justification and Restoration for Restrictive Procedures
  - l. Previous Less Restrictive Interventions
  - m. Risks and Benefits
2. The person's BP will be approved by the guardians, IEP Team, Behavior Support Committee, and Human Rights Committee (for Residential Students) when necessary, prior to implementation.
3. Staff working with each person will be trained using the BP Specific Treatment Procedures and will sign off once training is completed.

4. The behavior analyst or designee will review target behavior data and teaching program data, analyze trends, and make intervention modification or procedure addendums as the data indicate.

### **Plan Development and Implementation**

- A. An assessment of target behaviors will occur prior to writing a behavior plan. This assessment is used to gather information that can be used to determine behavioral function and develop effective behavioral strategies. A behavior plan will be developed based on the information gathered from the assessment. Behavior plans should consider each person's communication skills. If a person is unable to communicate adequately, efforts should be made to incorporate communication training into a person's overall training program.
- B. The BP will be authored by the assigned Behavior Analyst.
- C. If necessary, a LifeScape Behavior Analyst will oversee a functional analysis of behavior in order to determine why the behavior is occurring. This type of assessment involves evoking problematic behavior; therefore, the team will obtain parental consent for this type of assessment.
- D. **Qualifications of a Behavior Analyst/Therapist/Specialist are:**
  - Board Certified Behavior Analyst (BCBA) - Masters or Doctorate (BCBA-D) Level and Certified by the Behavior Analyst Certification Board (BACB).
  - The BCBA and BCBA-D hold a South Dakota License
  - Behavior Therapists – BCBA in process of obtaining a BCBA and holds at least a master's degree
  - Board Certified Assistant Behavior Analyst (BCaBA) – Bachelor's degree and is certified by the BACB.
- E. Behavior Specialist – may be in process of obtaining BCaBA or BCBA and may hold a Bachelor's degree.
- F. The Behavior Support Committee (BSC) will approve all plans prior to implementation. All staff implementing a student's BP must be trained and must meet all qualifications necessary to implement the BP.

Behavioral situations out of the realm of the student's behavior, and/or those incidents that cause injury requiring medical attention to either the student, peers, or staff, and or high magnitude property damage will be communicated with the parent and school district via phone calls and/or e-mail correspondences.

LifeScape will adhere to the student due process rules according to ARSD 24:07:01 (general provisions); 24:05:06 (suspension); and 24:05:26.01 (expulsion).

Any student suspended from LifeScape shall have an IEP team meeting within 72 hours of the incident to review the incident leading to the suspension. The IEP team will implement, review, and/or make any modifications to the student's behavior intervention plan, work with the referring school district to make arrangements for continuation of special education or special education related services during the suspension and determine if any changes in educational placement needs to be addressed.

LifeScape will coordinate with the referring local education agency's policies and procedures for the suspension or expulsion of students with disabilities and ensures that FAPE is available to all students with disabilities, aged 3 – 21, residing in the agency, including children with disabilities who have been suspended or expelled from school.

LifeScape ensures that it will adhere to the student due process rules according to ARSD 24:07:01 (general provisions); 24:05:06 (suspension); and 24:05:26.01 (expulsion).

## Section IX. State and District Wide Assessment Procedures

### **Participation in Assessments 34 C.F.R. §300.160; ARSD 24:05:14:14, ARSD 24:05:14:14.01**

- a. Students are required to participate in state assessments at certain grade levels. Some accommodations stated on their IEP may be needed for participation in the assessment. **Identify the process for providing the state assessments to the appropriate students and describe how the accommodations are utilized.**

LifeScape will ensure all children with disabilities shall be included in all general state and district-wide assessment programs for the state of South Dakota, with appropriate accommodations and alternate assessments, and as indicated in their respective IEPs. The LifeScape Special Education Director, Education Specialist, and/or Assessment Director or Designee will coordinate the ordering, dissemination, collection, submission, and reporting of all mandated state-wide assessment with contracted publishing company, the South Dakota Department of Education, and Referring School Districts. The LifeScape Special Education Director, Education Specialist, Assessment Director, or Designee will coordinate the reporting of assessment results to the parent/guardian unless the results are sent directly to the referring school district. In the event that results are sent to the referring school district, the School District will be responsible for the reporting of assessment results to the parent/guardian. LifeScape will implement South Dakota Assessment Procedures for students who are from outside the state of South Dakota when requested by the referring school district.

It is the responsibility of the LEA for administration of any additional district specific progress monitoring assessments. LifeScape will coordinate with the district personnel to their staff to administer the assessment to the student.

Students from States other than South Dakota will follow the state assessment procedures for South Dakota. If the LEA from another states requests the student participate in their state assessment the LEA from that state will be responsible for administration.

LifeScape has implemented procedures for the implementation of the rules and regulations related to State/District-Wide Assessment Procedures.

## Section X. Procedural Safeguards

**Availability of mediation 34 C.F.R. §300.506; ARSD 24:05:30:09**

**Filing of due process complaints 34 C.F.R. §300.507; 300.508, 300.509; ARSD 24:05:30:07.01**

**Resolution process 34 C.F.R. §300.510; ARSD 24:05:30:08.09-.12**

**Impartial due process hearing 34 C.F.R. §300.511; ARSD 24:05:30:09.04**

**Hearing rights 34 C.F.R. §300.514; ARSD 24:05:30:12**

**Hearing decisions 34 C.F.R. §300.513, 300.514, 300.515, 300.516, 300.517; ARSD 24:05:30:11**

**Status of child during due process proceedings 34 C.F.R. §300.518; ARSD 24:05:30:14**

- a. **Identify the policies and procedures for addressing complaints and dispute resolutions.**

In the event that there are issues that arise in dealing with the identification, evaluation, or educational placement of a child or the provisions of a free appropriate public education, LifeScape will provide pertinent information to the parents and school district and will assist to the best of its ability to objectively resolve such issues. LifeScape also has policy in place to address any general parent or school district grievance that may arise. LifeScape will work with the resident school district to determine any needs for a facilitated meeting, mediation or need to move to the hearing process. If the mediated meeting, mediation or hearing process is initiated, the LEA for the child will enact provisions for due process hearing and all procedures therein. LifeScape will work collaboratively with the referring school district and the South Dakota Department of Education in regard to any requests for a facilitated meeting, mediation and/or hearing. The request for a hearing will be directed to the special education director of the referring school district or their designee upon notification.

During the pendency of any administrative hearing or judicial proceeding pursuant to this section, in which LifeScape can reasonably provide services for the child, the child involved must remain in the present educational placement unless the school district, LifeScape, and the parents agree otherwise. LifeScape is a private out of district placement. Should LifeScape be unable to provide educational placement for a student during an administrative or judicial proceeding, LifeScape will provide adequate notification (30 calendar days or timeline as determined by Team) to the referring school district and parents. LifeScape will work cooperatively with the referring school district and state entities to assist in the coordination to provide similar educational placement for a student during an administrative or judicial proceeding. LifeScape will adhere to the specific regulations of the various governing bodies in regard to discontinuation of LifeScape services. In the event that it is determined that LifeScape is unable to continue to provide services for a student LifeScape will work with



parents/guardians, the LEA and the Department of Human Services to assist in moving forward with alternative placement options.

LifeScape will work to protect the rights of a student with disabilities whenever the parents of the student are not known and/or whenever the whereabouts of the parents cannot be discovered after reasonable efforts, or when the student is a ward of the state, LifeScape will assign an individual to act as a surrogate parent for the student. Procedures for the implementation of Surrogate Parent recruitment and training are implemented as stated in the technical assistance manual published by the South Dakota Department of Special Education. LifeScape maintains an active list of potential surrogate parent applicants that have participated in a surrogate parent training. LifeScape conducts regular training to recruit and train for Surrogate Parents.

LifeScape will ensure the procedures required in ARSD 24:05 which govern procedural safeguards and the provision of Independent Education Evaluation are implemented.

In the event that a parent disagrees with an evaluation conducted by LifeScape or the referring school district, LifeScape will work collaboratively with the referring school district in regard to any requests for an independent educational evaluation and communication of the information to the parents. Requests will be handled in accordance with the referring school districts policies and procedures for an independent educational evaluation. The referring school district will be financially responsible for payment of agreed upon Independent Education Evaluations. If the request comes from a DSS placement, LifeScape will provide a listing of potential resources for referral for evaluation.

LifeScape does accept students who are privately enrolled at the cost of the parent/guardian. A specific contract outlining the scope of the services is spelled out through the Individual Education Service Contract following the same rules and regulations for the evaluation and IEP processes documented in this comprehensive plan for students not enrolled by the school district. School districts will receive annual notification of enrollment of the student although will not be involved in the meetings nor receive copies of documentation except through the parent.

LifeScape has procedures in place to address grievances not related to the provision of IDEA.

#### Section XI. File Maintenance

**Confidentiality of Information 34 C.F.R. §300.123; ARSD 24:05:29, ARSD 24:05:21:05**

**Records regarding migratory children with disabilities 34 C.F.R. §300.213; ARSD 24:05:21:05**

**Destruction of information 34 C.F.R. §300.624; ARSD 24:05:29:15**

- a. District policies and procedures on confidentiality of information. Describe the agencies policies and procedures.

LifeScope implements policies and procedures to ensure protection of the confidentiality of any personally identifiable information collected, used or maintained under Part B of the Individuals with Disabilities Education Act (IDEA) and the Family Education Rights and Privacy Act (FERPA).

At a minimum Life Scope Specialty Schools:

1. Adopts an education records policy and implement procedures that meet the standards of FERPA.
2. Annually notifies parents and students in attendance of their rights pertaining to student records according to FERPA.
3. Maintains a permanent file on each student.
4. Maintains special education records.
5. Provides public notice of directory information and provides parents an opportunity to refuse to disclose such information.
6. Provides annual training to school staff on records and confidentiality.

LifeScope is a unique organization that provides both healthcare and education to the student's we serve. It is our goal to preserve privacy for the children we serve, while maintaining a sense of school spirit and community. We are committed to comply with both medical and educational rules concerning privacy and confidentiality. This includes compliance with the Health Insurance Portability and Accountability Act (HIPAA) and the Family Education Rights Privacy Act (FERPA) to protect the confidentiality and integrity of Protected Health Information (PHI). All LifeScope employees engaged in the collection, handling, and distribution of educational records and/or Protected Health Information (as defined below), will be specifically informed of their responsibility to protect all information entrusted to them, as well as the penalty for the violation of that trust.

LifeScope also adheres to the HIPAA regulation that defines Protected Health Information (PHI). Specific Policies and Procedures are on file at LifeScope.

The policy regarding Confidentiality of Information for students is provided to all employees upon hire and annually, thereafter. By signing this policy employees are verifying that they have read and understand their responsibility to protect confidentiality for LifeScope patients/students/adults, as well as the penalties for failing to do so.

- b. Items to be in the file at the agency
  - i. IEP (most current)
  - ii. Psychology Report (most current)
  - iii. Eligibility Document (most current)
  - iv. Notices (most current) Meeting Notice, Parental Prior Written Notice, Consent for Evaluation, etc...  
\*\*\*If the agency is writing the IEP all required documentation

- c. **Designate a staff person to be responsible for acquiring, sharing, and maintaining the documents.**  
The LifeScope Special Education Director, Education Specialist or Designee in collaboration with staff within the Records Department and the Exceptional Services Facilitator will ensure the integrity of the individual student files.
- d. **The student files are confidential and need to be located in a locked cabinet. Identify the location of the files.**  
A student's cumulative record is maintained within the Education Files Storage Room. Files are kept in a locked room. Files may be checked out during business hours for student meetings and for reference by members of the interdisciplinary team. Files may only leave the building under the direction of the Special Education Director/designee or authorized medical records personnel. Access to the room is restricted to designated personnel. A record of access form is within each student binder that lists any agency or person reviewing the binder that is not on staff at LifeScope or a member of the interdisciplinary team or part of the medical records team.
- e. **Transfer of records. Describe the agencies policies and procedures.**  
LifeScope will provide school districts with copies of documents and student files upon request of the resident district. A copy of the cumulative education record will be sent to receiving districts upon notification of a parent move to the district.
- f. **Destruction of information. Describe the agencies policies and procedures.**
- Medical, daily living and educational records in paper form will be retained for a minimum of ten years from the actual visit date of service or resident care and six years after the last claim is paid or denied.
  - Records of minors will be retained until the minor reaches the age of majority, plus an additional two years, but no less than ten years from the actual visit date of service or resident care, and six years after the last claim is paid or denied.
  - Deceased patient paper records will be retained for a minimum of ten years from the date expired, and six years after the last claim is paid or denied.
  - Electronic medical records will be retained in their original form, or legally reproduced form of electronic storage media.
  - Before destruction, an index will be prepared and retained that includes (1) Name (2) Record number (3) Date of birth (4) Summary of dates served (5) Attending or admitting physician (5) Diagnosis or diagnosis code.
  - The archived record will be destroyed in a confidential environment by shredding.
  - Shredding of original paper records scanned into the medical record system shall take place 90 days after scanning.