



Special Services

Consent

Consent Legends Virtual Academy cannot proceed with an evaluation, or with the initial provision of special education and related services, without the written consent of a student's parents/legal guardians. For additional information related to consent, please refer to the Procedural Safeguards Notice which can be found at the Alabama State Department of Education website. Once written parental/guardian consent is obtained, Legends Virtual Academy will proceed with the evaluation process. If the parent disagrees with the evaluation results, the parent can request an independent education evaluation at public expense.

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

Once the evaluation process is completed, a team of qualified school personnel, parents/guardians, and other relevant service providers hold an evaluation determination meeting to come to agreement on whether the student meets eligibility for one of the disability categories under IDEA for information related to eligibility criteria associated with the disability categories defined under IDEA). If the student is eligible and requires specially designed instruction, an Individualized Education Plan (IEP) will be coordinated; during which the IEP team will review and finalize the proposed details of an appropriate educational program to meet the student's documented needs For students confirmed to present with special education needs, once the IEP team agrees on the IEP and the student's educational placement, a Prior Written Notice (PWN) (Notice of Proposal or Refusal) will be sent to the parent/guardian. Legends Virtual Academy can only proceed with implementing the student's IEP (or 504 Plan) upon receipt of signed consent. Some students are found to present with one or more disability, but do not meet the eligibility criteria outlined under IDEA (special education); however, their disability may still require Legends Virtual Academy to develop a 504 Service Agreement (504 Plan) to outline the special provisions a student may require for adaptations and/or accommodations in school-based instruction, facilities, and/or activities. Students may be eligible to certain accommodations or services if they have a mental or physical disability that substantially

limits or prohibits participation in or access to an aspect of the school program and otherwise qualify under the applicable laws. Legends Virtual Academy will ensure that qualified students with disabilities have equal opportunity to participate in the school program and activities to the maximum extent appropriate for each individual student. In compliance with applicable state and federal laws, Legends Virtual Academy will provide students with disabilities with the necessary educational services and support they require to access and benefit from their educational program. This is to be done without discrimination or out of pocket cost to the student or family for the essential supplementary aids, services or accommodations determined to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities and to the extent required by the laws.

Parents/Guardians have the right to revoke consent for services after initial placement. Please note, a revocation of consent removes the student from ALL special services and supports outlined on the IEP or 504 Plan.

Privacy & Confidentiality

To maintain privacy of students' special education records, both within its central office and across school systems and databases. Legends Virtual Academy follows protocols consistent with the federal regulations associated with the Family Educational Rights and Privacy Act (FERPA) for additional information about the privacy and security guidelines for your child's educational records.

Summary

Legends Virtual Academy recognizes that despite best intentions of all parties, disagreements or miscommunications may arise between the school-based team and Legends Virtual Academy families or students. Should this situation occur, the Legends Virtual Academy special education case manager will initiate an IEP team discussion where the specific details contributing to any educational concern are fully discussed and addressed as the entire team determines would be considered most appropriate for the student. Collaboration is a primary focus for this type of meeting, and the Legends Virtual Academy Special Education Team seeks to establish and maintain the confidence of its families to always serve its students to maximize their educational success.

Dispute Resolution Options

- IEP Facilitation – IEP facilitation is a voluntary process that can be utilized when all parties to an IEP meeting agree that the presence of a neutral third party would help facilitate communication and the successful drafting of the student's IEP. This process is

not necessary for most IEP meetings. Rather, it is most often utilized when there is a sense from any of the participants that the issues at the IEP meeting are creating an impasse or acrimonious climate

- Mediation – A voluntary process in which both parties seek to resolve the issues involved in the concern with an unbiased, third-party mediator from the DEPARTMENT OF EDUCATION. The mediator who will write up the details of the agreement that the parties come to through the mediation conference, the agreement is signed by both parties, and thus what the document states is mandated to be implemented; This process is overall less time-consuming, less stressful, and less expensive to complete than a due process hearing (see below).

Formal Due Process

Families are NOT obligated to pursue the above alternatives to due process should they feel that their concerns can only be resolved through a formal due process hearing. If a formal complaint against Legends Virtual Academy is submitted to the STATE DEPARTMENT OF EDUCATION at [Alabama State Department of Education - Alabama Achieves - ALSDE](#)