

# III. District Development of Policy, Procedures, and Forms

## Recommended Leadership Team

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It is recommended that districts create and use a well-rounded leadership team to help develop, review, and revise policy and procedures. Having representation across disciplines and roles is important to gain needed perspective and buy-in for staff who will be accountable for procedural implementation, to address any liability concerns for staff, and to make sure that procedures are thorough and consider all relevant roles. There may be times when members divide tasks based on specialty areas, but the whole team could still be involved in the general overview and process. Subgroups may also be tasked with the development of needed forms.

### Possible team members

- Special education director and leadership (e.g., associated special educator coordinators)
- General education leadership representative
- Lead assessment specialists (e.g., school psychologists, speech language pathologists)
- District leads associated with discipline, school administrators, and Student Assistant Team (SAT)
- Grade band special education and general education teacher representative

Consider ways to obtain parent feedback on policy, procedures, and relevant forms which impact them or forms which are meant to be used for communication to parents.

## What is Meant by Policy and Procedures?

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**For the purposes of this document, “policy and procedures” for a school district may include**

- Policies adopted by the board of a school district
- Administrative procedures adopted and implemented by the administration of a school district including
  - » District-wide procedures
  - » Procedures specific to one program such as special education

State rules cannot require less than Federal law and regulations. Local education agency (LEA) or school districts policy, in the same way, should not require less than Federal or state rules and regulations. The district policy should help identify the ways in which the state rules (and more encompassing Federal regulations) will be implemented, applied, and understood at local level.

Having appropriate policies in place is a way of providing guidance to educators in their work, ensuring appropriate practices in schools and increasing the safety of everyone in schools. Moreover, they provide a measure of protection to the school system from liability related to these practices.

As a reminder: Usually school board policies and procedures are public information and are available on request at the district office. Some schools also post these policies and procedures on their district or school websites. Individual districts may have their own methods for disseminating their policies.

Many school districts use a “Student Handbook” as a way to inform students and parents about pertinent policies related to student behavior. As a result, when school policies or procedures are implemented, consideration should be given to also modify the student handbook to reflect these policies and to inform students and parents. These handbooks are distributed to all students and parents once per year.

## **What Types of Things May Be Included in a Policy for Special Education?**

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District leaders should consult with their board attorneys when developing district policy to gain legal input. Below are some things to consider when drafting district-level policies.

### Considerations

- Does the policy have a clear purpose and focus?
- Does the policy clearly state what the district is responsible for implementing or establishing?
- Is the wording clear and understandable (or plain) to all stakeholder groups and those who will be expected to follow it?
  - » Is it transparent?
  - » Does it contain jargon that may not be easily understood by all?
- Are all legal regulations addressed adequately?
  - » Is it consistent with state and Federal regulations?
  - » Are they cited within the policy?
- Are any definitions or additional wording needed to prevent misunderstandings or confusion?
- Is the policy too broad?
  - » If there is only one all-encompassing policy for special education, does it provide at least a brief summary of district responsibility for each component (e.g., evaluation and identification [child find], procedural safeguards, professional development, etc.)?
- Would a team be able to identify what procedures are needed to implement the policy (-ies)?
  - » Is it action oriented?
- How does policy assist with management and accountability of staff?
  - » Is it clear what is required and what is discretionary?

Additionally, leaders should consider if there have been problems or concerns within the district with the implementation or associated outcome of a policy. If so, consider if the wording of existing policy needs revision or additional policy should be drafted based on the considerations listed above. If existing policies are adequate, additional written procedures to implement the policy may be warranted.

## What Types of Things Should Be Included in Procedures?

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Procedures are often considered to be a form of district-level policy. Procedures should outline needed tasks and contain enough detail that someone unfamiliar with the task could follow the steps easily to accomplish the desired outcome. They provide a measure of structure and include task instructions for coherency and consistency. To increase staff buy-in, consider obtaining feedback (e.g., formatting of procedures for efficient use, input on current challenges, input on what is currently working, etc.) from those who will be expected to follow and manage procedures.

### Identifying Needed Procedures

As leadership teams work to identify needed procedures, consider the following reasons a procedure may be needed:

- Effective policy implementation
- Prevention of problematic or negligent practices
- Corrective actions based on monitoring or administrative complaints

### Developing Procedures

As procedures are developed, the team should work toward completing the following items:

- Determine the desired outcome(s).
- Create breakdown of steps it will take to reach outcome (from initial step to final step).
- Develop an outline of action needed, who is responsible, timeframes and frequency, documentation needed.
- Determine how they are stored and cataloged to be accessed easily by all relevant staff.
- Identify onboarding and refresher training needs to make sure all staff are familiar with and use procedures.
- Determine how they will be monitored and the accountability of staff (any supervision needs).
- Ensure procedures meet a stranger test.

A template of a tool that may be used for procedure development and documentation can be found in chapters [XXIII](#) and [XXIV](#).

### Minimum Suggested Procedures for Policy Implementation

- District-level and school-level child find procedures
  - » District level—to include methods of information dissemination (who is responsible, types, frequency, etc.)
  - » School level—to include referral process, evaluation tasks, eligibility meeting tasks
- Disciplinary policy for all students
- Disciplinary procedures for students with disabilities
- Procedures for the provision of procedural safeguards to parents
- Professional development needs and scheduling and documentation

- Individualized education program (IEP) meeting procedures for tasks (from invitation, drafting, meeting tasks, etc.) to address placement, least restrictive environment (LRE), and free appropriate public education (FAPE)
- Surrogate parent training procedures (who will schedule, training content to be used, etc.)
- Transition from Part C to B procedures (who will meet as part of transition team, tasks needed, timing, documentation, etc.)
- Special transportation procedures (notification of team decisions to transportation department, etc.)
- Evaluation, verification, and identification procedures
- Confidentiality policy and procedures
- Personnel standards policy
- Performance goals and indicators policy and any associated procedures
- Participation in assessment decision-making procedures
- Assessment result reporting procedures

## Forms

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Per Nebraska Rule 51 (**92 NAC 51-004.08A**), districts are also required to have on file the forms they use to implement special education policies and procedures.

### Tips for form development

- Avoid
  - » Language that appears to be a predetermination of decisions
  - » Language that appears to delay processes
- Do
  - » Review relevant regulations before developing associated forms to make sure all language is consistent with law.
  - » Make sure forms meet Family Educational Rights and Privacy Act (FERPA) requirements when applicable.
  - » Consider if the language is parent friendly, especially if the form is used to communicate information to the parent.
  - » Have a plan for translation needs when appropriate.