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Special Education Internal Procedures

Policies and procedures of IDEA and NM Sp.Ed. Rules

Walatowa High Charter School (WHCS) shall provide a free appropriate public education for all students with disabilities. WHCS shall develop and implement administrative procedural directive(s) that comply with the Individuals with Disabilities Education Act, its implementing regulations, and state regulations established pursuant to 20 U.S.C. Section 1412, while continuing to adhere to the rigorous academic guidelines of the New Mexico Public Education Department/Public Education Commission and the Mission Specific Goals of the Walatowa High Charter School.

Step 1: Enrollment

1. Upon enrolling a new student at the Walatowa High Charter School:
 - The parent/guardian will notify WHCS Executive Secretary/STARS/NOVA Coordinator if the student has received any Special Education Services/Individual Education Plan (IEP) from the previous school attended.
 - Parents/guardians will provide a copy of the current IEP.
 - The Executive Secretary will verify student (NM resident) information through STARS/NOVA student information system.
 - In addition, The Executive Secretary will submit a formal request for the required documentation (IEP, transcripts, SAT and any other student information) from the previous school attended. If documentation has not been provided within 5 business days, the Executive Secretary will contact the previous school via email and phone notification.
- Once the documents have been received, the WHCS Executive Secretary/STARS/NOVA Coordinator will immediately forward all information to the Special Education Director, Executive Director, or designee for review.

Step 2: Special Education Director and/or designee review

1. The Special Education Director and/or designee will review all Individual Education Plan information (IEP, evaluations, assessments, Indicator 13 forms, accommodations,

modifications, goals, objectives, and other information that may apply) to ensure documents are current and that there are no delays in services.

- a. In the case of delayed services, the Special Education Director or designee will inform the parent/guardian of the specific service that has been delayed and provide the corrective action plan and timeline of implementation.

Step 3: Student information distribution

1. STARS/NOVA System: Once IEP is reviewed, the Special Education Director and/or director will provide the IEP and invitation to the STARS/NOVA Coordinator to be uploaded into the required STARS/NOVA system.
2. Special Education Indicator 13 Tracking Spreadsheet: All informational data will then be uploaded into the Special Education Indicator 13 Tracking Spreadsheet. The spreadsheet will be monitored by the Executive Director, Assistant Special Education Director, Special Education Director, and STARS/NOVA Coordinator.
3. IEP Student Performance Information: The Special Education Director and/or designee will provide a copy of student goals/objectives, accommodations/modifications, and assessments to all instructors. Ancillary Services will also be notified and scheduled per the requirements of the IEP.

Indicator 13 STARS/NOVA Procedure

The Walatowa High Charter School (WHCS) Special Education Director will meet with the WHCS STARS/NOVA Coordinator to put deadlines on the spreadsheet and/or calendar. WHCS will utilize the PED webinars to determine months Indicator 13 events occur for the WHCS calendar, staff training, and proper procedures.

When deadlines are approaching, the WHCS will implement the following:

- Shelley Chinana, WHCS STARS/NOVA Coordinator will attend all annual Indicator 13 webinars presented by the Data Supervisor during the 40th, 80th, and 120-Day Special Education Data Validation.
- Run SPP 13 Random Sampling Report
 - Select School Year
 - Select Prong 1
 - Select: Locations Reports
 - Run STARS/NOVA report bi-weekly/monthly to identify any student information error.
- Meet with staff to review IEPs to ensure the LEA is complying and not overdue using the Indicator 13 Checklist for compliance. Indicator 13 Checklist submission on the 40th, 80th, and 120 Days of the Special Education Data Validation.
- Upload IEPs to the Special Education Monitoring Site before the deadline making sure the entire IEP is submitted in PDF format. The deadline for submission is the last week of January of each year. Files will be named with the last 4 digits of the student's ID number, underscore, and then the title of the document.
- Notify PED that files have been uploaded and are ready for review.
- Make any corrections within the 10-day window to correct upon notification for Indicator non-compliance.

Referral and Identification Process For Special Education

1. Student concerns are identified by the Instructor/parent-guardian. Referral is made to the Student Assistance Team (SAT).
2. The Student Assistance Team invites parents to meet and discuss interventions and strategies that might help the Student be successful in the general education setting.
3. Interventions and strategies are implemented in the classroom and documented through the school's Multi-Layered System of Supports.
4. SAT invites parents to meet once again to discuss the progress of the student:
 - a. If interventions are successful they will remain in place and no other program changes will be made. The parent/guardian will be notified of any changes in the Student's performance, which may include an invitation to another SAT meeting.
 - b. If SAT feels other interventions are needed those will be implemented and the parent/guardian will be notified of any changes in the Student's performance, which may include an invitation to another SAT meeting.
 - c. If all interventions have been exhausted the process continues to the next step.
5. A referral is made to the Multidisciplinary Team (MDT) which invites the parent/guardian to meet and discuss additional recommendations and interventions. If the team feels it is appropriate they will make the referral for further diagnostic testing. If a parent/guardian requests for an evaluation while in SAT, WHCS will respond within 15 days to approve or disapprove assessment with supporting documentation.
6. The referral packet is completed by the school personnel and the parent.

Packet Includes:

 - a. All information gathered by the SAT including; interventions utilized and the success or lack of success of each.
 - b. Case History and Health History
 - c. Vision/hearing Screening, referral made to Jemez Health and Human Services.
 - d. Student Observations (where appropriate)
 - e. Anecdotal Behavioral Information (where appropriate)
 - f. Functional Behavioral Assessment and Behavior Intervention Plans (where appropriate)
7. The packet is submitted to the contracted Ancillary Services provider - a diagnostician who meets with parents to attain Consent for Evaluation with WHCS Ancillary Contractor and/or WHCS Special Education Director discuss Procedural Safeguards (also known as Parent Rights in Special Education).
8. Testing is conducted and parents are called to meet with the MDT to discuss results.
 - a. If the student is not eligible to receive special education services he or she may be referred back to SAT for further interventions.
 - b. If the student is eligible, an Individualized Education Plan will be developed.

Individualized Education Program (IEP)

Parent/Guardian and Faculty Process

Draft IEP Documentation:

Drafts are preparatory documents to facilitate your full participation as a member of the IEP Team. Please note drafts are subject to IEP Team discussion and revision. The IEP Team must ultimately determine the

contents of your Student's IEP. Drafts serve as tools to assist the IEP Team. Please note the drafts do not include every IEP item to be discussed. The IEP Team will discuss all of the IEP items to identify all of the services and supports that your Student needs. The IEP Team will also discuss/consider current progress information. Feel free to review and return the DRAFT IEP documents to the Special Education Director and/or designee with any written input you may have, 2 weeks before the IEP Meeting.

Prior Written Notice (PWN): contains all IEP proposals that either initiate or change the identification, the evaluation, the educational placement, or the provision of free and appropriate public education for the student with a description of each evaluation procedure, assessment, record, or report used as a basis for the acceptance or rejection of each proposal. These proposals are captured as the IEP Meeting takes place and the PWN is provided to the parent at the end of the IEP Meeting along with a copy of the IEP and Procedural Safeguards/Parent Rights.

Step 1 - Signature Step: IEP Team members sign-in Step. Signatures signify attendance and participation in the development of the IEP. Signatures do not signify agreement or disagreement with the IEP. You will be asked to sign in. For additional documentation purposes, WHCS utilizes docu-sign or another electronic signature source. The IEP Team expects to rely significantly on your input; therefore your attendance and participation in the IEP Meeting is essential. All participants have the option to participate in person, via Google Meet and phone. (Virtual Participation-Executive Secretary will provide a link to the meeting upon request).

Step 2 – Student Information/Educational History Step: contains personal demographic information (student name, date of birth, primary/secondary eligibility, parent/legal guardian information, etc.) and educational history which pertains to initial referral information and any past special education placements and/or services your Student may have received. This Step also documents student attendance history. You will be asked to verify your contact information on this Step.

Step 3 – Student Profile: Focus on future goals for your Student. You will be asked to develop a vision statement for your Student and inform the IEP Team of any concerns for enhancing the education of your Student. You will also be asked to help the IEP team to note strengths and areas of need (academic, developmental, and/or functional) for your Student. At the bottom of this Step, you will see your Student's latest test scores, both school-based and state assessment scores.

Step 4 – Present Levels of Academic Achievement, Functional and/or Behavioral Performance (also referred to as Present Levels of Performance “PLPs”): contains information about your Student's present levels of performance gathered from your Student's teachers, ancillary providers and yourself in the areas of academic achievement (e.g., reading, written language, math), functional performance (e.g., problem-solving, processing skills, communication skills, life skills, memory function, processing speed, motor skills), and/or behavioral performance (e.g., social, emotional, behavior, attendance, energy level, sustained attention, impulse control). This will include for school-age students, how your Student's disability affects their involvement and progress in the general education curriculum, and for preschool students, how your Student's disability affects their participation in appropriate activities.

Step 5 – Consideration of Special Factors: contains a place to note any special factors your Student may have and includes visual/hearing difficulties, limited English proficiency, assistive technology needs, medical and significant health needs, and any changes in the general discipline matrices.

Note: If an FBA and or BIP has been developed this will be the Step where that is discussed and documented.

A – Consideration of Best Practices/Strategies for a Student with Autism: contained in the IEP packet only for students with an eligibility of Autism. The IEP Team must carefully consider eleven Best

Practices/Strategies when developing and implementing an IEP for an eligible student with Autism and communication tools for students with auditory loss and as need for braille for students with visual difficulties. Only those strategies that the IEP Team determines are necessary must be included in the student's IEP.

Step 6 - Transition Planning/Interagency Linkages Student Profile:

Transition Services Plan: contained in the IEP packet only for students who will turn 14 in their IEP year or for students who are 14+ years of age. You will first discuss measurable, post-secondary goals which are goals the IEP Team designs to address the student's goals after high school and are linked to IEP Step 3 – Student Profile. These goals will address Education and Training, Employment, and Daily Living (if applicable).

The IEP Team must plan coordinated, measurable annual IEP goals and transition services that will reasonably enable the student to meet their post-secondary goals. This will also contain information about when the student reaches the age of majority and becomes their legal guardian unless steps are taken for continued guardianship. The following will also be reviewed and decided upon in the IEP Team meeting: a complete course of study for high school, documentation of progress towards high school graduation assessment, graduation option (Standard, Career Readiness, or Ability)*, and progress towards graduation requirements.

*More information on Graduation Options can be found on the NMPED website at:

<http://ped.state.nm.us/SEB/technical/GraduationOptionsStudentsWithDisabilities.pdf>

Note:

Suppose the student meets graduation requirements on a Standard Graduation Option. In that case, they will receive their high school diploma AND permanently end the student's right to a Free and Appropriate Public Education (FAPE). There will be no more IEPs and no more IEP Meetings. After graduation, the student will no longer be entitled to receive special education and related services from a school district or other local education agency.

If the student meets graduation requirements on a Career Readiness or Ability Graduation Option, they will receive their high school diploma; HOWEVER, their right to a Free and Appropriate Public Education (FAPE) does not end. At the request of the adult student/parent, they may return for continued educational or transition needs on a Graduated-Continuing IEP (GC-IEP) or Graduated-Transition IEP (GT-IEP), as long as the student meets the age eligibility requirements (i.e. has not reached his or her 22nd birthday on the first day of the school year). The IEP Team will reconvene to determine needed educational services on a GC-IEP or GT-IEP. If the student does not meet graduation requirements (e.g., needs to earn credits, pass high school graduation exam, and/or complete IEP goals) and is on a Standard, Career Readiness, or Ability Graduation Option they may return for continued educational or transition needs on a Continuing-IEP (C-IEP) or Transition-IEP (T-IEP) at the request of the adult student/parent, as long as the student meets the age eligibility requirements (i.e. has not reached his or her 22nd birthday on the first day of the school year). The IEP Team will reconvene to determine needed educational services on a C-IEP or T-IEP.

Step 7 – Goals and Objectives/Benchmarks: will contain goals and/or objectives/benchmarks generated from the appropriate standards (e.g. NM Standards/Common Core State Standards, Dynamic Learning Maps assessments, Employability & Career Development Standards, English Language Development Standards) which are based on your Student's unique needs and area(s) of concern, which were identified in the Present Levels of Performance (IEP Step 4). Because these goals are based on your Student's current levels of performance and unique needs, you may be presented with draft goals which will be discussed with the IEP team for the final review and revision. Remember you are an integral part of the team and you may propose different educationally relevant goals as you feel necessary.

Step 8 – Instructional Accommodations and/or Modifications, Supplementary Aids and Services, Support Services: contains accommodations/modifications that are needed for your Student to access the general educational curriculum. Accommodations and modifications are not meant to give a student an advantage over others, but simply to “level the playing field.” If your Student’s needs are such that he/she requires a specialized emergency evacuation plan (beyond the general education procedures) you will complete those forms at this point. Also, supplementary aids and services are needed to support the student’s participation with non-disabled peers in the general education classroom and in other education-related settings, such as in non-academic or extra-curricular activities. (These may include a note-taker, FM Auditory System, Adult Assistance, Assistive Technology Device, etc.). Finally, support for school personnel (e.g., training with an unfamiliar device or information about the student’s individual needs) will be discussed and determined.

Step 9 - Participation in Charter and State Testing: any testing accommodations, both charter and state-mandated testing, your Student needs will be recorded in this Step.

Step 10 – Non-Academic/Extracurricular Activities, Physical Education, Transportation, Extended School Year: contains any accommodations, supplementary aids, and services or related services deemed necessary by the student’s IEP Team to ensure each student with a disability participates with non-disabled students in non-academic/extracurricular services and activities to the maximum extent appropriate to the needs of that student. (For example, lunch/breakfast, recess/passing period, assemblies, field trips, athletics, extra-curricular activities, general education transportation, general education counseling services, health services, special interest groups/clubs sponsored by the district, vocational, etc.) The team will also discuss any accommodations necessary for physical education, and the need for special transportation as a related service and consider and determine the need for Extended School Year services at this point.

Step 11 – Schedule of Services: contains a specific schedule of services that your Student will receive. You will see the daily school schedule broken down and specific settings (general education setting or special education setting) checked. There will also be a frequency and duration assigned to each related service (SLP, OT, PT, RT, SW, etc.) and how they will be delivered.

Step 12 – Level of Service and Setting: contains information about the Level of Service (hours the student is receiving special education services) and Setting (location of services).

Step 13 – Least Restrictive Environment (LRE): contains a continuum of alternative placement options discussed with the IEP Team based on your Student’s individual needs and the Least Restrictive Environment (LRE). These decisions will generate what type of setting best meets your Student’s individual needs based on the review of present levels of performance, IEP goals, and IEP services. Concerning LRE, the IEP Team will address any reduced or limited time in a general education setting as well as any potential harmful effect on the student or the quality of services.

Step 14 – Location of Services, IEP Progress Documentation, Special Education Director and/or designee, Teacher Responsibilities, Informed Parent Consent, Interpretation/Translation, Medicaid Billing: contains a statement of where the student’s program and related services will be provided. Also, contains a place for noting when you will receive notification of your Student’s progress towards IEP goals/objectives/benchmarks as well as a place for you to initial that you were a participant in the development of the IEP, understood what was said, and were advised of your Procedural Safeguards/Parent Rights. Please don’t hesitate to ask for clarification if you don’t understand any part of the IEP.

If you require a translator/interpreter that will also be noted in this Step. Finally, this Step contains a place for you to consent/refuse to consent for WHCS to access your Student's Medicaid benefits to pay for Medicaid-reimbursable IEP services and to release and exchange necessary educational and medical information to complete the Medicaid billing process. You will receive a one-time consent form and an annual Medicaid written notification.

Note: Medicaid in the schools does not affect services outside of school, nor does it affect the benefits your Student receives through Medicaid. Reimbursed funds pay for some school nurse salaries, some educational assistant salaries, and medical supplies and materials for students on IEPs.

Step 15 – IEP Attendance/Excusal and Procedural Safeguards: contains written agreement or written consent (as required) by the parents and district representative for excusing, in part or whole, any required IEP Member. You will also be asked to sign that all of your concerns about your Student have been listed and that you have received a copy of your Procedural Safeguards/Parent Rights. Procedural safeguards will also be provided via email and docu-sign. A school contact is also listed in case you have any additional questions or concerns. This Step will inform you that you will have five (5) school days from the date of the IEP before implementation of the IEP proposals take place unless you waive that waiting period so that changes in the IEP can begin immediately on a previous date, as specified by you. Once completed, the Executive Director, Special Education Director, and Assistant Executive Director will review the final IEP. Once reviewed, the document will be distributed to the STARS/NOVA Coordinator to be uploaded into the required state student information system. Note: Parent Rights will be offered at every IEP.

*IEP documentation: In-person signatures and/or electronic signatures (docu-sign, pdf sign) may be utilized.

Multi-Layered System of Support

The Every Student Succeeds Act (2015) calls for early intervention strategies with family involvement to improve the academic and functional outcomes of students. When students are struggling with learning or behaviors that interfere with learning at The Walatowa High Charter School, we use the Multi-Layered System of Support (MLSS) process that finds and uses strategies that will work with the student. We look at how students are making progress with the current instruction in their courses to find more effective ways to help students make academic and functional progress at the WHCS. We also look at what may contribute to difficulties. Together with families we will work to develop interventions aimed at increasing the likelihood that students can be successful and maintain their placement in the general education setting. Struggling students are identified through course progress, WHCS-wide and state-wide screening/testing processes as well as other means, such as Instructor observation or parent concern. The most important intervention we have is home support, and student participation in their academic career.

Academic Supports: Instructors, working in conjunction with parents and students, will help the student reach their academic goals. If a student's grades and performance are falling below WHCS standards, we will utilize multiple measures to keep parents and students informed of what their present levels of performance are, and steps that will help them reach critical academic measures.

Tier 1

The Walatowa High Charter School utilizes an Early Warning System to identify students who are having difficulties in the areas of Academics, Attendance, and/or Behavior. Periodically Instructors will meet to identify students who meet these criteria and relevant information will be shared to assess what the issues are and how best to help the students address them. A Instructor will meet with the student and parent to implement, monitor, and measure the impact of any interventions.

- **Tutoring**
The Walatowa High Charter School offers several opportunities for students to seek tutoring. Individual Instructors may offer tutoring at their discretion.
Monday-Thursday: Lunch and After school tutoring is available.
Fridays from 8-12 AM are dedicated to intervention and tutoring.
- **Intervention Courses**
The Walatowa High Charter School has created courses to assist students who have identified weaknesses in academics. These courses will help develop the skills required to become successful in their current grade-level, based on the individual student's identified needs.
- **Parent Conferences**
Parents should regularly monitor their student's grades in Google Classroom/SKYWARD-NOVA. If a student is failing to make adequate progress, the parent should initiate contact with the manager to develop a plan for success. That plan should include available interventions and a plan for success.

Parents will be invited to attend Student Led Academic Conferences after Quarter 1 and Quarter 3 of each academic year. At these conferences, the student will present the quarter report card and graduation progress, as well as artifacts which represent the student's current course work. The student will present their best work, as well as work that could be improved. In addition to scheduled meetings, parents shall have the opportunity to arrange conferences with Instructors throughout the year. Parents may request a conference with an individual Instructor by contacting that manager through their email or leaving a message with the Executive Assistant and the Instructor to contact the parent. Parents may request a conference with all of the student's Instructors by contacting the Executive Assistant and setting up a date and time that is available. The Executive Assistant will, in turn, notify the Instructors of the conference. If the student's performance does not improve with the interventions put in place at such conferences, a SAT conference may be called to consider other interventions in which the focus is to provide targeted, supplemental, and individualized support at a more intense level.

Ongoing Expectation: All students will email parents grade checks every week and include progress updates. Parents/guardians will have access to Google Classroom/SKYWARD to check student grades and communicate questions to Instructors when necessary.

Tier 2

Academic Improvement Plan

An academic warning is an alert that a student is struggling and needs to work with their Instructors to raise their grades. A student is placed on an Academic Improvement Plan if, at a progress report or report card marking period, he/she has an NC in two or more core classes (English, math, science, or social studies). A letter will be sent home with the student and e-mailed to the family explaining the reason for the implementation of an improvement plan. The Executive Director designate , parents, and the student will meet to determine what steps need to be taken to increase grades.

Student Assistance Team (SAT)

Struggling students are referred to the student Assistance Team (SAT) which will develop an Academic Improvement Plan to address problems, design, recommend, and measure interventions that will help to alleviate or resolve the situation prior to referral for a multidisciplinary evaluation. In many cases, the SAT is able to assist students who need interventions in order to succeed. The SAT team, which includes the student, parents/guardians, Instructors, and the SAT Chairperson, will develop interventions which can be measured to rectify the behavior or to help the student develop the skills necessary for academic success. If the interventions have not been successful, the SAT team may request an educational evaluation to determine the existence of a learning or language issue.

Tier 3

The Walatowa High Charter School has an affirmative, ongoing, obligation to identify, locate and evaluate all students with disabilities within the WHCS community who either have or are suspected of having disabilities and may need special education services as a result of those disabilities. The Walatowa High Charter School personnel, a private or public agency or institution, or a parent may initiate a referral for a placement evaluation by contacting the Executive Director or designated SAT Coordinator to initiate the SAT process. Parents have the right to request an educational evaluation at any time. If you wish to request an educational evaluation of your student, please notify the SAT Chairperson so he/she can request a representative from the Special Services department be present at the meeting, to hear and understand parental concerns, explain the evaluation process, to propose and explain the types of testing to be conducted, to secure informed Consent to Evaluate, and to explain the parental rights in special education as they pertain to evaluation. Please note that federal regulations require that the data collected as a part of and prior to evaluation must include interventions and their outcomes.

Section 504

Section 504 is a federal civil rights law under the Rehabilitation Act of 1973. It provides protection against discrimination for individuals with disabilities and in the school setting it is designed to ensure equal access and fairness in general education which is accomplished through the implementation of a 504 Accommodation Plan. This plan is aimed at “leveling the playing field” for them through targeted accommodations carried out in the classroom/on school property/at school events. It is not a plan designed to enhance a student’s performance; it is only to provide fairness and equal access to education.

In the State of New Mexico, there are three required elements of Section 504:

The starting point for consideration of a 504 is with the student Assistance Team (SAT) who makes the initial decision as to whether or not the student needs to be considered for a 504 plan. When a student has not responded positively to research-based interventions through SAT and/or has a suspected physical or mental/emotional disability, SAT may refer them to the 504 Coordinator who will initiate the eligibility determination process.

The process of determining 504 eligibility begins with the coordinator making contact with the parent/guardian to complete a Parent/Guardian Input Packet and obtaining consent to collect data from a student’s Instructors and medical providers. Once the data has been collected, the 504 team, which includes the 504 Coordinator, parent/guardian, the student and at least two Instructors, will meet and review the information to determine if the student’s *impairment limits a*

major life activity, whether a mental life activity such as learning, or a physical life activity such as breathing or walking for example.

If there is evidence of impairment because of their physical or mental/emotional condition, this impairment must be *substantial*, not mild or moderate. *It must present a barrier to the student's ability to access the same educational opportunities as those afforded to a non-disabled student, or a substantial limitation does not exist.* Essentially, the substantial limitation determination indicates that the physical/mental/emotional impairment impacting a major life activity is at a disability level warranting 504 protection.

Parents/guardians may also bring questions or concerns about their student's need for an accommodation to the SAT team and/or 504 Coordinator in the first instance. Parents who have questions about 504 eligibility or concerns about their student's present 504 Plan should contact the 504 Coordinator.

Resource Class

The Walatowa High Charter School has Resource classes to provide students with special needs additional time and assistance to complete their program of studies. Interventions such as reading aloud and extended time to complete tests, quizzes, and assignments are coordinated with the Resource Instructor. The Instructor will also help students develop study, organizational, and self-advocacy skills, provide individualized tutoring, mentoring, and academic monitoring. Students must have an Individualized Educational Plan (IEP) and Resource Room must be on their Program of Studies to enroll.

Educational Services for Gifted students

The Walatowa High Charter School offers services to students who qualify as gifted through the Special Education program. For information on referral/screening procedures, eligibility requirements and program options, contact the Director of Special Education Services. Instructors and parents can refer students to the SAT Team for consideration and evaluation.

Alternative Education Setting

In the event that a student requires an Alternative Education Setting, Walatowa High Charter School is currently prepared with two options:

1. Upon entry into WHCS, all students are provided with a Chromebook and therefore are able to join both regular and special education classes via Google Meet and/or have access to recorded in class lectures and discussions. All assignments will be provided through WHCS Google Classroom where students are able to submit assignments. Interventions will be conducted through in-person and online tutoring. Students will be allowed to come on campus to meet with WHCS Instructors and Academic and SEL Counselor by scheduled appointments.
2. Students will be allowed to have an abbreviated school day reflected through an altered schedule. The schedule will be determined on a case to case basis.