



600 Eagleview Boulevard, First Floor  
Exton, PA 19341  
Phone: 1-877-570-1657  
484-615-6200  
Fax: 610-458-1202  
[www.achievementcharter.com](http://www.achievementcharter.com)

## Board of Trustees Resolution

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WHEREAS the Board of Trustees of Achievement House Cyber Charter School desires to comply with applicable state and federal laws and exercise its authority to promulgate policies for Achievement House Cyber Charter School;

NOW, THEREFORE, be it resolved that the Board of Trustees of Achievement House Cyber Charter School adopts the following policy:

### Behavioral Support Obligations Policy

Medicaid (MA) funded wraparound mental health services are available for students with disabilities for whom Achievement House Charter School has an obligation to provide a free appropriate public education (FAPE). Regardless of what services are available through MA, Achievement House Charter School acknowledges that it retains the obligation to guarantee its students with behavioral disabilities who need one-to-one support do not experience delays or gaps in service. The term "one-to-one support" means the individual support of an adult to address the behavioral needs of a student, over and above the individualized assistance that the child would normally receive from the teacher and other staff assigned to the child's class(es).

Some children need one-to-one support to address behavior problems that interfere with success in the regular education curriculum or success on IEP goals. When families agree and are eligible for MA, the school can often meet this need using the resources of the MA-funded mental health system- usually MA funds train individuals called Therapeutic Staff Support, or TSS, to help in the school setting. However, regardless of whether MA funded resources might be available, Achievement House Charter School retains the ultimate responsibility for assuring that children with disabilities are provided with an appropriate education, including, when necessary, one-to-one support.

Whenever an Individualized Education Plan (IEP) or §504 team formally determines that a child needs one-to-one support for all or part of a school day, the service must be listed on the child's IEP or service agreement. Achievement House Charter School will ensure there are no

delays or gaps in service delivery. Achievement House Charter School will not rely exclusively on the provision of a TSS by the MA system to meet its obligation to provide the one-to-one support needed to provide FAPE to its students. Moreover, Achievement House Charter School recognizes it is never appropriate to deny a student access to its services because of the unavailability of a TSS.

#### Guidelines for Including One-to-One Support on IEPs and Service Agreements:

The key question for the IEP and service agreement teams is whether the child needs

The key question for the IEP and service agreement teams is whether the child needs this degree of help to be maintained in the school setting, and to make meaningful progress in accomplishing his/her educational and behavioral goals. Again, if one-to-one support is needed, it must be listed on the IEP or service agreement, even if the family and the school expect that the support will be provided through MA.

Some sources of information for the teams are:

- The results of the child's functional behavioral assessment, and any other evaluations available to the teams, including evaluations from the child's mental health provider;
- Reports from the child's parents, teachers and other persons with information relevant to the child's behavioral needs;
- The child's past history in making meaningful progress in his or her educational program -including the child's progress toward socialization goals- without one-to-one support;
- The child's record of disciplinary offenses, including multiple short-term suspensions.

Students who are determined by their IEP or §504 teams to need one-to-one support must have a behavior goal as part of the child's IEP or service agreement. That plan of interventions to support the achievement of that goal must list the one-to-one support, and describe it with specificity: i.e., the plan must include a description of the educational and behavioral needs of the child that will be addressed; the amount of service that will be provided; and how progress will be measured. This information must be sufficiently complete to permit adequate collaboration and cooperation with a MA mental health agency, and to permit Achievement House Charter School staff to provide the one-to-one support as described in the IEP or service agreement if the TSS, or another non-staff, is or becomes unavailable.

To the extent that the child's treatment plan as developed by the MA mental health agency includes information that is pertinent to the child's educational needs, or coordination among Achievement House Charter School and MA personnel, that information should be included or, with the parents' consent, in the IEP or service agreement. The IEP or service agreement should also identify other agencies or persons not employed by Achievement House Charter School who will be involved with the provision of one-to-one support to the child; describe the role of each agency/ person in implementing the IEP goals; and describe the manner in which the TSS or other staff, and the teachers, aide(s) or other personnel, will coordinate their efforts.

In all cases in which the team anticipates that the needed one-to-one support will be provided by a TSS, the team will specify in the IEP or service agreement how Achievement House Charter School will ensure that the service is provided without gaps or delays - especially when the child is unable promptly to obtain the TSS through MA, or the TSS becomes unavailable. If appropriate, Achievement House Charter School will designate specific and sufficiently trained staff to provide the support, or develop a school-wide pool of adequately trained staff.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/ OR FEDERAL LAWS CONTROL.

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President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date