

DISABILITY NONDISCRIMINATION POLICY

A Child's Garden/Wee Lad & Lassie believes all children benefit from a high-quality preschool education and is committed to making its programs and activities available on a nondiscriminatory basis. A Child's Garden/Wee Lad & Lassie will not discriminate against any individual on the basis of disability, including children with developmental disabilities, with regard to the full and equal enjoyment of its programs, services and activities. A Child's Garden/Wee Lad & Lassie will make reasonable modifications for children with developmental disabilities, both applicants and those already enrolled, on a case-by-case basis, to permit them to participate in its programs, services, or activities, unless A Child's Garden/Wee Lad & Lassie can demonstrate that making the modifications would fundamentally alter the nature of its programs, services, or activities.

The programs will not exclude a child on the basis that the child poses a direct threat to the health or safety of others unless that risk cannot be eliminated by a reasonable modification of policies, practices, or procedures which does not require a fundamental alteration to the School's program or by the provision of auxiliary aids or services which do not require a fundamental alteration of the program.

A Child's Garden/Wee Lad & Lassie recognizes that children with developmental disabilities who participate in educational programs may require individualized assistance or reasonable modifications which do not require a fundamental alteration of the program to allow for participation in the most integrated setting and therefore one policy cannot dictate the particular protocol for all individuals.

Individualized Assessment and Reasonable Modifications

A Child's Garden/Wee Lad & Lassie will individually assess the needs of each child with disabilities, including children with developmental disabilities, on a case-by-case basis and work with families to provide reasonable modifications in accordance with this Policy and applicable laws. To this end, A Child's Garden/Wee Lad & Lassie will assess the level of assistance or supervision that is necessary to make a reasonable modification to allow for participation in the most integrated setting and to provide assistance that is appropriate and consistent with each child's needs. A Child's Garden/Wee Lad & Lassie may request additional information or guidance from the child's healthcare provider or parent(s) or guardian(s) as necessary. A Child's Garden/Wee Lad & Lassie shall not be deemed to be refusing to make a reasonable accommodation in the event the child's healthcare provider or parent(s) or guardian(s) refuses or fails to provide the additional information and/or the parent(s) or guardian(s) refuse or fail to cooperate with A Child's Garden/Wee Lad & Lassie regarding the reasonable modification.

If an agreement cannot be reached for A Child's Garden/Wee Lad & Lassie to provide reasonable modifications, A Child's Garden/Wee Lad & Lassie will notify the parent/guardian in writing of its final determination. The determination will document which modifications A Child's Garden/Wee Lad & Lassie will provide and which modifications it will not provide, demonstrating that the modification not provided would not be reasonable or would fundamentally alter the nature of its service, program, or activity.

If A Child's Garden/Wee Lad & Lassie denies, suspends, or terminates the enrollment of a child with a developmental disability, the determination will document the basis for the decision, demonstrating that the child poses a direct threat to the health or safety of others, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aides or services will mitigate the risk.

While parent(s) or guardian(s) of a child with a disability, including a child with a developmental disability, may submit a request for a reasonable modification at any time, to the extent possible, they are requested to notify A Child's Garden/Wee Lad & Lassie at the time of enrollment, or as soon as a need for a modification is known.

Request for Reasonable Modifications Process

The parents or guardians of children with identified disabilities may request reasonable modifications to the program's policies, practices, and procedures with respect to preschool services through the following process:

1. Complete the Parent/Guardian Request for Modification form provided on the school website. Provide copy of current IEP/IESP and submit documents to the program office.
2. The program will promptly consider all requests for reasonable modification of policies, practices, or procedures with respect to preschool services and will respond within 15 business days from the receipt of the request.
3. Upon receiving a request for a modification that the program does not promptly grant, the program will initiate a discussion with the parent(s) or guardian(s) to explore the modification(s) that may be needed. Following the discussion, the program may:
 - a. Grant the request; or
 - b. If more information is needed, make a narrowly tailored request for documentation relating to the child's disability and any necessary modification(s). For example, the program may request to meet with the child's IEP team, and/or seek additional medical information from the child's healthcare provider, or refer the family to outside services that may provide additional information and support services for the child.
4. If the program is considering denying, suspending, or terminating the enrollment of a child whose disability impacts behavior, on the basis that such child poses a direct threat to the health or safety of others, the program will conduct an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aides or services will mitigate the risk.

5. Before terminating the enrollment of a child with a disability based on behavioral or other concerns, the program will convene a meeting with the child's parent(s) or guardian(s) and, where applicable, the child's IEP team to determine if new or additional individualized supports or interventions to mitigate behavior or other concerns are reasonable.

6. After an individualized assessment is completed, if a request for a modification is denied, or if the program decides to deny, suspend, or terminate the enrollment of a child with a disability, the program will document each and every reason for the decision and shall submit that documentation to the parent(s) or guardian(s) and Lisa Buchy, Ed.D. (designated to review requests for modifications on behalf of the program).

7. The program will provide a response to a request for modification, in writing, no later than fifteen (15) business days from the date the request is received.

Designated Individual

Lisa Buchy, Ed.D. is designated as the individual who is authorized to receive and review requests for modifications to policies, practices, and procedures with respect to preschool services and for conducting individualized assessments in instances where the program is considering denying, suspending, or terminating the enrollment of a child whose disability impacts behavior. Dr. Buchy's contact information is achildsgarden2@verizon.net 410-647-2300 OR weeladlassie@verizon.net 410-647-2178

Training

If a child with a disability enrolls in any school term, session, or program, A Child's Garden/Wee Lad & Lassie will arrange Maryland State Department of Education approved training(s) for any staff who may be responsible for or may be working directly with the child with a disability that enables A Child's Garden/Wee Lad & Lassie to provide all care require to comply with applicable law, provided that staff shall not be required to repeat training each time a new child with an identified disability enrolls in a school term, session, or program if the relevant specific training has previously been completed by that staff member.

Submitting Requests for Modifications

All requests for modifications will be submitted via email to either achildsgarden2@verizon.net or weeladlassie@verizon.net for review by Lisa Buchy, Ed.D.