

ARCHITECTURE OF GRACE

IDEA & Special Education Law Crosswalk

Architecture of Grace is a relationship-centered SEL curriculum, K through adult, with an optional instrument layer and an IEP progress monitor. This crosswalk shows where the framework sits against IDEA, Section 504, FERPA and the Protection of Pupil Rights Amendment — what it may lawfully be used for, what it may not, and what a district owes before the first administration. The full analysis, with quoted regulatory text and the state overlay, is **Document 10 of the Master Documents Series**. *This is an alignment reference, not legal advice.*

What changed on August 26, 2026. The U.S. Department of Education's Student Privacy Policy Office issued a Dear Colleague Letter taking the position that a survey administered by a school official is *required* under PPRA, that instruments probing "emotional wellbeing, internalized distress, social interactions" fall inside the protected category of *mental or psychological problems of the student*, and that **"the opt-out provisions in PPRA do not apply as a way of securing parental consent."** It is sub-regulatory guidance and its reading of the statute is contested. **This framework treats it as binding on its instrument layer anyway**, and recommends districts obtain written parental consent. Document 10, Chapter 8 sets out the contest in full.

The Separation Principle · three objects, three regimes

Object	What it is in the product	Governed by	Consent posture
The curriculum	Six books K–adult, lessons, anchor charts, scenario decks, worksheet packs, autism-adapted sets, Home Editions, Talk It Out, Quiet Space	Instruction. Board curriculum-adoption policy. PPRA's instructional-materials <i>inspection</i> right — satisfied by publishing the material.	None required. Curriculum exemption on request.
The academic probes	Thirty interactive activity pages — mathematics, number concepts and data, science vocabulary — each with an item-by-item record	Academic assessment. Expressly outside PPRA's "instructional material" definition, 20 U.S.C. 1232h(c)(6)(A), and inside the (c)(4)(A) tests-and-assessments exception.	None required.
The instrument layer	The nineteen-statement self-reflection, Daily Check-In, School-Day Exit Slip, Home Check-In, Home Observations, adult team check-in, This Is Me	PPRA protected-information survey; IDEA screening under 34 CFR 300.302.	Written consent, in advance, with the questions attached.

The curriculum runs with the instrument switched off. Every lesson, chart, card, worksheet and activity page functions without a single student answering a single reflection statement. That is not a talking point — it is the architectural fact the whole compliance position rests on, and a district should verify it before adopting.

IDEA · what the framework may and may not do

Provision	What it requires	Where the framework sits
300.302 · Screening is not evaluation	Screening by a teacher "to determine appropriate instructional strategies for curriculum implementation" is not an evaluation.	The shield the check-in relies on. Purpose-bound: lost the moment the instrument is run on one suspected child, or read for eligibility, IEP content, or whether a behaviour plan is working.
300.300(d)(1) · Consent exception	No consent needed to review existing data, or to administer something given to <i>all</i> children.	Check-in history, Daily Log, exit-slip patterns and probe records are existing data under limb (i) — the correct doctrinal home. Limb (ii) is not relied upon where a district runs consent for everyone.
300.111 · Child find	Suspicion triggers the duty, "even though they are advancing from grade to grade."	A flag is knowledge, and knowledge starts the clock. A flag is a reason to ask, never a finding — and screening data may not be used to <i>delay</i> an evaluation either (OSEP Memo 11-07).
300.304(b)(2) · Single-measure bar	No single measure as sole criterion for eligibility and for determining an appropriate educational program.	The trailing clause governs goal-writing. No goal is emitted from the instrument alone. Team-entered, multi-source data is the only defensible basis.
300.304(c)(1)(iii)–(v) · Validity for purpose	Instruments used only for purposes for which they are valid and reliable, by trained personnel, per the producer's instructions.	A duty that runs to the publisher. Disclosure below.
300.305(a)(1) · Existing data	Review of "current classroom-based ... assessments, and classroom-based observations" and "observations by teachers."	Where this framework's data legitimately belongs. Contributory, never determinative.
300.320(a)(3) · Progress reporting	How progress toward annual goals will be measured, and when periodic reports are provided.	The framework's strongest ground. Dated measurements, baseline, target, aimline, four-point decision rule, periodic report concurrent with report cards. No consent question; no validity question.
300.503(a)(2) · Prior written notice	Notice owed when an agency <i>refuses</i> to evaluate — and it must describe what the agency relied on.	The most commonly missed notice in child find. The framework's disclosure below is what lets a district write a compliant one.
300.502 · Independent evaluation	A parent who disagrees with the agency's evaluation may seek an IEE at public expense.	The trap: a district that calls the screener its evaluation must fund the IEE <i>and</i> cannot defend its own instrument, because 300.302 says a screening is not an evaluation.
300.530(d)(1)(ii), (f) · FBA / BIP	An FBA is required on a disciplinary change of placement, "as appropriate," and where conduct is a manifestation.	Not triggered by a screening flag; no BIP is a standard IEP component; 300.324(a)(2)(i) says <i>consider</i> . But an FBA, when done, is an evaluation — and reviewing behaviour data to revise an IEP's supports is a reevaluation requiring consent (OSEP, <i>Letter to Sarzynski</i> 2008, <i>Letter to Gallo</i> 2013).

The publisher's disclosure under 34 CFR 300.304(c)(1)

- **What it is.** A nineteen-statement self-report reflection across three domains — Emotional Regulation & Well-Being, Self-Compassion & Growth Mindset, Social Competency & Repair. Eighteen are scored. Item 19 is asked and displayed, contributes to no domain and no composite, and exists to raise a safety flag.
- **Valid for.** Instructional planning at class and individual level: what to teach next, which competency to emphasise, which student to have a conversation with.
- **Not valid for, and not offered for.** Determining disability, disability category, eligibility, or placement. Serving as the sole basis for any IEP goal, present level or service decision. Diagnosis of any kind.
- **Independent validation status. The instrument has not been independently validated.** It is disclosed as such here and everywhere the framework describes it.
- **Who may administer it.** Any teacher, for instructional screening. *Nobody*, for evaluation purposes — 300.304(c)(1)(iv) requires trained personnel for an evaluation instrument, and this is not one.

Records · FERPA and Part 300 Subpart F

Provision	What the framework does about it
34 CFR 99.3 · sole possession	The framework does not claim it. The observation log syncs, prints into a meeting brief, and feeds the charts — each of which independently defeats the exclusion. Treat everything recorded as an education record by default.
99.31(a)(1) · school official	Requires the agency's direct control over use and maintenance of records. Where the optional sync carries identifiable student data, the destination spreadsheet must be district-owned , inside the district's domain and data agreement. An educator's personal spreadsheet is for de-identified practice data only.
300.613 · inspect and review	Records must be producible within 45 days, and before any IEP meeting or hearing. The framework's export and print paths exist to make that possible from the teacher's own computer.
300.623 · safeguards	One named official; training; an access list maintained for public inspection. A district configuration decision, made once, in writing.
300.624 · destruction	Destroyed at parental request. The framework's removal is symmetric with its backup, so nothing survives a deletion in a file restored later.

Section 504 · the parallel duty

Provision	Effect
104.35(c)(1)	More hospitable than IDEA: "teacher recommendations," "social or cultural background, and adaptive behavior" are named sources. A documented check-in pattern is a legitimate input among several.
104.35(b)(1)	Stricter word: materials must be validated for the specific purpose. The instrument is not, and says so — so it may inform a 504 team, never function as evaluation material.

Provision	Effect
104.35(a)	Evaluation required before any significant change in placement . Using a flag or band to move a student's setting or supports without the group process is a 504 violation on its own.

Before the first administration · the seven-item check

1	Written consent obtained, with the nineteen statements attached, not summarised , in the family's language, at least fourteen days ahead.
2	Four boxes separated on the form: the curriculum · the reflection · the individual record · the sync.
3	An alternative activity prepared that does not identify who declined. A child must not be able to tell that their family said no.
4	The sync destination is a district-owned spreadsheet under the district's data agreement — or the sync is off.
5	One named official under 300.623(b), and the access list maintained for public inspection.
6	Retention set to the number this state requires. Illinois: five years, as a temporary record. Louisiana: destruction within thirty days.
7	The response pathway named in writing: who owns a trusted-adult flag, who owns a self-protection flag, and by when. Do not screen more students than the building can follow up with.

Eight states sit above the federal floor. Utah, Texas, Arizona, North Carolina, Louisiana, Iowa, Montana and Kansas each require more than PPRA does — advance copies of the questions, fixed notice periods in days, per-violation penalties, or fixed destruction windows. Illinois requires *less* (105 ILCS 5/2-3.203 specifies an opt-out) and therefore sits directly on the federal floor, where the August 2026 letter lands hardest. Document 10, Chapter 13 is the map. Counsel should read it against current state text before adoption.

Regulatory text quoted from the U.S. Code and Code of Federal Regulations in force on September 2, 2026. Framework and standard titles belong to their respective owners; all descriptions are Architecture of Grace's own. This crosswalk is an alignment reference and is not legal advice; it creates no attorney-client relationship and is not a warranty of compliance with any state's law. Review with district counsel before adoption. · **Architecture of Grace — SEL built by a teacher, for real classrooms.**