

SPECIAL EDUCATION AND RELATED SERVICES FOR ELIGIBLE STUDENTS

The district recognizes that students whose disabilities adversely impact educational performance and who require specially designed instruction can improve their educational performance when they receive special education and related services tailored to fit their needs. The district adopts the state's full educational opportunity goal to provide students in need of special education services with a free appropriate public education.

Special education programs for students eligible for special education will be an integral part of the general educational programs of this district, and will be operated in compliance with federal and state requirements governing special education. The district will provide a continuum of placement options which may include services within and outside the district depending on the student's needs.

Not all students with disabilities are eligible for special education services. The needs of those students will be addressed individually and if, appropriate, the student will be provided accommodations or modifications required under Section 504 of the Rehabilitation Act of 1973 in accordance with district policy and procedures.

Mediation or Resolution Agreements

The board authorizes the superintendent or a designee to bind the district to a mediation or resolution agreement.

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Commencement Exercises/Certificate of Attendance

In order to participate in commencement exercises, students must have met the minimum criteria for graduation prior to the date of the exercise and otherwise be in good standing with their school through the commencement date. Minimum criteria for participation may be adjusted for students with an Individualized Education Program (IEP) whose disabilities have impacted their opportunity to accumulate credits. Each student's IEP team will determine the student's graduation plan, including graduation date. Students with an IEP who have attended four years of high school and need additional time to complete IEP goals and/or credits may request participation in commencement exercises. Students with an IEP will receive a certificate of attendance until they complete their credits for graduation.

The district superintendent will develop and maintain special education procedures necessary to implement this policy. This policy and the procedures will be available to the public.

Cross-References:

Board Policy 2162 Education of Students with Disabilities under Section 504

3231 Student Records

3241 Classroom Management, Corrective Actions or Punishment

Legal References:

RCW 28A.605.020 Parents' Access to Classroom or School Sponsored Activities

28A.155 Special Education

49.60 Law against Discrimination

WAC 392-172A Rules for the Provision of Special Education

20 U.S.C. 1400 et seq. Individuals with Disabilities Education Improvement Act of 2004

42 U.S.C. 12131-12133 Americans with Disabilities Act of 1990

28 CFR Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services

34 CFR Part 99 Family Education Rights and Privacy Act (FERPA)

29 U.S.C. 794 Section 504 of the Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1974, Pub. L. 93-516, 29 U.S.C. 794

34 CFR Part 104 Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from federal financial assistance

34 CFR Part 300 Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities

34 CFR Part 303 Early Intervention Program for Infants and Toddlers with Disabilities

Management Resources:

Policy News, December 1999 Rule Adoption Leads to Special Education Policy

Policy News, June 2007 Graduation Ceremonies for Special Education Students

Policy News, December 2007 Updated Special Education Policy and Procedure

Policy News, October 2009 Special Education Rules Revisions

2014 - June Issue

2016 - March Issue

2021 - December Issue

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Nespelem School District

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