
Provision of Special Education
And Related Services
Policy 3-402

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Revised on: N/A

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The policies are developed in collaboration with the Small School Districts' Association for general informational, educational and procedural purposes only and are not intended to constitute legal advice for any specific situation.

Scope:

The District must provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside within the District.

District is committed to providing special education services and related services to those individuals with disabilities after the regular education program has been considered and utilized to the extent possible.

District is a part of a special education local plan area ("SELPA") that administers the local plan for special education services and the allocation of funds for special education services. District will participate in and support the operations of the local SELPA to ensure coordination and resource access.

1. Child Find Obligations

The District must identify, locate, and evaluate all children with disabilities residing within the District's jurisdiction who may be eligible for special education and related services. The District shall implement child find activities consistent with state and federal law to ensure that eligible children are identified and referred for assessment in a timely manner.

- Identification and Referral

The Superintendent or designee shall establish procedures to identify, locate, and refer for assessment children who are suspected of having a disability and who may require special education and related services. Child find activities shall apply to all eligible children, including those who:

- o Are enrolled in District schools;
- o Attend private schools located within the District's boundaries;
- o Are highly mobile, migrant, homeless, or foster youth;

Purpose

Every district that provides special education services to its students must adopt policies for the programs and services it operates and/or provides.

The Governing Board of the District recognizes its legal responsibility to provide a free appropriate public education (FAPE) in the least restrictive environment (LRE) to all students with disabilities.

The Governing Board of the District is committed to ensuring that all students with exceptional needs are provided a free appropriate public education (FAPE) in accordance with state and federal law. This includes delivering special education instruction and related services as defined in the Education Code and the Individuals with Disabilities Education Act (IDEA).

- o Attend charter schools for which the District has child find responsibilities;
 - o Are advancing from grade to grade but are suspected of having a disability; or
 - o Are preschool-aged children residing within the District's jurisdiction.
- Assessments

When the District has reason to suspect that a child has a disability and may require special education services, the Superintendent or designee shall ensure that the child is referred for assessment in accordance with applicable law. Assessments shall address all areas of suspected disability and shall be conducted within legally required timelines.

2. Program and Services Offered

District provides special education and related services to students with exceptional needs in the least restrictive environment. The services shall be delivered:

- According to the individual needs identified in each student's individualized education program ("IEP").
- By appropriately credentialed, licensed, or otherwise qualified personnel to deliver all components of special education services.

District shall provide program options, as required by law to meet the needs of its students. The program and services offered shall provide special education students with a Free and Appropriate Public Education ("FAPE") as required by law.

3. SELPA

Through the District's participation in the SELPA, the District shall have a written agreement with the SELPA. The District shall comply with the Local Plan developed by the SELPA to assure general compliance with Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Act ("IDEA") and the Americans with Disabilities Act ("ADA").

Administrative Regulations

1. Personnel Requirements

- **Instructional Staff**

- Special education instruction shall be delivered by credentialed teachers authorized to provide instruction to students with exceptional needs.

- **Related Services Providers**

- Services such as speech therapy, occupational therapy, and counseling shall be provided by individuals holding the appropriate state credentials, licenses, or certifications.

- **Assignment Limitations**

- Staff providing special education services shall not be assigned to general education duties concurrently, unless appropriately authorized and included in the IEP.

2. Program Implementation

- **Service Delivery**

- Services shall be based on the IEP and may be delivered in general education classrooms, resource rooms, special day classes, or other approved settings.

3. Least Restrictive Environment (LRE)

- The District shall ensure, to the maximum extent appropriate, that students with exceptional needs are educated with nondisabled peers and removed from general education settings only when necessary.

4. IEP Process (See Policy 3-402a for additional detail)

- **Development and Review**

- IEPs shall be developed by multidisciplinary teams in accordance with the law and shall be reviewed at least annually.

- **Documentation**

- The District shall maintain detailed records of the services provided, student progress, and communications with parents/guardians.

- **Progress Monitoring**

- Special education staff shall regularly monitor student progress and adjust instruction and services as needed in consultation with the IEP team.

5. SELPA Coordination

- The Superintendent or Special Education Director shall provide the Governing Board with an annual report identifying the number of students receiving special education and related services, consistent with the SELPA reporting schedule and state and federal data requirements.
- The District shall comply with the SELPA's local plan and collaborate with SELPA personnel to ensure program quality and compliance.