

Board Policy Document

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## EDUCATIONAL PROGRAMS

### *Series 600*

**Policy Title:** Special Education

**Code Number:** 602.5

The Board recognizes some students have different educational needs than other students. The Board shall provide a free appropriate public education program and related services to students identified in need of special education. The special education services will be provided from birth until the appropriate education is completed, age twenty-one or to maximum age allowable in accordance with the law. Students requiring special education shall attend general education classes, participate in non-academic and extracurricular services and activities and receive services in a general education setting to the maximum extent appropriate to the needs of each individual student. The appropriate education for each student shall be written in the student's Individualized Education Program (IEP).

Special education students must meet the requirements stated in board policy or in their IEPs for graduation. It is the responsibility of the Superintendent and the Area Education Agency Director of Special Education to provide or make provisions for appropriate special education and related services.

The public education system is required to provide comprehensive special education services to qualifying children from birth through age two and to children ages three through age five. The District shall work in conjunction with the Area Education Agency to provide services at the earliest appropriate time to children with disabilities from birth through age two. This shall be done to ensure a smooth transition of children entitled to early childhood special education services.

First Adoption: February 12, 1985  
Revision Adoption: December 17, 1996/December 18, 2001/January 14, 2003  
Legal Reference: Iowa Code Chapters 256B; 273.1, .2, .5, .9(2)-(3); 280.8;  
279.9B; 280.24; 622.10 (1999)

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**Least Restrictive Environment**

The Board recognizes that most students with disabilities have greater similarities to non-disabled students than they have differences and should be educated with, or in close proximity to, the regular school programs, to the benefit of all students.

Therefore, to the maximum extent appropriate and as stated in each student's IEP, students with disabilities shall be educated with students who are non-disabled. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes, with the use of supplementary aides and services, cannot be achieved satisfactorily.

**Facilities for Special Education Classes**

The Board recognizes that the very nature and location of facilities utilized for special education programs can stigmatize and negatively affect the integration of students with disabilities into the mainstream of the student body.

Therefore, it shall be the District's policy that special education classes will be conducted in classrooms that are at least equal in all physical respects to average standards for the rest of the school.

Further, such facilities will be located so as to maximize the interaction of such students into the life of the school and minimize separation, stigmatization and unnecessary grouping of special education classes and students.

**Program and Building Accessibility**

The Board recognizes the civil rights of persons with disabilities are denied when they are refused the opportunity to participate in programs and activities solely on the basis of the disability.

Therefore, no person with a disability shall be denied the benefit of, be excluded from participation in, or otherwise be subjected to discrimination, on the basis that the District's facilities and/or programs are inaccessible to or unusable by the person with the disability.

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### **Referral–Placement**

The Board recognizes that students suspected of having disabilities should be referred for evaluations. In the event that a full and individual evaluation is needed, all areas of evaluation must be completed prior to determining a student's eligibility for special education services.

### **Individualized Education Program**

All present or proposed special education services of an instructional nature provided to any student qualifying for such services shall be based on a written Individualized Education Program (IEP) for each eligible student.

### **Procedural Safeguards**

The Board recognizes that parents and their children with disabilities have certain rights that are protected under Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973.

The Procedural Safeguards and Due Process Procedure adopted by this Board shall constitute the guidelines to be followed by this District in protecting the rights of students with disabilities and their parents. These procedures will reflect the procedural safeguards developed at the State level, which comply with Federal requirements.

### **Contracting for Special Education Instructional Services**

If a student's disability is so unique, or for other legitimate reasons it is determined that an appropriate program is not and will not be available within the District, the appropriate services, upon proper identification, diagnosis and staffing procedures, will be secured for the student by contracting for such services from another District or private agency, within state or out-of-state.

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### **Special Education Procedures**

The Board recognizes that procedures and processes for special education students must be in compliance with both state and federal regulations. Since these regulations may be modified, it is understood that the District will adopt any revised procedures and processes to comply with future changes. In such event (present and future) the operations procedures followed by the District will be those developed in conjunction with Western Hills Area Education Agency 12, and will include the completion of such forms that are developed to carry out these policies and procedures.

### **Special Education Services to Non-Public Schools**

The Board recognizes that students in need of special education services also attend non-public schools. Whenever possible, as provided under the Code of Iowa, the District will cooperate with the non-public schools in the provision of special education services.

### **Special Health Services**

The Board recognizes that some special education students need special health services during the school day. These students shall receive special health services in conjunction with their individualized education program.

The Superintendent, in conjunction with licensed health personnel, shall establish administrative regulations for the implementation of this policy.

### **TRANSITION FROM PART H TO PART B SERVICES**

In keeping with the Sioux City Community District's commitment to provide a seamless system of special education services for children from birth through twenty-one years of age, children from birth through two, and children three through five years of age shall be provided comprehensive special education services within the public education system.

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