

### **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 educational performance when they receive special education and related service tailored to fit their needs.

Special education programs for students eligible for special education shall be an integral part of the general education programs for this district, and shall 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 medications required under Section 504 of the Rehabilitation Act in accordance with district policy and procedures.

Each eligible special education student in the District will be afforded a full education opportunity. This goal will be met consistent with the state's goals through ensuring the provision of a free appropriate public education, complying with state and local procedures, and improving performance goal indicators.

The District shall comply with state and federal requirements for special education. The Superintendent shall develop procedures consistent with state and federal laws and rules to implement the following:

- free appropriate public education;
- confidentiality of personally identifiable information;
- identification, evaluation, eligibility and reevaluation;
- participation in assessments;
- development of individualized education program (IEP) and placement;
- participation in regular education, least restrictive environment (LRE);
- procedural safeguards;
- parent participation;
- transition from Part C to Part B services for preschool children;
- private school students unilaterally placed by parents;
- staff qualifications and personnel development and
- program administration and evaluation.

The Superintendent shall develop procedures to implement this policy, as directed by federal regulation (34 CFR 300.220). This policy and procedures shall be consistent with the state's special education regulations and filed with the Office of the Superintendent of Public Instruction.

Not all students with disabilities are eligible for special education services. The needs of each student will be addressed individually and provided appropriate accommodations or modifications required under Section 504 of the Rehabilitation Act, Title II of the Americans with Disabilities Act, and the Washington laws against discrimination.

#### Free Appropriate Public Education

The District shall provide all eligible students with disabilities age three (3) to twenty-one (21) with a free appropriate public education which consists of special education necessary related services, and supplemental aids and services, provided:

1. at public expense, under local school district supervision and direction;
2. in compliance with the standards of the state educational public agency;
3. to include preschool, elementary and secondary educational opportunities and
4. in conformity with an individual education program (IEP) which meets the requirements of special education rules.

Such educational support services may extend beyond the traditional 180 day school calendar if necessary to provide an individual eligible student with a free appropriate public education.

#### Confidentiality of Personally Identifiable Information

In addition to complying with the District's policies and state and federal law on the confidentiality of all student records, the Superintendent is directed to develop procedures to implement confidentiality requirements that are consistent with state special education rules. This includes informing parents of students or eligible students of their right to confidentiality, at least annually, through appropriate notice.

#### Identification, Evaluation, Eligibility and Reevaluation

##### Childfind

The District shall develop and implement awareness and screening activities for the purpose of locating, identifying and evaluating all resident students enrolled in school or not who are suspected of having disabilities and are in need of receiving special education and related services. These procedures shall encompass students ages birth through twenty-one, regardless of the severity of their disability, who reside in the District, including those attending public and private agencies and institutions, and religious schools.

The District's procedures shall also include methods for conducting childfind activities including methods to determine which students are not currently receiving needed special education and related services. The procedures shall include methods to locate students who are highly mobile and students suspected of being a student with a disability and in need of services even though they are advancing from grade to grade. Childfind procedures shall be developed in consultation with appropriate representatives of private school students.

#### Evaluation and Eligibility

The District shall develop evaluation procedures that are consistent with state and federal requirements, including: referral, evaluation methods and timeline(s), areas of evaluation, periodic review, evaluation safeguards, reporting and documenting the determination of eligibility and independent educational evaluation.

#### Reevaluation

The District shall develop reevaluation procedures that are consistent with state and federal requirements, including general requirements, purposes, notice of results, procedures for appropriate identification and classification and procedures for determining continuing or additional needs for special education and related services.

#### Development of IEP and Placement

##### Development of IEP

The District shall develop procedures for implementing the IEP requirements for each student that are consistent with state and federal regulations, including methods for updating each IEP at least annually and appropriate inclusion of eligible students in local and state assessment programs.

##### Placement

The District shall develop procedures for implementing state and federal requirements regarding the delivery of special education services including: least restrictive environment, nonacademic and extracurricular services, alternative service delivery options, placement considerations and annual review, initial placement, evaluation of IEP, preschool services, District initiated placements, transition of preschool students from Part C to Part B services, and placements paid for at public expense.

The District shall also develop procedures to determine the services provided to students unilaterally placed in private schools by their parents. The procedures shall include consultation with appropriate representatives of private school students to determine the number of unilaterally placed

students, the needs of students and their location, so that it can be decided which students will receive services, what services will be provided, how and where services will be provided and how services will be evaluated.

### Procedural Safeguards

The District shall develop procedures for implementing procedural safeguards for parents and students consistent with state and federal requirements that include notice relating to informed parental consent, assessment (protection in evaluation procedures), confidentiality, opportunity to examine records, prior notice, independent educational evaluation, impartial due process hearing, surrogate parents, discipline, attorney's fees, mediation and citizen complaints.

### Personnel Development

The District recognizes the importance of qualified staff in delivering appropriate educational services to special education students. The Superintendent shall develop procedures for the implementation of a district plan for hiring and staff development for administrators, teachers and support personnel. Such a plan shall be complementary to the statewide plan for Comprehensive System of Personnel Development, which includes:

- 1) the inservice training of general and special educational administrative, instructional and support personnel to insure that they are appropriately and adequately prepared and trained;
- 2) effective procedures for acquiring and disseminating to teachers and administrators of programs for special education students significant information derived from educational research, demonstration and similar projects and
- 3) procedures for adopting promising practices.

### Program Administration and Evaluation

#### Program Administration

The District shall develop procedures for implementing the administrative requirements contained in state and federal regulations including: full educational opportunity, public control, use of funds including excess cost nonsupplanting, and maintenance of effort, comparable services, information reports and records, public participation, transportation, program coordination, construction and comparability of facilities, program length, health or safety, transition to preschool, aversive interventions, disciplinary exclusions, and citizen's complaint process.

### Evaluation

The District shall develop procedures for updating, at least annually, the effectiveness of individualized education programs in meeting the educational needs of special education students, including parent/family involvement in the evaluation process. Students eligible for special education and related services shall be re-evaluated every three years in accordance with state and federal requirements. A reevaluation for students eligible for special education and related services must occur at least once every three years, unless parent(s) and school staff agree that a reevaluation is unnecessary.

### 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 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. IEP students 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. IEP students will receive a certificate of attendance until they complete their credits for graduation.

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

### Mediation or Resolution Agreements

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

Legal Reference:	RCW 28A.155	Special Education
	WAC 392-172A	Rules for Provision of Special Education Programs
	20 USC 1400-1491	IDEA (1997 Individuals with Disabilities Improvement Education Act of 2004)
	34 CFR 99.1-99.67	Family Education Rights and Privacy
	34 CFR 104.1-104.61	Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from federal financial assistance
	34 CFR 300.1-300.754	Assistance to Education of Children with

Disabilities Program, Part B  
34 CFR 303.1-303.67 Early intervention for infants and toddlers  
with disabilities, Part C

Bremerton School District

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