

Tucson, Arizona

GOVERNING BOARD POLICY

POLICY TITLE: Exceptional Education Programs

POLICY CODE: IHB

LEAD DEPARTMENT: Exceptional Education

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SPECIAL INSTRUCTIONAL PROGRAMS

A long-range plan will be the basis for providing special education services for students with exceptional needs and education requirements. These services may include specialized programs, personnel, facilities, materials, and equipment needed to promote the individual physical, social, intellectual, and emotional growth of exceptional students.

The Superintendent shall develop procedures that provide educational opportunities for individuals with disabilities and that shall accomplish District compliance with federal laws including the Individuals with Disabilities Education Act (IDEA), the Arizona revised statutes, and the lawful regulations of the State Board of Education. Such procedures shall include, but not be limited to, the following provisions:

A. The District will ensure that all children with disabilities aged, between the age of birth (0) through twenty-one (21) years, within the District's jurisdiction are to be identified, located, and evaluated within the boundaries of the District, including children with disabilities who are homeless or wards of the state, and children with disabilities attending religious or private schools or home schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located, and evaluated.

B. A free appropriate public education (FAPE) shall be available to all children with disabilities aged three (3) through twenty-one (21) years within the District's jurisdiction, including children advancing from grade to grade, those who have been suspended or expelled from school in accordance with the applicable IDEA rules and regulations, and any child with a disability the District has placed in or referred to a private school or facility. The District may refer to and contract with approved public or private agencies as necessary to ensure the provision of FAPE for children with disabilities. FAPE for an eligible student with a disability shall extend through conclusion of the instructional year during which the student attains the age of twenty-two (22).

C. A full and individual initial evaluation encompassing existing and additional data shall be will be conducted for each child to determine if the child is a child with a disability and the educational needs of the child by the public education agency before the initial provision of special education and related services to a child with a disability in accordance with 34 C.F.R. 300.300–300.311 of the IDEA regulations. A reevaluation

of each child ~~shall~~with a disability will be conducted ~~at least~~by the public education agency in accordance with 34 C.F.R. 300.300–300.311 of the IDEA regulations.
~~every third year.~~

~~A~~D. Procedures for child identification and referral shall meet the requirements of the IDEA and its regulations, A.R.S. Title 15, chapter 7, and its regulations, and the State Board of Education rules R7-2-401.

E. The District shall ensure that an individualized education ~~plan~~program (IEP) shall ~~be~~ developed and implemented for each eligible child served by the District and for each eligible child the District ~~places~~ in or ~~refers~~referred to a private school or facility ~~by the District in accordance with 34 C.F.R. 300.320 – 300.325 of the IDEA regulations.~~ An IEP or an individualized family service plan (IFSP) will be in place for each child with a disability prior to the provision of FAPE.

~~F.~~ F. To the maximum extent appropriate, opportunities for the least restrictive ~~setting,~~environment, inclusion in educational exercises with regular program students, and for interaction with the total school environment will be provided to exceptional students, the exception to be only when the ~~student's~~student's condition, with supplementary aids and services, make such regular class education unsatisfactory: in accordance with 34 C.F.R. 300.114 – 300.117 of the IDEA regulations.

~~All required~~G. The District shall establish, maintain, and implement procedural safeguards ~~must be guaranteed to the exceptional students and their parents. The parents that meet the requirements of 34 C.F.R. 300.300 – 300.311 of the IDEA regulations.~~ Parents will be provided with notices of procedural safeguards in each specified instance and all due process conditions will be satisfied with respect to the provision of a free appropriate public ~~education.~~ education.

~~H.~~ H. The District ~~shall follow~~will ensure that protection of the established state and federal standards to protect the confidentiality of ~~personally~~any personal identifiable data, information ~~at the collection, storage, and records collected or maintained by the District will be in accordance with 34 C.F.R. 300.611-300.627.~~ disclosure, and destruction stages.

~~I.~~ I. To the extent essential to provide FAPE to children with disabilities aged three (3) through twenty-one (21), extended school year (ESY) services shall be made available and implemented as necessary.

~~J.~~ J. Criteria for the graduation of exceptional students, including accomplishment in reading, writing, and mathematics, shall be as specified in the District policy on graduation requirements. Such standards shall be equivalent to or greater than those established by the State Board of Education.

~~Not~~ K. Not later than March 1 of each year conduct a review of the reasonable and

acceptable ratio of students per teacher for each disability category. The applicable ratios shall be specified in a regulation accompanying the District policy on class size.

~~L.~~ The discipline of exceptional students, and unevaluated students suspected of having a qualifying disability, is to be conducted in such a manner as to comply with FAPE and requirements of ~~the~~ IDEA.

A child with a disability may be disciplined for a violation of the student code of conduct, including removal from his or her current placement to an appropriate interim alternative education setting, another setting, suspension, or expulsion in accordance with IDEA Regulations 34 C.F.R. 300.530 through 300.536.

For the purpose of this policy as it relates to a child with a disability, home school district means the school district in which the person resides who has legal custody of the child as provided in A.R.S. 15-824. If the child is a ward of the state and a specific person does not have legal custody of the child or is a ward of this state and the child is enrolled in an accommodation school pursuant to A.R.S. 15-913, the home school district is the district the child last attended or, if the child has not previously attended a public school in this state, the school district within which the child currently resides.

The Superintendent is authorized and directed to establish procedures for the development and administration of the necessary programs, and to document District compliance with the law and this policy. Such procedures will be made available to staff members and to parents as necessary to enhance compliance.

~~Policy Code IHB—Exceptional Education Programs 5-13-08-3~~

Adopted: ~~May 13, 2008~~ date of Manual adoption

Revision:

Review:

LEGAL REF.: ~~A.R.S. 15-761~~

~~15-763~~

~~15-763.01~~

~~15-764~~

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~~15-771~~

~~15-773~~

~~15-881~~

~~15-1181 to 15-1185~~

~~15-1201 to 15-1205~~

~~36-555~~

~~A.A.C. R7-2-401~~

~~R7-2-402~~

~~R7-2-403~~

~~R7-2-405~~

~~R7-2-601~~

~~R7-2-602~~

R7-2-603

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

CROSS REF:

Replaces TUSD Policy # 6800 – Special Education LEGAL REF.:

A.R.S.

15-761

15-761.01

15-763

15-763.01

15-764

15-765 to 15-769

15-771

15-773

15-881

15-1181 to 15-1185

15-1201 to 15-1205

36-555

A.A.C.

R7-2-401

R7-2-402

R7-2-403

R7-2-405

R7-2-601

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20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

34 C.F.R. Part 300

CROSS REF.:

IIB - Class Size

IKE - Promotion and Retention of Students

IKF - Graduation Requirements

JKD - Student Suspension

JKE - Expulsion of Students

JR - Student Records