SPRING-FORD AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: SPECIAL EDUCATION

ADOPTED: March 25, 1991

REVISED: March 26, 2012

113. SPECIAL EDUCATION

1. Purpose Title 22 Sec. 4.28, 12.1, 12.4, 14.102, 14.104 34 CFR Sec. 300.1	The district shall offer each student with a disability education programs and services that appropriately meet the student's needs for educational, instructional, transitional and related services. A student who requires special education shall receive programs and services according to an individualized education program (IEP). The IEP shall provide access to the district's general curriculum and participation in state and local assessments, including supplemental aids and services that permit the student to be educated, to the maximum extent appropriate, with nondisabled peers. The district shall provide a continuum of placement options to appropriately meet the needs of students with disabilities.
2. Definitions SC 502 Title 22 Sec. 14.101 20 U.S.C. Sec. 1401 34 CFR Sec. 300.8 Pol. 103.1	**Students with disabilities** - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services. School-aged children who have identified disabilities but do not require special education may be entitled to accommodations or services or to enroll in courses of study in the district which serve students with disabilities pursuant to other law or Board policy.
Title 22 Sec. 14.131 34 CFR Sec. 300.320-300.324	**Individualized Education Program (IEP)** - the written educational statement for each student with a disability that is developed, reviewed and revised in accordance with federal and state laws and regulations.
20 U.S.C. Sec. 1401 34 CFR Sec. 300.30	**Parent/Guardian** - for purposes of this policy and Board policies related to special education, parent/guardian shall have the definition of parent in IDEA statute and regulations, which includes a biological or adoptive parent of a child; a foster parent, unless prohibited by state law or regulations; a guardian authorized to act as the child's parent, in accordance with law or regulations; an individual acting in the place of a parent, including a grandparent or other relative, with whom the child lives or an individual legally responsible for the child's welfare; or an appointed surrogate parent, in accordance with law and regulations.

3. Authority SC 1372 Title 22 Sec. 4.28, 12.1, 12.41, 14.101 et seq 20 U.S.C. Sec. 1400 et seq 29 U.S.C. Sec. 794 42 U.S.C. Sec. 12101 et seq 34 CFR Part 300	The Board directs that all students with disabilities shall be identified, evaluated, and provided with appropriate educational programs and services, in accordance with federal and state laws and regulations. The district shall establish and implement a system of procedural safeguards and parent/guardian notification as part of its Special Education Plan.
Title 22 Sec. 4.13, 14.104 Pol. 100	The district's Special Education Plan shall include procedures for identifying and educating students with disabilities and shall be aligned with the Strategic Plan adopted by the Board.
SC 1372 Title 22 Sec. 14.104	The Board shall determine the facilities, programs, services and staff that shall be provided by the district for the instruction of students with disabilities, based upon the identified needs of the district's special education population.
Title 22 Sec. 14.104	In order to maintain an effective Special Education Plan, the Board may participate in special education programs of Montgomery County Intermediate Unit No. 23, Berks County Intermediate Unit No. 22 and/or Chester County Intermediate Unit No. 24.
4. Delegation of Responsibility	The Superintendent or designee is directed to annually recommend to the Board the employment and retention of necessary, qualified staff and provision of required facilities, programs and services to provide for the needs of students with disabilities. The Superintendent or designee shall develop procedures for evaluating the effectiveness of the district's Special Education Plan and shall periodically report to the Board the criteria and results of such evaluation.
5. Guidelines Title 22 Sec. 4.28, 14.145 20 U.S.C.	Each student with a disability shall be educated pursuant to an IEP which shall provide an appropriate education in the least restrictive environment, in accordance with federal and state regulations.

Sec. 1414 34 CFR Sec. 300.320- 300.327	
Pol. 103, 103.1	The district prohibits discrimination based on disability. Students with disabilities are entitled to receive services and accommodations which will permit them to participate in district programs, services and activities as required by law.
Title 22 Sec. 14.104 34 CFR Sec. 300.201 et seq	The district's Special Education Plan shall comply with the requirements of state and federal law and regulations. The district shall establish procedures to ensure the plan is updated and implemented as necessary. The Special Education Plan shall address:
	1. Educational plans.
	2. Child find.
	3. Identification of special education programs that operate in the district, those operated in the district by the Intermediate Unit, vocational schools and other agencies.
	4. Staff and parent/guardian training.
	5. Assessments.
	6. Screening.
	7. Criteria the district will use to identify specific learning disabilities.
Pol. 113.3	8. Evaluation.
	9. Re-evaluation.
	10. Individualized Education Programs (IEPs), including examples of supplementary aids and services provided by the district.
	11. Extended School Year services (ESY).
Pol. 113.2	12. Behavior support.
	13. A full continuum of educational placements and evidence that placements in other than regular education settings are not based on lack of resources, facilities, staff or for administrative convenience.

Pol. 113.1	14. Disciplinary placements. 15. Facilities. 16. Early intervening services, if provided by the district. 17. Procedural safeguards. 18. Confidentiality of information. 19. Highly qualified staff. 20. Maintenance of information concerning students with disabilities, services provided, performance and discipline data, and report information as required by the Secretary of the Department of Education.
Title 22 Sec. 14.104	If the district is identified with significant disproportionality, the Special Education Plan shall include prevention measures for inappropriate overidentification and disproportionate representation by race or ethnicity of children with disabilities.
	<u>Fiscal and Program Compliance</u> The Superintendent or designee shall establish procedures to ensure that the district complies with all federal and state law and regulations and program requirements for special education-related funding and reimbursement. The district may coordinate with Montgomery County Intermediate Unit No. 23 to establish procedures, fulfill reporting requirements and participate in applicable programs.
	<u>Child Find/Outreach</u>
Title 22 Sec. 14.121 34 CFR Sec. 300.111	The Superintendent or designee shall ensure that the district annually conducts awareness and outreach programs and activities designed to reach district residents including parents/guardians of students with disabilities who are enrolled in the district, preschool-aged children, students who attend private schools, homeless children and children who are wards of the state. The district's public awareness activities shall include annual publication of a written notice in newspapers and other media notifying residents about child identification activities; available special education services and programs and how to request them; and procedures used to ensure confidentiality of student information. Written information shall be published in district handbooks and on the district website. Public awareness activities must include information regarding potential signs of developmental delays and other risk factors that could indicate

	disabilities. The Intermediate Unit shall be responsible for conducting child find activities necessary to provide equitable participation services to students with disabilities who are enrolled by their parents/guardians in private schools. <u>Screening</u>
Title 22 Sec. 14.122 Pol. 209	The district shall establish a system of screening, including hearing and vision screenings. Screenings shall be conducted at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects. <u>Confidentiality</u>
Title 22 Sec. 15.9 34 CFR Sec. 300.611- 300.627	The district shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, storing, disclosing and destroying student records. District staff shall maintain the confidentiality of student records and personally identifiable information, as required by law, regulations and Board policy. <u>Recording Of Meetings</u> Except as specifically provided for within this policy, the district prohibits audio, video and electronic recording of meetings between parents/guardians and district teachers, paraprofessionals, program specialists, consultants or administrators. An attempt to record a meeting by a parent/guardian after a verbal prohibition by district staff shall result in immediate termination of the meeting and may result in ejection from district property and possible prosecution. The district shall permit audio recording of a meeting when a participant submits, at least five (5) days prior to the meeting, written documentation to the LEA that substantiates: 1. Participant has a disability or limited English proficiency that significantly limits his/her ability to meaningfully understand or participate in the meeting's intended decision-making and recording is the only feasible means of accommodating the limitation. 2. Individual has a legitimate interest in attending the meeting but for good cause is unable to do so, and recording is the only feasible means by which s/he can meaningfully understand and participate in the decision-making.

	When permission to record a meeting is granted, the district employee responsible for the meeting shall arrange to record the meeting by similar means. Such recording shall be considered part of the student's educational record and be subject to relevant law and regulations. The district may permit video taping of a meeting when written consent is given by all participants at the meeting. References: School Code – 24 P.S. Sec. 502, 1371, 1372 State Board of Education Regulations – 22 PA Code Sec. 4.13, 4.28, 12.1, 12.4, 12.41, 14.101 et seq., 15.9 Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq. Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794 Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq. Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300 Pennsylvania Training and Technical Assistance Network – www.pattan.net Board Policy – 100, 103, 103.1, 113.1, 113.2, 113.3, 209, 216, 914