

Policy No.		114
Section:		PROGRAMS
Title:	INDIVIDUALIZED STUDENT SUPPORTS AND SERVICES	
Date Adopted:		5/16/88
Date Last Revised:		6/9/14; 1/2/12

114 INDIVIDUALIZED STUDENT SUPPORTS AND SERVICES

This Policy intends to safeguard the rights of students to access and receive an appropriately individualized education in compliance with federal and state law requirements and to make sure parents and guardians are fully informed as to their child's rights to individualized student programs and services in the areas of special education and gifted education. Therefore, this Policy and its implementing Administrative Regulations implement the following laws and their respective federal and state regulations.

1. Individuals with Disabilities Education Improvement Act (IDEIA: Special Education),
2. Section 504 of the Rehabilitation Act (Section 504), and
3. 22 Pa. Code Chapter 16 - Pennsylvania's Gifted Education regulations ("Gifted Education").

Each of these types of individualized student programs and services is defined below and each has its own separate and accompanying Administrative Regulation with detailed information about procedures and parental notification:

1. IDEIA: Special Education – Administrative Regulation 114-1,
2. Section 504 – Administrative Regulation 114-2, and
3. Gifted Education – Administrative Regulation 114-3.

IDEIA (Special Education)

IDEIA is a law ensuring direct services to children with disabilities through creation and implementation of an appropriate individualized educational program (IEP) in accordance with applicable federal and state law.

The phrase "student with a disability" means a student:

- (i) with intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and
- (ii) who, by reason thereof, needs special education and related services.

Section 504

Section 504 is a law ensuring students with handicaps access to educational programs and services and prohibits discrimination against students on the basis of disability in programs or activities through creation and implementation of Section 504 service agreements.

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Every student with a disability as defined in Section 504 and its accompanying federal regulations shall be entitled by law to a written service agreement setting forth any aids, services or accommodations to which the student is entitled.

Currently Section 504 defines the phrase student with a disability as a student who meets the following conditions: (1) the student is of school age; (2) the student has a physical or mental disability which substantially limits one or more major life activities, without consideration of the ameliorating effects of any mitigating measures used by the student; and, (3) the student is not eligible for special education services pursuant to IDEIA. Gifted Education

Chapter 16 of the Pennsylvania Code (hereinafter referred to as Pennsylvania Chapter 16) addresses a school district's obligation to identify and provide services to gifted students who require gifted education to reach their potential. The phrase "gifted student" means a student who possesses outstanding intellectual and creative ability the development of which requires specially designed programs or support services, or both, not ordinarily provided in the regular education program.

Prohibition Against Discrimination

It shall also be the policy of this Board that no student with a disability or student with a handicap shall be denied, because of disability or handicap, participation in co-curricular, intramural or interscholastic activities or any of the services offered or recognition rendered regularly to students of this District, unless such participation is precluded because of the disability or handicap. The determination of the extent of the participation and any required program modifications shall be made by the team responsible for development of the student's IEP or service agreement, whichever is applicable.

Delegation of Responsibility

The Superintendent is responsible for establishing and implementing a system for the proper identification, evaluation, placement and programming for students with in accordance with federal and state laws.

The Superintendent is also responsible for establishing and implementing a system of procedural safeguards and parental notification.

The Superintendent or designee shall develop procedures for evaluation of the effectiveness of the District's educational plan for students with disabilities and gifted students and shall periodically report to the Board the criteria and results of such evaluations.

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Cross references:

Individuals with Disabilities Education Improvement Act, 20 U.S.C. §§1400-1482; 34 C.F.R. §§300.1300.818

22 Pa. Code Chapter 14, Special Education Services and Programs

Section 504 of the Rehabilitation Act, 29 U.S.C. §794; 34 C.F.R. §§104.31-104.39

22 Pa. Code Chapter 15, Protected Handicapped Students

22 Pa. Code Chapter 16, Special Education for Gifted Students