

## Education Programs

### Instructional Services – Special Education

#### I. Purpose

This policy sets forth the position of the school district on the need for special educational services on the part of some students in the district.

#### II. General Statement of Policy

Consistent with federal and Minnesota law, special education instruction and related services will be provided to all children with disabilities aged birth through 21, who need and meet the eligibility criteria for special education instruction and related services. Special education instruction and related services included on a child's Individual Education Program (IEP), Individual Service Plan (ISP), or Individual Family Service Plan (IFSP) will be provided at no cost to the parent or guardian of the child as required by law..

#### III. Responsibilities

- A. The district accepts its responsibility to identify, evaluate, and provide special education and related services for disabled children who are properly the responsibility of the district, and who meet the eligibility criteria to qualify for special education and related services as set forth in Minnesota and federal law. The district will ensure that all qualified disabled children are provided special education and related services which are appropriate to their educational needs.
- B. When the provision of such services requires or results from interagency cooperation, the district will participate in such interagency activities in compliance with federal and state law.
- C. The district will follow due process procedures that guarantee the rights of all children with disabilities as well as parental or guardian rights of participation in due process decision-making procedures. These procedures include identification, evaluation, program planning, and determination of an appropriate level of services.

#### IV. Definition of Specially Designed Instruction

Specially Designed Instruction means adapting, as appropriate to the needs of an eligible student, the content, methodology, or delivery of instruction –

- To address the unique needs of the student that result from the student's disability; and

- To ensure access of the student to the general curriculum, so that the student can meet the educational standards within school district that apply to all children.

Legal References:

Minn. Stat. § 124D.03 (Enrollment Options Program)

Minn. Stat. § 125A.02 (Definition of Child with a Disability)

Minn. Stat. §§ 125A.027, 125A.03, 125A.08, 125A.15, and 125A.29 (District Obligations)

20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)

Cross References:

Policy 402 (Disability Nondiscrimination)

Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)

Policy 510 (Nonresident Enrollment)

Policy 521 (Student Disability Nondiscrimination)

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