

OLDHAM COUNTY BOARD OF EDUCATION POLICY

SPECIAL EDUCATION

4090

References: 28 USC § 1401, et. Seq.; 707 KAR 1:270 et. Seq.

The Individuals with Disabilities Education Act (IDEA) and its Reauthorization of 1997 and 2004 is designed to assure that all exceptional children have available to them a free, appropriate public education designed to meet their unique needs. Therefore, the appropriate Admissions and Release Committee for each particular special education student shall be responsible for development of an individual written plan describing the educational objectives for and the services to be provided to that exceptional child, and appropriately including District Curriculum Framework and demonstrators.

The Superintendent or designee shall adopt and implement Administrative Regulations to follow in educating children with disabilities. These procedures shall reflect each of the legal obligations outlined in the state regulations adopted by the Kentucky Department of Education (KARs) for local educational agencies, and in the federal regulations implementing IDEA. Certified administrators and teachers shall receive training to understand board procedures to implement IDEA. All administrators, instructional and support staff shall be trained regarding confidentiality procedures by their supervisor.

In situations involving students with disabilities, the Board shall determine whether to file for due process hearings or appeals therefrom, on behalf of the District, except in the following situations: The Superintendent/designee is authorized to request due process hearings, to file for extensions and appeals from hearings, and to request injunctive relief due to the substantial likelihood of danger or injury to staff or students. The Superintendent/designee is authorized to file for mediation on behalf of the Board and to file appeals of administrative decisions.