

Special Education and Related Services for Eligible Students

Free Appropriate Public Education and Specially Designed Instruction

Educational Service District 112 provides a free appropriate public education with specially designed instruction (special education) for all eligible individuals with disabilities, ages 3 to 21, who reside in the district.

It is the policy of the district that special education services shall be provided in accordance with ESD 112 special education policies and operational guidelines (or procedures).

Not all students with disabilities are eligible for special education. The needs of disabled students who are not eligible for special education will be addressed individually. If a student qualifies, and as appropriate, the student will be provided accommodations and/or modifications required under Section 504 of the Rehabilitation Act, in accordance with the district's Section 504 Rehabilitation Act policy and procedures.

Mediation or Resolution Sessions and Related Agreements

The board grants the ESD 112 superintendent or designee decision-making authority for the purpose of participating in and entering binding agreements in the course of resolution sessions pursuant to WAC 392-172A-05090 and/or mediations pursuant to WAC 392-172A-05060.

Graduation Ceremonies and Certificate of Attendance

Generally, in order to participate in commencement exercises, students must have met the minimum criteria for graduation prior to the date of the exercise and otherwise be in good standing with their school through the commencement date. Minimum criteria for participation may be adjusted for special education students whose disabilities have impacted their opportunity to accumulate credits. Each student's Individual Education Plan (IEP) team will determine the student's graduation plan, including graduation date. Special education students who have attended four years of high school and need additional time to complete IEP goals and/or credits may request participation in commencement exercises. IEP students will receive a certificate of attendance until they complete their credits for graduation.

The district superintendent shall develop and maintain procedures necessary to implement this policy. This policy, ESD 112's Special Education Policy and ESD 112's special education operational guidelines shall be available to the public.

Cross-References: ESD 112 Policy 500 Special Education and Related Services
Board Policy 2162 Education of Students with Disabilities under Section 504
3231 Student Records
3241 Classroom Management, Corrective Actions or Punishment

Legal References: Chapter 28A.155 RCW Special Education
Chapter 49.60 RCW Law against Discrimination

Chapter 392-172A WAC Rules for the Provision of Special Education
20 U.S.C. 1400 et seq. Individuals with Disabilities Education Improvement Act of 2004
42 U.S.C. 12131-12133 Americans with Disabilities Act of 1990
28 CFR Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services
34 CFR Part 99 Family Education Rights and Privacy Act (FERPA)
29 U.S.C. 794 Section 504 of the Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1974, Pub. L. 93-516, 29 U.S.C. 794
34 CFR Part 104 Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from federal financial assistance
34 CFR Part 300 Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities

Management Resources:
Policy News, December 1999 Rule Adoption Leads to Special Education Policy
Policy News, June 2007 Graduation Ceremonies for Special Education Students
Policy News, December 2007 Updated Special Education Policy and Procedure