

Education Programs

Instructional Services – Special Education

I. Purpose

This policy sets forth the position of the school district on the need to provide 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 22, 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), 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. Definition of Specially Designed Instruction

For purposes of this policy, "Specially Designed Instruction" means adapting, as appropriate to the needs of an eligible student, the content, methodology, or delivery of instruction

1. to address the unique needs of the student that result from the student's disability; and
2. to ensure access of the student to the general curriculum, so that the student can meet the educational standards within the school district that apply to all children.

IV. Responsibilities

- A. The school district accepts its responsibility to identify, evaluate, and provide special education and related services for children with disabilities 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 children with disabilities 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.
- D. The district may conduct an assessment for developmental adapted physical education, as defined in state law, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions required by state law. A parent or guardian may request that the district conduct a comprehensive evaluation of the parent's or guardian's student.

Legal References:

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

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

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

Minn. Stat. §§ 125A.027 (Local Agency Coordination Responsibilities)

Minn. Stat. §125A.03 (Special Instruction for Children with a Disability)

Minn. Stat. §125A.08 (Individualized Education Programs)

Minn. Stat. § 125A.091, subd.3a (Additional Requirements for Prior Written Notice)

Minn. Stat. §125A.15 (Placement in Another District; Responsibility)

Minn. Stat. §125A.29 (Responsibilities of County Boards and School Boards)

Minnesota Rules, Part 3525.1352 (Developmental Adapted Physical Education: Special Education - Definition)

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)

Policy

adopted: 06/22/09

revised: 07/18/16

updated: 11/18/19

revised: 12/02/24

INDEPENDENT SCHOOL DISTRICT NO. 273

Edina, Minnesota