



Capital School District

Board of Education Policy

Section: Instruction
Title: Special Education Programs
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Special Education Programs

Federal law requires that children with disabilities, ages three to twenty-one inclusive, have the right to a free and appropriate public education (FAPE) in the least restrictive environment (LRE). The Capital School District (CSD) is committed to the philosophy of providing an educational program for every child within the District's capability to finance each program, provide properly trained staff, and provide appropriate instructional materials and classroom space. The District seeks to provide a wide continuum of services for students so that each student has access to the curriculum in the least restrictive environment appropriate for his/her educational program. Inclusive classes, resource classes, and self-contained classes are offered for students at various schools. When there is a need to enhance student services, the District may enter into agreements with other school districts and institutions to fulfill necessary requirements. The State of Delaware (Exceptional Children Division) may also review and provide funding for students qualifying for services beyond which the District can provide.

Identification, Eligibility, and Exit Criteria

It is important that students with a disability are found at an early age to ensure their needs are met as soon as possible. Therefore, the District provides a yearly program called "Childfind" which assesses and reviews the needs of students ages five and under as well as older students who have moved into the district or who are showing signs of struggle. Students also receive a health assessment that includes a hearing and vision screening. Students already matriculated into a school program may be referred to the Instructional Support Team (IST) by a parent, teacher, principal or other concerned person who has determined that the regular program may not be meeting the child's needs. If it is determined that a need exists, the student will be assigned to an intervention designed to target the area/s of concern. Progress will be monitored within the targeted intervention plan. If minimal or no progress is evident, the student will be referred to the instructional support team (IST) for further evaluation. This may result in a request for permission to conduct a psycho-educational evaluation or a speech-language evaluation. Based on evidence of progress within appropriate intervention cycles as well as evaluation data collected by the psychologist, the child study team (including parent/s) will convene to determine eligibility for special services as a student with a disability. Students found eligible for services will have triennial (every three years) evaluations conducted according to state and federal guidelines. The IEP team determines eligibility for special education services as well as determining the category of the disability. Eligibility for classification includes documentation of the educational impact of the disability. After a disability is determined, the student, if needed, will be placed in an age-appropriate educational setting in the least restrictive environment.

Special Education services, when needed, will be provided for students with disabilities such as:

- hearing impairment
- visual impairments
- deaf-blindness
- autism
- speech delay
- language impairment
- developmental delay
- physical impairment
- traumatic brain injury
- emotional disturbance
- other health impairments
- mild intellectual disability
- moderate intellectual disability
- severe intellectual disability or
- learning disability

A child ceases to be eligible for special education services and related services when the IEP team determines that special education services are no longer needed for the child to benefit from his or her educational program, or when the child graduates from school.

Individualized Education Program (IEP)

An IEP shall be developed prior to delivery of services to a student and within (30) calendar days following the determination that a child is eligible for special education and related services. The school is responsible for ensuring all requirements concerning evaluation, IEP development, placement, monitoring and procedural safeguards are applied while developing and providing special education and related services. IEP's of students ages 14 and above shall include transitional goals and objectives. All students receiving special education services will be given full consideration of their educational needs including the need for extended school year services (ESY).

Special Education Plan

The Special Services Department works on a continuous plan of improvement that reflects the following priorities: improvement of student academic performance; student placement in the least restrictive environment; improvement of student behavior; increases in family involvement and high school completion rates.

Special Services works collaboratively with general education, other school districts, outside facilities, families, and the community at-large to create educational environments that assist students with disabilities to develop knowledge, skills and strategies that empower them to enhance their quality of living through lifelong learning, community contributions and general citizenship.

Procedural Safeguards and Due Process

Procedural safeguards apply to special education including written notices to parents, documentation of attempts to notify the parents/guardian or the mediation of disputes between the school and the parents/guardian. Issues may be resolved through the mediation process.

An organization or an individual may file a complaint regarding an alleged violation of federal program statutes or regulations related to special program services that may involve either a Local Education Agency (LEA) or the State Education Agency (SEA). Requests for Due Process Hearings must be made in writing to the Secretary of Education. The Delaware Department of Education (DDOE) is responsible for resolving complaints and issuing written reports including findings of fact and decisions to the parties included in the complaints. (See 14, DE Admin. Code 900)