Title: **Special Education**
Code: 113
Book: Policy Manual
Section: 100 Programs

Purpose

The district shall offer each student with a disability education programs and services that appropriately meet the student's needs for educational, instructional, transitional and related services. A student who requires special education shall receive programs and services according to an individualized education program (IEP). The IEP shall provide access to the district's general curriculum and participation in state and local assessments, including supplemental aids and services that permit the student to be educated, to the maximum extent appropriate, with their nondisabled peers. The district shall provide a continuum of placement options to appropriately meet the needs of students with disabilities.[1][2][3][4][5][6]

Definitions

Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services. School-aged children who have identified disabilities but do not require special education may be entitled to accommodations or services or to enroll in courses of study in the district which serve students with disabilities pursuant to other law or Board policy.[7][8][9][10][11]

Individualized Education Program (IEP) - the written educational statement for each student with a disability that is developed, reviewed and revised in accordance with federal and state laws and regulations.[12][13]

Authority

The Board directs that all students with disabilities shall be identified, evaluated, and provided with appropriate educational programs and services, in accordance with federal and state laws and regulations. The district shall establish and implement a system of procedural safeguards and parent/guardian notification as part of its Special Education Plan.[14][1][2][15][16][17][18][19][20]

The district's Special Education Plan shall include procedures for identifying and educating students with disabilities and shall be aligned with the Strategic Plan adopted by the Board.[21][5][22]

The Board shall determine the facilities, programs, services and staff that shall be provided by the district for the instruction of students with disabilities, based upon the identified needs of the district's special education population.[14][5]

In order to maintain an effective Special Education Plan, the Board may participate in special education programs of Intermediate Unit No. 1.[5]

Delegation of Responsibility

The Superintendent or designee is directed to annually recommend to the Board the employment and retention of necessary staff and provision of required facilities, programs and services to provide for the needs of students with disabilities.

The Superintendent or designee shall develop procedures for evaluating the effectiveness of the district's Special Education

Plan and shall periodically report to the Board the criteria and results of such evaluation.

Guidelines

Each student with a disability shall be educated pursuant to an IEP which shall provide an appropriate education in the least restrictive environment, in accordance with federal and state regulations.[1][23][24][25]

The district prohibits discrimination based on disability. Students with disabilities are entitled to receive services and accommodations which will permit them to participate in district programs, services and activities as required by law.[26][11]

The district's Special Education Plan shall comply with the requirements of state and federal law and regulations. The district shall establish procedures to ensure the plan is updated and implemented as necessary. The Special Education Plan shall address:[5][27]

1. Educational plans.

2. Child find.

3. Identification of special education programs that operate in the district, those operated in the district by the Intermediate Unit, vocational schools and other agencies.

4. Staff and parent/guardian training.

5. Assessments.

6. Screening.

7. Criteria the district will use to identify specific learning disabilities.

8. Evaluation.[28]

9. Re-evaluation.

10. Individualized Education Programs (IEPs), including examples of supplementary aids and services provided by the district.

11. Extended School Year services (ESY).

12. Behavior support.[29]

13. A full continuum of educational placements and evidence that placements in other than regular education settings are not based on lack of resources, facilities, staff or for administrative convenience.

14. Disciplinary placements.[30]

15. Facilities.

16. Early intervening services, if provided by the district.

17. Procedural safeguards.

18. Confidentiality of information.

19. Highly qualified staff.

20. Maintenance of information concerning students with disabilities, services provided, performance and discipline data, and report information as required by the Secretary of the Department of Education.

If the district is identified with significant disproportionality, the Special Education Plan shall include prevention measures for inappropriate overidentification and disproportionate representation by race or ethnicity of children with disabilities.[5]

Child Find/Outreach

The Superintendent or designee shall ensure that the district annually conducts awareness and outreach programs and activities designed to reach district residents including parents/guardians of students with disabilities who are enrolled in the district, preschool-aged children, students who attend private schools, homeless children and children who are wards of the state.[31][37]

The district's public awareness activities shall include annual publication of a written notice in newspapers and other media notifying residents about child identification activities; available special education services and programs and how to request them; and procedures used to ensure confidentiality of student information. Written information shall be published in district handbooks and on the district web site. Public awareness activities must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.

The Intermediate Unit shall be responsible for conducting child find activities necessary to provide equitable participation services to students with disabilities who are enrolled by their parents/guardians in private schools.

Screening

The district shall establish a system of screening, including hearing and vision screenings. Screenings shall be conducted at reasonable intervals to determine whether all students are

performing based on grade-appropriate standards in core academic subjects.[32][33]

Confidentiality

The district shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.[34][35]

District staff shall maintain the confidentiality of student records and personally identifiable information, as required by law and regulations.

The district may release, without parent/guardian consent, educational records that the district has designated as directory information.

The district shall obtain written parent/guardian consent prior to releasing a student's educational record when prior consent is required by law, regulations or Board policy.[36]

The district shall notify parents/guardians prior to destroying personally identifiable information in a student's record that is no longer relevant or necessary for providing educational services to the student.

Recording of Meetings

Except as specifically provided for within this policy, the district prohibits audio, video and electronic recording of meetings between parents/guardians and district teachers, paraprofessionals, program specialists, consultants or administrators.

An attempt to record a meeting by a parent/guardian after a verbal prohibition by district staff shall result in immediate

termination of the meeting and may result in ejection from district property and possible prosecution.

The district shall permit audio recording of a meeting when a participant submits, at least five (5) days prior to the meeting, documentation that substantiates:

1. Participant has a disability that significantly limits his/her ability to meaningfully understand or participate in the meeting's intended decision-making and recording is the only feasible means of accommodating the limitation.

2. Individual has a legitimate interest in attending the meeting but for good cause is unable to do so, and recording is the only feasible means by which s/he can meaningfully understand and participate in the decision-making.

The district may permit video taping of a meeting when written consent is given by all participants at the meeting.

When an exception to recording a meeting is granted, the district employee responsible for the meeting shall arrange to record the meeting by similar means. Such recording shall be considered part of the student's educational record and be subject to relevant law and regulations.

Adopted: **January 18, 2022**
Last Revised: **January 18, 2022**

Legal References:

- 1. 22 PA Code 4.28
- 2. 22 PA Code 12.1
- 3. 22 PA Code 12.4
- 4. 22 PA Code 14.102
- 5. 22 PA Code 14.104
- 6. 34 CFR 300.1
- 7. 24 P.S. 502
- 8. 22 PA Code 14.101
- 9. 20 U.S.C. 1401

- 10. 34 CFR 300.8
- 11. Pol. 103.1
- 12. 22 PA Code 14.131
- 13. 34 CFR 300.320-300.324
- 14. 24 P.S. 1372
- 15. 22 PA Code 12.41
- 16. 22 PA Code 14.101 et seq
- 17. 20 U.S.C. 1400 et seq
- 18. 29 U.S.C. 794
- 19. 42 U.S.C. 12101 et seq
- 20. 34 CFR Part 300
- 21. 22 PA Code 4.13
- 22. Pol. 100
- 23. 22 PA Code 14.145
- 24. 20 U.S.C. 1414
- 25. 34 CFR 300.320-300.327
- 26. Pol. 103
- 27. 34 CFR 300.201 et seq
- 28. Pol. 113.3
- 29. Pol. 113.2
- 30. Pol. 113.1
- 31. 22 PA Code 14.121
- 32. 22 PA Code 14.122
- 33. Pol. 209
- 34. 22 PA Code 15.9
- 35. 34 CFR 300.611-300.627
- 36. Pol. 216
- 37. 34 CFR 300.111
- 20 U.S.C. 1232g
- 24 P.S. 1371
- 34 CFR Part 99
- Pol. 914