



SECTION: PROGRAMS

POLICY: 113

TITLE: SPECIAL EDUCATION

ORIGINAL: March 26, 2007

CURRENT REVISION: December 7, 2020

LAST REVIEWED BY THE COMMITTEE:

I. PURPOSE

The District shall provide each student with a disability appropriate educational programs and services that meet the student's needs for educational, instructional, transitional, and related services. The special education program shall be designed to comply with law; conform to District goals; and 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 nondisabled peers. The District shall provide a continuum of placement options to meet the needs of students with disabilities appropriately.

II. 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, services, or enrolling in courses of study in the District that serve students with disabilities pursuant to other law or Board policy.

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.

III. POLICY

- A. 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 parental notification.
- B. 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.
- C. The Board shall determine the facilities, programs, services, and staff that will be provided by the District for the instruction of students with disabilities, based upon the identified needs of the District's special education population, in accordance with federal and state laws and regulations.
- D. All procedures for implementing an IEP shall be designed to guard the privacy of the student and family.

- E. Every 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.
- F. The District prohibits discrimination based on disability. Students with disabilities are entitled to receive services and accommodations that will permit them to participate in District programs, services and activities as required by law.
- G. 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 Special Education Plan is updated and implemented as necessary. The Special Education Plan shall address:
 - a. Educational plans.
 - b. Child find requirements.
 - c. Identification of special education programs that operate in the District, those operated in the District by the Montgomery County Intermediate Unit No. 23, vocational schools, and other agencies.
 - d. Staff and parent/guardian training.
 - e. Assessments.
 - f. Screening.
 - g. Criteria the District will use to identify specific learning disabilities.
 - h. Evaluation.
 - i. Re-evaluation.
 - j. IEPs, including examples of supplementary aids and services provided by the District.
 - k. Extended school year services (ESY).
 - l. Behavior support.
 - m. 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.
 - n. Disciplinary placements.
 - o. Facilities.
 - p. Early intervention services, if provided by the District.
 - q. Procedural safeguards.
 - r. Confidentiality of information.
 - s. Highly qualified staff.
 - t. Maintenance of information concerning student with disabilities, services provided, performance and discipline data, and report information as required by the Secretary of the Department of Education.
- H. If the District is found to have significant disproportionality in the identification of students with disabilities by race or ethnicity, the Special Education Plan shall include prevention measures for inappropriate over-identification.
- I. Child Find/Outreach
 - a. 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, preschool-aged children, students who attend private schools, homeless children, and children who are wards of the state.
 - b. 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 website. Public awareness activities must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.

J. Screening

- a. The District shall establish a system of screening, including hearing and vision screenings, to be conducted at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

K. Communications and Scheduling IEP Meetings

- a. The District welcomes parent/guardian participation in IEP meetings and encourages communication between District employees and parents/guardians in scheduling IEP meetings. The District also welcomes parents/guardians to invite an educational advocate to attend IEP meetings, along with the parents/guardians.
- b. All IEP meetings must be scheduled in advance, and the District will send the parents/guardians and IEP meeting invitation. Prior to the IEP meeting, all parents/guardians shall be asked who they intend to bring with them to the IEP meeting. Should parents/guardians or educational advocate not be available for meeting at a mutually agreeable date and time, the building principal or designee may approve their participation at the meeting via phone. Every effort will be made to schedule the meeting for a mutually agreeable date and time so that the building principal or principal's designee may be in attendance for all IEP meetings.
- c. In accordance with law, the District shall not provide protected personally identifiable information regarding a student to an educational advocate unless the parents/guardians have signed a release of information authorization form expressly permitting the District to share such information with the educational advocate. The District shall not share or communicate any information about a student until the District receives the release of information authorization form signed by a parent/guardian. Even after a parent/guardian signs a release of information authorization form, all written communications to and from an educational advocate shall include the parents/guardians.
- d. After parents/guardians sign a release of information authorization form, all communications from an educational advocate shall be directed to the building principal or designee.

IV. DELEGATION OF AUTHORITY

- A. The Superintendent or designee is directed to recommend to the Board annually the employment and retention of necessary staff and provision of required facilities, programs, and services to provide for the needs of students with disabilities.
- B. In order to maintain an effective Special Education Plan, the Board may participate in special education programs of the Montgomery County Intermediate Unit No. 23.
- C. 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.

V. REFERENCES

22 PA Code 4.28
22 PA Code 12.1
22 PA Code 12.4
22 PA Code 14.102
22 PA Code 14.104
34 CFR 300.1
24 P.S. 5-502
22 PA Code 14.101
20 U.S.C. 1401
34 CFR 300.8
22 PA Code 14.131
34 CFR 300.320
34 CFR 300.321
34 CFR 300.322
34 CFR 300.323
34 CFR 300.324
34 CFR 300.325
34 CFR 300.326
34 CFR 300.327
24 P.S. 13-1372
22 PA Code 12.41
22 PA Code 14.101
20 U.S.C. 1400
29 U.S.C. 794
42 U.S.C. 12101
34 CFR 300.201
22 PA Code 14.145
20 U.S.C. 1414
22 PA Code 14.121
22 PA Code 14.122
22 PA Code 15.9
34 CFR 300.611
24 P.S. 13-1371
Pol. 103, 103.1, 113.1, 113.5, 202, 209, 216.1, 216.2