

Special Education and Related Services for Eligible Students

Educational Service District 112 is responsible for and provides a free, appropriate, public education, including special education and related services, to individuals, ages 3 to 22, who reside in school districts that are members of the ESD 112 Special Education ESA (Educational Service Agency) and are eligible for special education under the Individuals with Disabilities Education Improvement Act. In providing special education and related services, the ESD recognizes that individuals whose disabilities adversely impact educational performance and who require specially designed instruction can obtain meaningful educational benefit when they receive special education and related services tailored to fit their needs. It is the policy of the ESD to provide a free, appropriate, public education in the least restrictive environment to all eligible individuals, ages 3 to 22, who reside in the ESA Member Districts.

Special education programs for students eligible for special education are an integral part of the educational programs of the ESA Member Districts. The special education programs the ESD administers shall be operated in compliance with federal and state requirements governing special education. The ESD will provide a continuum of placement options that may include the provision of services within and/or outside the ESA Member Districts as may be necessary to meet the student's needs.

The ESD will provide special education and related services in a safe learning environment where students are treated with dignity and respect. Students receiving special education and related services from the ESD will not be subject to the use of unreasonable force. Students will not be isolated or restrained as a form of discipline or punishment. There are times, however, when it is necessary and appropriate to restrain or isolate students. The Board authorizes the reasonable use of restraint, restraint devices and isolation, as defined and detailed in ESD procedures. The ESD will provide parents and guardians a copy of this policy and the ESD procedures when the ESD prepares the student's individualized education program (IEP). In addition, the ESD will include notification procedures in each student's IEP.

Not all students with disabilities are eligible for special education services. ESA Member Districts, with assistance from the ESD, shall assess the needs of individuals with disabilities. The ESA Member Districts shall provide disabled students that are not eligible to receive special education services accommodations or modifications, and/or related aids and services as required under section 504 of the Rehabilitation Act of 1973 in accordance with their own district's policy and procedures.

Mediation or Resolution Agreements

The Board authorizes the ESD Superintendent to bind the ESD to a special education mediation or resolution agreement.

Commencement Exercises

Decisions regarding graduation and participation in commencement exercises for any student receiving special education services through the ESD 112 Special Education ESA

shall be made by the school district where the student resides, in accordance with that district's board policies and regulations. ESA Member Districts may adjust minimum criteria for ESA students' participation in commencement exercises if the students' disabilities have impacted their opportunity to accumulate credits. The students' IEP teams will determine the student's graduation plan, including graduation date. Students with an IEP 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. Member Districts will grant students with an IEP a certificate of attendance until they complete their credits for graduation.

The ESD Superintendent shall develop and maintain special education procedures necessary to implement this policy and shall assist ESA Member Districts in developing and maintaining special education policies and procedures that are consistent with this policy. This policy and the procedures that implement the policy shall be available to the public.

Cross
References: 2162 - Education of Students With Disabilities Under Section 504 of
 the Rehabilitation Act of 1973
 2163 - Response to Intervention
 2410 - High School Graduation Requirements
 3231 - Student Records
 3241 - Student Discipline
 3246 - Restraint, Isolation, and Other Uses of Reasonable Force
 4217 - Effective Communication

Legal
References: Chapter 28A.155 RCW Special education
 RCW 28A.600.485 Restraint of students with individualized
 education programs or plans developed under section 504 of the
 rehabilitation act of 1973 — Procedures — Definitions.
 RCW 28A.600.486 District policy on the use of isolation and
 restraint — Notice to parents and guardians of children who have
 individualized education programs or plans developed under section
 504 of the rehabilitation act of 1973.
 RCW 28A.605.020 Parents' Access to Classroom or School
 Sponsored Activities — Limitation
 Chapter 49.60 RCW Discrimination — Human rights commission
 Chapter 392-172A, WAC Rules for the provision of special education
 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
 20 U.S.C. 1400 et seq. Individuals with Disabilities Education 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)

34 CFR Part 104 Nondiscrimination on the basis of handicap in programs and activities receiving federal financial assistance
34 CFR Part 300 Assistance to States for the Education of Children With Disabilities
34 CFR Part 303 Early Intervention Program for Infants and Toddlers with Disabilities

Management Resources: 2021 – December Issue
2016 - March Issue
2014 - June Issue
2009 - October Issue
Policy News, December 2007 Updated Special Education Policy and Procedure
Policy News, June 2007 Graduation Ceremonies for Special Education Students
Policy News, December 1999 Rule Adoption Leads to Special Education Policy

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