

Special Education and Related Services for Eligible Students

Purpose

This policy establishes the intent of the district to offer special education and related services to eligible students and sets forth requirements for participation by such students in the commencement ceremony.

Scope

This policy informs the Superintendent, administrators, parents or guardians and students.

Policy

1. Valley School District recognizes that students whose disabilities adversely impact educational performance and who require specially designed instruction can improve their educational performance when they receive special education and related services tailored to fit their needs. The district adopts the state's full educational opportunity goal to provide students in need of special education services with a free appropriate public education (FAPE).
2. Special education programs for students eligible for special education will be an integral part of the general educational programs of this district, and will be operated in compliance with federal and state requirements governing special education. The district will provide a continuum of placement options, which may include services within and outside the district, depending on the student's needs.
3. Not all students with disabilities are eligible for special education services. The needs of students with disabilities will be addressed individually and, if appropriate, students will be provided accommodations, modifications, and/or related aids and services as required under Section 504 of the Rehabilitation Act of 1973 in accordance with district policy and procedures.

4. MEDIATION OR RESOLUTION AGREEMENTS

The Board of Directors authorizes the Superintendent or designee to bind the district to a mediation or resolution agreement.

5. COMMENCEMENT/CERTIFICATE OF ATTENDANCE

In order to participate in the annual commencement ceremony, students must have met the minimum criteria for graduation prior to the date of the ceremony and otherwise be in good standing with their school through the commencement date. Minimum criteria for participation may be adjusted for students with an Individualized Education Program (IEP) whose disabilities have impacted their opportunity to accumulate credits. Each student's IEP team 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 the commencement ceremony. Students with an IEP will receive a certificate of attendance until they complete their credits for graduation.

6. The Superintendent or designee will develop and maintain special education procedures necessary to implement this policy. This policy and the procedures will be available to the public.

Related Procedures

2161P1-Special Education and Related Services for Eligible Students

2162P1-Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973

2410P1-High School Graduation Requirements

3241P1-Student Discipline

3246P1-Restraint, Isolation and Other Uses of Reasonable Force

Policy Cross References

2162-Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973

2410-High School Graduation Requirements

3231-Student Records

3241-Student Discipline

3246-Restraint, Isolation and Other Uses of Reasonable Force

Policy Legal References

RCW 28A.155 – Special Education

RCW 49.60 – Discrimination—Human rights commission

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 use of isolation or 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 392-172A WAC – Rules for the provision of special education

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

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

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 or benefiting from federal financial assistance

34 CFR Part 300 Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities

34 CFR Part 303 Early Intervention Program for Infants and Toddlers with Disabilities

Management Resources

Policy & Legal News, December 2021 – An inclusionary approach to special education

Policy & Legal News, March 2016 – Two major policy revisions address restraint and isolation

Policy & Legal News, June 2014 – Policy Updates and Revisions

Policy News, October 2009

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

Policy History

Action:	Date:
Approved by the Board	July 10, 2000
Revised	March 19, 2008
Revised	January 19, 2022
Revised	

Previous Policy Number: 7016