

Existing policy with required modification.

Instruction

Special Education

The district shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the district, required under the Individuals With Disabilities Education Act (“IDEA”), Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act.

It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the district shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in state statutes which govern special education. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the district shall establish and implement a system of procedural safeguards. The safeguards shall cover students’ identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student’s parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student’s parent(s)/guardians(s), and representation by counsel, and a review procedure.

Students receiving special education services under the Individuals with Disabilities Act (IDEA) remain eligible for such services up until their 22nd birthday or until they graduate from high school with a regular high school diploma, whichever comes first. ~~The adult student or his/her parent/guardian will be asked by the District if the student wishes to receive the special education and related services outlined in their individualized education program (IEP) until they turn 22 years of age or they graduate with a regular high school diploma, whichever comes first.~~ The Planning and Placement Team (PPT) determines whether the student, upon completion of high school graduation requirements, requires transition-only services.

The Board of Education in fulfilling its legal duties and responsibilities for providing special education programs for the students of the school district, shall be assisted through membership in the Regional Service Center and through cooperative associations with other school districts.

If necessary, students may also be placed in private school education facilities.

Legal Reference: Connecticut General Statutes
10-76a Definitions.
10-76b State supervision of special education programs and services.
10-76c Receipt and use of money and personal property.
10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114)

Instruction

Special Education

Legal Reference: Connecticut General Statutes (continued)

10-76e School construction grant for cooperative regional special education facilities.

10-76f Definition of terms used in formula for state aid for special education.

10-76g State aid for special education.

10-76h Special education hearing and review procedure. Mediation of disputes.

10-76i Advisory council for special education.

10-76j Five-year plan for special education.

10-76k Development of experimental educational programs. State Board of Education Regulations

10-76m Auditing claims for special education assistance

10-76a-1 et seq. Definitions

10-76b-1 through 10-76b-4 Supervision and administration

10-76d-1 through 10-76d-19 Conditions of instruction

10-76h-1 through 10-76h-2 Due process

10-76l-1 Program Evaluation

10-145a-24 through 10-145a-31 Special Education (re teacher certification)

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

American with Disabilities Act, 42 U.S.C. §12101 et seq.

Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.

Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.

A.R. v. Connecticut State Board of Education, 3:16-CV-01197 (CSH D. Conn. June 10, 2020)

Policy adopted: January 5, 2006
Policy reviewed: October 4, 2018
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut