

Unity School District - Board of Education

Board Policy 342.1

Exceptional Educational Needs (General) Programs for Students with Disabilities

Last Revised 10/11/2022

The Board of Education shall provide programming for students with exceptional needs as prescribed by state and federal law. The Individual Educational Program (IEP) shall be the most significant guide in developing special programs; however, legal mandates, interpreted under recognized authority, must be met or exceeded. The superintendent shall be responsible for developing written administrative practices which will be reviewed by the Board and which shall implement this and related policies and practices. Such administrative practices will include job descriptions, referral and evaluation procedures, record security, due process, parent involvement, equality guarantees, and any other details necessary for effective program delivery.

The School Board recognizes its responsibility to provide an array of programs, interventions, aids, services, modifications, accommodations, and procedural and substantive protections for students with disabilities. The District's legal obligations with respect to students with disabilities arise under various state and federal laws, including but not limited to the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), the Americans with Disabilities Act (ADA), and section 118.13 and Chapter 115, Subchapter V of the state statutes. While this policy primarily addresses the District's special education program under the IDEA, the District recognizes that the various state and federal laws create both complimentary and independent rights, protections, and obligations. That is, special education under the IDEA represents only one aspect of the District's comprehensive program for students with disabilities. Further, in order to meet the needs and respect the legal rights of all students with disabilities, the District recognizes that it must not only maintain a comprehensive system of general processes and supports, but also assess each student as an individual and each situation in its unique context.

IDEA Policies, Procedures, and Forms

The Board has adopted a special education policy and procedure manual based on the model prepared by the Wisconsin Department of Public Instruction (DPI), presently with District-specific substantive modifications. The Board has also adopted the DPI model special education forms, presently with District-specific substantive modifications.

The Board delegates to the District Administrator and Director of Special Education the authority and responsibility to approve and immediately implement such changes to the District's special education policies, procedures, and forms as are necessary to comply with applicable law, including the approval and implementation of DPI-issued revisions to the DPI model policy and procedure manual and model forms. However, any discretionary substantive changes to the District's special education policies, procedures, and forms that deviate from the DPI models and that are not legally mandated shall be presented to the Board for approval.

The Director of Special Education shall have responsibility for recording, tracking, and reporting to DPI how the District's special education policies, procedures, and forms differ from the DPI models, if at all.

IDEA Programs and Services

Specific education programs and services for students with disabilities under the IDEA shall be determined by the student's individualized education program (IEP) team and based on an assessment of the student's individual needs. To the extent outlined in the student's IEP (and/or as a result of the application of other legal

rights), such students shall participate in state or District academic assessments, with or without accommodations, or in appropriate alternate assessments.

The Board delegates to the District Administrator and Director of Special Education the authority to designate and maintain a current list of the District employees who are authorized to serve as the local education agency (LEA) representative on District IEP teams and in other special education processes. Such designees shall receive periodic training that is specific to serving in that role.

The District may contract with its assigned Cooperative Educational Service Agency, other public school districts, and other qualified persons to provide special education programs and/or services whenever the District determines that such contracting would appropriately meet the needs of the student(s) and otherwise serve as an appropriate means of implementing the special education and related services defined in each student's IEP.

Reports, Audits, and Plans

The District Administrator or his/her designee shall complete and timely submit all special education report forms, audit materials, and District plans as may be required by any state or federal agency in relation to the District's programs for students with disabilities.