

## **SPECIAL EDUCATION PROGRAM**

The School District of Jefferson shall ensure that a free, appropriate public education, as defined by law, is provided to all district resident children with disabilities, age 3-21.

Procedures for implementing this policy shall comply with state and federal law.

### **Child Find**

The School District of Jefferson shall ensure that it uses all reasonable means available to locate, identify, and evaluate all children with disabilities aged birth through 21 that reside within the district and who have not graduated from high school. Activities aimed at achieving this objective include:

1. District census
2. Public awareness activities such as public announcements, district and school newsletters, notices, or paid advertisements
3. District screening for the following groups: (a) children entering school for the first time; (b) transfer students new to the district; (c) children currently enrolled in the district and in private schools located within the district by ongoing staff consultation and review after grading and parent conferences; (d) children below school entry age; (e) children who leave school before graduation by guidance counselor/administrative review and parent/guardian consultation; (f) any child on request; and, (g) school-aged children who are eligible to attend school but who are not attending school
4. District referral and individualized education program (IEP) team processes

### **Referrals**

The School District of Jefferson assures that a clear distinction between suspected disability student and non-disability student evaluation is made at the time of referral. The referral form shall provide a definition of the type of referral being made. Sources of referrals may be external to the district and shall be defined in referral procedures.

Areas of non-disability evaluation referral include: gifted and talented, early entrance to kindergarten, discipline-related issues, academic and special concerns, such as possible Section 504 eligibility.

Information and in-service opportunities shall be provided annually to all licensed staff to familiarize them with behavioral descriptors which in terms of frequency, chronicity, or severity might indicate a disability.

Referrals for evaluations shall be directed to the Director of Special Education and Pupil Services who shall coordinate the process. The Director of Special Education and Pupil Services shall identify written referral procedures.

### **Evaluation of Students Suspected to Have Special Education Disabilities**

Children who have been referred for a disability evaluation shall be evaluated by an IEP team assigned by the Director of Special Education and Pupil Services. The Director of Special Education and Pupil Services shall be responsible for identifying IEP team evaluation activities.

Children identified as requiring special education services shall be re-evaluated through the IEP team process at least every three years unless parents/guardians and/or adult students agree not to do a re-evaluation.

Parents/guardians, adult students, or general/special education teachers may request a re-evaluation prior to the three-year time line.

The Director of Special Education and Pupil Services shall identify procedures for evaluating students who transfer to the district.

The Director of Special Education and Pupil Services shall approve the completed IEP team evaluation process for each child referred.

The Director of Special Education and Pupil Services shall be responsible for ensuring that IEP team evaluations are in compliance with applicable state and federal laws.

Parents/guardians and/or adult students disagreeing with the conclusions of the IEP team may request mediation to resolve any disagreement relating to the IEP team process. The Director of Special Education and Pupil Services will consider this request. Parents/guardians and adult students shall be provided with an explanation of his/her/their due process rights under the Individuals with Disabilities Act and an explanation of the district's procedures for IEP team evaluations.

### **Individualized Education Programs (IEPs) for Disabled Children**

All children identified through the IEP team process to have a special education disability shall be provided with an IEP. Parents/guardians and students shall be provided the opportunity to participate in the development of the child's or adult student's IEP. All children placed in special education programs shall have an IEP prior to placement into special education programs.

The IEP is a commitment of resources to the child by the district, not a guarantee that goals and objectives will be achieved. The child's IEP shall be reviewed at an IEP meeting at least on an annual basis. Parents/guardians, adult students, and general or special education teachers may request that the IEP be reviewed at any time prior to the annual review. An IEP shall be in effect prior to the start of the school year for special education students continuing in the program. In addition, all students with a disability shall be re-evaluated at least every three years unless parents/guardians and/or adult students agree not to do a re-evaluation or the Director of Special Education and Pupil Services agrees with the IEP team that a re-evaluation is not necessary.

The Director of Special Education and Pupil Services shall identify procedures for ensuring that IEPs are developed and implemented. These procedures shall be in compliance with applicable state and federal laws.

The Director of Special Education and Pupil Services shall assure that IEP teams include the required composition of members.

### **Placement of Disabled Students in Special Education Programs**

Children identified through the IEP team process to have a special education disability and that have a completed and current IEP shall be placed in a special education program that represents the least restrictive educational environment. The district shall provide a full continuum of placement options.

The Director of Special Education and Pupil Services shall be responsible for identifying and implementing placement procedures that are in compliance with applicable state and federal law.

Upon initial placement, changes in placement, and each time an IEP is reviewed, parents/guardians and/or adult students shall be provided with a written notice of the district's intent to place their child or adult student in special education programs.

The Director of Special Education and Pupil Services shall make the offer of placement in special education and provision of related services based upon the child's or adult student's IEP. The child's parents/guardians or adult student shall provide written consent before special education and related services are provided. This consent may be revoked at any time by the child's parents/guardians or adult student.

Parents/guardians of students and/or adult students enrolled in special education programs shall be notified on an annual basis through the IEP of the district's intent to continue program placement.

### **Accessibility of Facilities**

The School District of Jefferson assures that physical building limitations shall not prohibit the provision of appropriate special education programs to district students. The district's continuum of educational placements for children with disabilities, when viewed as a whole, shall be physically accessible to disabled persons.

### **Procedural Safeguards Relating to Special Education Programs**

Parents/guardians and/or adult students shall be informed in writing of the procedural safeguards identified in state and federal law when the district proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child. Parents/guardians and/or adult students shall also be informed of their procedural safeguards when the district proposes or refuses to provide a free appropriate public education.

The Director of Special Education and Pupil Services shall be responsible for ensuring that parents/guardians and/or adult students are informed of these procedural safeguards by mailing them to each current special education student's home at the beginning of the school year. Throughout the school year, this information will be provided to those parents/guardians and/or adult students who are initially referred or who transfer into the district and receive special education services. They will also be available upon request.

### **Impartial Due Process Hearings**

As part of a student's due process rights, the Board of Education, the child's parents/guardians, and/or an adult student may initiate a hearing on matters dealing with the provision of a free, appropriate public education to disabled children.

The Director of Special Education and Pupil Services shall be responsible for developing procedures for impartial due process hearings that are in compliance with applicable state and federal law.

The Director of Special Education and Pupil Services shall ensure that parents/guardians and/or adult students are informed of their right to a due process hearing and the procedure for requesting one.

Accountability for the hearing process is with the district for resident and open-enrolled students in a Jefferson school.

### **Special Education Handbook**

A special education handbook shall be developed by the district that outlines specific policies, plans, and procedures relating to children with disabilities. This handbook shall meet state and federal law requirements and be adopted by the Board.

### **Special Education Staff Development**

The district will ensure that all personnel required to implement any part of this policy will be appropriately and adequately prepared and licensed by the Wisconsin Department of Public Instruction.

ADOPTED: December 19, 1983

REVISED: October 28, 1985  
July 23, 1990  
December 17, 1990  
June 24, 1991  
January 28, 2002  
June 25, 2012

REVIEW DATE: October 22, 2012

LEGAL REF.: Wisconsin Statutes: 118.13  
121.54(3)  
121.78(3)  
Chapter 115, Subchapter V  
Wisconsin Administrative Code: PI 11  
Section 504, Rehabilitation Act of 1973  
PL 94-142  
Americans with Disabilities Act of 1990  
Individuals with Disabilities Education Act

CROSS REF.: IL-R (1), Special Provisions Regarding the Testing of Students with Disabilities and Limited-English Speaking Students  
JB, Equal Educational Opportunities  
Special Education Handbook